

**COUNCIL OF DELEGATES  
AGENDA  
SEPTEMBER 26, 2013**

**CALL TO ORDER**

**APPROVAL OF MINUTES**

**TREASURER'S REPORT**

**VICE PRESIDENT'S REPORT**

**PRESIDENT'S REPORT**

**I. APPR/TIP Up-date (A<sup>s</sup>inine P<sup>u</sup>nitive P<sup>e</sup>rformance R<sup>e</sup>view)**

- TIPs wrong form – LRSs will update. 2013-14 grievance filed.(See Document I)
- 2011-12 grievances filed – Arbitrator selected.
- Legal action on MOU being coordinated with grievances.
- Scores still being corrected.
- SLO/TIP – Reminder – Teachers must agree to the SLO/TIP.
- SLO – Teachers should, if necessary, request release time to complete their SLO. (Keep a copy of the request and a copy of the response.)

**II. Negotiations – PERB expects to assign a Fact-Finder within the next two (2) weeks**

- Waiting for ST-3 District financial documents that must be submitted to NYSED that we use to project District surpluses. Will be used in our presentation along with salary comparisons, raises given others (City Hall), etc.
- District external audit due in October. We will also analyze this.
- When Fact-Finder is appointed and dates set, we will advise you.
- PERB – consider holding rallies until after fact-finding.

**III. Student Transfers – as absurd as the 50% stupid solution – (See Document II)**

Motion: To affirm Executive Committee support for **Document II** - BTF position on student transfers.

Recommended: Philip Rumore

Moved: Edith LeWin

Seconded: Kevin Gibson

**IV. Initiative - Buffalo teachers to NYSED, New York State, U. S. Department of Education, District, etc. –This is what we need for our students to succeed - Don't provide these supports, then you are responsible for the lack of student growth. (Document IIIA and IIIB)**

Motion: To affirm Executive Committee support for **Document IIIA & IIIB**.

Recommended: Philip Rumore

Moved: Edith LeWin

Seconded: Barbara Bielecki

**V. Pinnacle Charter School**

- All teachers are BTF dues-paying members.
- Annexes – are not new schools. We have annexes now - Olmsted, Drew Science, Alternative #131, etc.
- We have requested information on staffing e.g., number of vacancies that existed, BTF teachers who received involuntary transfers, uncertified teachers, etc.

(Cont'd)

- Since this is an annex that opened after the beginning of the school year, contractual issues may be clouded. Regardless, we will seek to cover any teacher harmed.

**VI. October 2<sup>nd</sup> – Summit for Smarter Schools “Get Testing Right”**

- Kleinhans Music Hall – 6:30 – 830 pm
- Many people have registered. (over 2,000)
- Problems with standardized testing.
- For tickets on-line – Send email to [Boxoffice@bpo.org](mailto:Boxoffice@bpo.org) and include the following: your address including zip code, phone number, name, school district you live in and number of tickets you are requesting.  
**Tickets are first come first served.**

**VII. Paladino E-mail – did you receive? (See Document IV)**

**VIII. Referral of students for discipline issues to SST teams instead of to the Principal – violates the contract Article XVIII – District notified.  
Will grieve, if necessary.**

**IX. Delegate Workshop – November 15 - 16**

**XI. OTHER LATE ITEMS**

**XII. OLD BUSINESS**

**XIII. ADJOURNMENT**

**GRIEVANCE FORM 2013-14**

For use in the grievance procedure contained in the Master Contract between the Buffalo Teachers Federation and the Board of Education.

**PLEASE TYPE OR PRINT NEATLY!**

TEACHER Buffalo Teachers Federation

SCHOOL BUFFALO TEACHERS FEDERATION, INC.

SUBJECT/GRADE \_\_\_\_\_ DATE 09/20/2013

HOME ADDRESS 271 Porter Avenue HOME PHONE (716) 881-5400

CITY, STATE ZIP Buffalo, NY 14201 SCHOOL PHONE 881-5400

ARTICLE(S) VIOLATED INCLUDE BUT ARE NOT LIMITED TO:

1 B, VII D, XII K, XIII, XX, XXV G, XXXVII, XXXIX D, XXXIX F, MOU of 1/15/13; APPR Agreement dated 1/17/13, Report of the Professional Council APPR.

