

President PHILIP RUMORE

June 6, 2014



*Karen*  
**MEMO TO:** Karen Magee, President, NYSUT  
Andrew Pallotta, Executive Vice President, NYSUT  
Catalina Fortino, 1<sup>st</sup> Vice President, NYSUT  
Paul Pecorale, 2<sup>nd</sup> Vice President, NYSUT  
Martin Messner, Secretary-Treasurer, NYSUT

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

**RE:** Legal Action

As you are no doubt aware, I am not satisfied – no, I am very dissatisfied with NYSUT’s continued lack of action relating to the APPR.

To be clear, we want action now – no, yesterday.

The proposed legal action, as per my correspondence with Dick Iannuzzi last year, included:

- attacking the tests as developmentally inappropriate, unproven, being used to evaluate teachers when some developers say they shouldn’t be used for that purpose, etc.
- using the harmful impact on students especially ELL and special education students.

In addition, we believe that the issue of using test scores, based upon the Common Core, that will not be used to determine student placement, etc. should be utilized.

The above are just some suggestions relating to legal action that we want taken.

Obviously, for the reason stated at the NYSUT Board meeting, we should probably not be included in the Rochester/Syracuse action.

We are looking for the new NYSUT leadership, unlike the previous leadership, to take legal action to attack the APPR, testing, etc. Using the previous NYSUT legal excuse that we may or even will not win isn’t what leaders do.

We make decisions based upon what we believe is right, not whether we may lose the battle.

Thank you, in advance, for your attention to this very important issue. Please advise me of NYSUT’s position as soon as possible so that, if necessary, we can commence legal action of our own.

PR:su