NATURE OF GRIEVANCE:

Violations include but are not limited to: Teacher composite effectiveness scores were issued late. Scores were incorrect and/or incomplete. Teachers are unable to view and/or verify State Growth/SLO and LMA scores. PGS system was used without Professional Council agreement. The PGS system failed to calculate accurate scores. Electronic approval/rejections were not honored or secured. Teachers were not adequately trained on the use of the PGS system. The entire process lacked NYSED required transparency. The District failed to ensure accurate teacher/student data verification. District representatives provided contradictory and inconsistent instructions to teachers throughout the APPR process including but not limited to SLO's, LMA's, Artifacts, Rubric and use of PGS System. Inconsistent number of indicators used from Rubric. Rubric indicators were utilized without Professional Council approval. Teachers were provided insufficient training on the entire process and were not provided the necessary time during the work day to perform all required tasks. Teachers were issued TIPS on the wrong form, without collaboration and late. Administrators and trainers insisted upon certain growth/achievement rates for SLO's and LMA's. Artifacts unfairly and arbitrarily assessed. Some teachers did not receive announced and/or unannounced observations. Timelines and feedback processes were breached. Evaluators were not properly trained and inter-rater reliability was breached. Pre-test and Post-test data was not available and not reliable. Absenteeism procedures were not used for artifacts. Portions of the APPR process were implemented without agreement of the BTF and District Professional Council.

SETTLEMENT DESIRED:

All 2012-2013 APPR's and related documents including but not limited to TIP's shall be expunged from all District files as well as records held by the State of New York. No 2012-2013 APPR shall be used to negatively affect teachers. All teachers shall be made whole.

SIGNED \_\_\_\_\_ SIGNED *Deanna Fra*  
(TEACHER) (FOR THE BTF)

(over)

ADMINISTRATOR'S RESPONSE

PLEASE TYPE OR PRINT NEATLY!

---

---

---

---

---

---

---

---

---

---

---

---

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_

TITLE \_\_\_\_\_

LEVEL I SETTLEMENT ACCEPTABLE TO TEACHER: YES \_\_\_\_\_ NO \_\_\_\_\_

1. If this grievance is settled at Level I, please mail the original to Grievance Committee, Buffalo Teachers Federation, 271 Porter Avenue, Buffalo, New York 14201, and retain a copy for your Delegate file.
2. If this grievance is not settled at Level I, you have five days in which to appeal to Level II. In this case, duplicate the original:
  - A. Retain file copy.
  - B. Send original to Central Grievance Committee, Buffalo Teachers Federation, 271 Porter Avenue, Buffalo, New York 14201. (The Federation will distribute added copies to the appropriate administrators.)
  - C. Include one signed, blank grievance for office use.
3. If you have any questions call:  
**Dennis Licherelli, Deana Fox or Nick Whitman, at 881-5400.**

NOTE: A written grievance shall be filed as soon as possible, but in no event later than fifteen (15) days after occurrence of the facts giving rise to the grievance or notice of such facts to the teachers, whichever is later.

DOCUMENT III A

President PHILIP RUMORE

September



BUFFALO TEACHERS  
FEDERATION, INC

271 PORTER AVENUE  
BUFFALO, N.Y. 14201  
(716) 881-5400  
FAX (716) 881-6678

**MEMO TO:** Dennis Van Roekel, President, NEA  
Lily Eskelsen García, Vice-President, NEA

**FROM:** Philip Rumore, President, BTF

**RE:** A "Backfire"

I'm not talking about a backfire in a car! This "backfire" is one that is set ahead of a forest fire to stop the fire. It was a term used by Jerry Weast Ed.D, former Superintendent Montgomery County, Maryland Public Schools and CEO of Partnership for Deliberate Excellence, with whom I met several days ago in connection with the Say Yes project here in Buffalo.

Before meeting with Jerry, it occurred to me that we, in Buffalo, need to seize the initiative lest we be destroyed by the arson fires that are being set by those who are either willingly (most) or unwillingly attempting to destroy public education.

Subsequently, Steve Allinger, NYSUT Legislative Director, Mike Deely, NYSUT's Western New York Regional Director, and I had a conversation relating to the same issue.

Here are some initial thoughts on a backfire plan (not to be called that for obvious reasons!):

Despite the fact that, as a result of Buffalo teachers herculean efforts, we have shown important progress in our graduation rates and our students are outperforming other similar school districts, the Buffalo Public Schools have been singled out by the New York State Commissioner of Education, John King and are under one of the most vicious and vindictive attacks I have seen. In addition, students are being brutalized and teachers are being demoralized by standardized test-based evaluations (APPRs) that have no connection with the realities that they face every day.

**While I know there have been studies, reports, initiatives, etc, we want to do something that will say to Commissioner King, the Board of Regents, Secretary of Education, Arnie Duncan and all those that are setting forest fires, "Provide what educators know is needed and do what educators know needs to be done and you will see significant student growth.**

**If you choose to ignore or disregard the recommendations of those in the classrooms who are committed to improving student growth, then it is you who are 'highly ineffective' and who are undermining our students' education".**

O-V-E-R

We would like NEA, AFT and NYSUT to be part of our initiative (AFT is of course receiving a similar letter).

Here are some off-the-top of my head thoughts:

- The objective would be to initiate an action plan that is developed by educators that will improve student growth and that is supported publicly, logistically, and financially.
- Said plan would reflect the importance of early grade intervention and provide the resources needed to insure that teachers and students receive the support necessary for students to move successfully from grade level to grade level so that they graduate from elementary school prepared to succeed in the secondary grades.
- The most intense interventions would obviously be in the early elementary grades. As we all know, once a child falls behind, they usually get further and further behind.
- This is in no way to discount the importance of support for upper grades; but rather, an initiative to ensure that when students move to the secondary grades they are well prepared to succeed and receive the any additional support they need to be successful once they enter to the secondary grades.
- Of great importance is providing services and support for students who enter our schools speaking little or no English, students with disabilities and students and families that are living in great poverty and in conditions few can comprehend.

Some more thoughts:

- How do we measure growth? State scores that some will demand, other measures or a combination of both? Obviously, “others” would be preferable.
- What grade levels should be grouped, e.g. PreK-2, 3-4, 5-6, 7-8, 9-12; PreK-1, 2-3, 4-6, 7-12?
- All schools in the District or some? Those that want to be involved and who have good leadership in the school or all schools. This would include both “priority” and “non-priority” schools.
- Factors such as:
  - Teaching/learning conditions (class size, supplies, working environment, etc.)
  - Curriculum – is it appropriate?
  - Sufficient equipment and educational supplies (computers, white boards, text books, other educational materials, etc.)
  - Support e.g. ELL teachers, specialists, student support services, attendance teachers, social workers, community social services, etc.,
  - A student’s parent/guardian support,
  - Student absenteeism,
  - Relevant Professional Development,
  - A review of currently working models with populations similar to Buffalo. i.e. 40 different languages in one school.
- Who should develop the action plan? Just teachers, teachers with the district, etc. We expect to work with the District; however, the final plan will be approved by Buffalo teachers.

- Can we or New York State mandate (including funding) summer school for Elementary students who are “failing”?

These are just a few of my initial thoughts. Those that have been working on these issues for years have a better idea of the process we can use.

We believe the District, Say Yes and similar organizations will be supportive. We will be working with NYSUT on any legislation to help facilitate the initiative for funding, etc.

There have been reports and reports. Yet, not enough real action has occurred, that is supported by educators and that really supports educators and our students.

In spite of all the pressure and insanity that Buffalo teachers are enduring e.g. vicious attacks by Commissioner King/NYSED, absurd implementation of Common Core last year, Annual Professional Performance Review (APPR) scores that have no connection with reality, student testing that is brutalizing our students, no new collective bargaining agreement for 9 years, etc., I believe that Buffalo teachers will actively support an initiative that is based upon what they know will improve student growth as long as there is commitment from New York State, NYSED, the District and the community to support a long term initiative with realistically measured and achievable student growth goals.

I say “Let’s do it” and show them how it can and will be done.

We would appreciate knowing what support NEA will provide as we work together.

Thank you in advance for your attention to this important matter.

This letter is also being sent to Randi Weingarten, President of AFT and Francine Lawrence, Executive Vice-President of AFT.

PR:su

Cc: Richard Iannuzzi, President, NYSUT

**MOTION:**

BTF seek to work with NYSUT/AFT/NEA to develop a position paper and action plan based upon what Buffalo teachers know is needed and needs to be done to improve student growth.

The position paper will make it clear that not following the recommendations contained in the position paper makes those empowered to implement said recommendations responsible for any lack of student growth.

Said initiative will follow the recommendations contained in BTF President Rumore's correspondence to the NEA, AFT & NYSUT.

**RECOMMENDED BY: Philip Rumore, President, BTF**

**MOVED: Edith LeWin, Vice-President, BTF**

**SECOND: Kym Mosgeller, Executive Committee Member**



DOCUMENT IV

President PHILIP RUMORE

September 18, 2013

**MEMO TO:** All Buffalo Teacher  
**FROM:** Philip Rumore, President, BTF  
**RE:** Carl Paladino Email



BUFFALO TEACHERS  
FEDERATION, INC

271 PORTER AVENUE  
BUFFALO, N.Y. 14201  
(716) 881-5400  
FAX (716) 881-6678

Board member Carl Paladino is apparently attempting to contact Buffalo Teachers and is, as usual, making false statements.

As you know, I have not sent an email asking teachers to attend the community rally in support of the Superintendent and against the vindictive actions of Commissioner King and NYSED. That is your decision even though Carl Paladino has stated publicly that teachers and administrators should not go. Mr. Paladino just because you are a board member, you cannot tell Buffalo teachers where they can or cannot go.

Do we have differences with Dr. Brown? Of course, just as we have had with every superintendent.

Is she now more willing to discuss issues with us? Yes.

Is she, as we are, the focus of a vicious, vindictive vendetta by Commissioner King, the Board of Regents, *The Buffalo News*, etc.? Yes.

Is anyone (*The Buffalo News*, Commissioner, Board of regents, etc.) giving any of us credit for significantly outperforming Rochester and Syracuse and for the progress we have made. NO!

Do I think we, the District and the Superintendent have been the objects of vicious, vindictive attacks not only by NYSED but Carl Paladino? Obviously.

Let me just provide you with a few quotes from Carl Paladino that revealed his true opinion of Buffalo teachers.

- “Dr. Nevergold:

Larry Summers, the candidate to head up the Federal Reserve Bank, recently said ‘Public Education in the US today is like communist Russia in its heyday. Both systems exist to serve the provider and not the customer/student. In Russia people used to bribe the butcher to get a thicker

O-V-E-R

cut of beef. Today we placate to the teachers to keep them happy and loyal to politicians, special interests, etc. There is nothing about our public education model that prioritizes the students.”  
Correspondence to Dr. Barbara Nevergold, Buffalo Board of Education President.

- “I will move at the July 10, 2013 meeting of the BOE for a resolution as follows:
  - ‘1.) The Superintendent shall immediately study and implement a policy of outsourcing students and converting all priority schools to Regents Approved Charters requesting expedited and special consideration and approval of the Board of Regents.
  - 2.) The Superintendent shall immediately consult with all suburban school districts and Charter Schools to determine the opportunity for them to enroll Buffalo students into their schools for the coming school year.
  - 3.) The Superintendent shall immediately consult with BOCES to enroll Buffalo students into various BOCES vocational programs that are presently available, especially the outsourcing of disciplinary alternative students to the BOCES Career and Technical Education programs.” August 16, 2013 memo to Board members and “Everybody”. He includes an article “Michigan City Outsourcing All of Its Schools”.
- “BOE action must include seeking Bankruptcy ‘cram down’, outsourcing functions and students to other districts and charter schools and the formation of more Regents Approved charter Schools.

I will move at the July 10, 2013 meeting of the BOE ‘to retain Bankruptcy Counsel to advise on the filing of a voluntary petition in Bankruptcy to ‘cram down’ public employee contracts including substantial adjustments to employee health benefit programs and to recover management prerogative rights.” July 1, 2013 memo.

When considering forwarding Carl Paladino’s emails or what you hear him say or do, please consider the above.

PR:su