



*ST Caucus PO Box 326 Morrisonville, NY 12962*

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Beth Dimino, ST Caucus Chair  
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Morrisonville, NY 12962

Dear NYSUT Officers, Members of the NYSUT Board of Directors, and NYSUT members:

We are writing to clarify some concerns that have been growing since Jim Malatras sent his letter to Chancellor Tisch on December 18, 2014, in which Governor Cuomo outlined his education agenda for this legislative session. The letter outlined several specifics to be included in a legislative package of reforms. The essence of which were:

1. Revamping Teacher Evaluation
2. Revamping the 3020-a process
3. Making the teacher certification process more rigorous
4. Merit pay
5. Changes to the probationary process
6. Improving struggling schools
7. Increasing the number of charter schools
8. Replacing teachers with virtual classrooms
9. Increasing the number of localities with Mayoral control
10. Consolidation
11. Gaining control of the Board of Regents
12. Improving the process for selecting the next Commissioner

We agree with some of the Governor's policies, but as we all know, the devil will be in the details, and some must be opposed with the very fiber of our organization. Atop the list of proposals we must contest is the same policy the Governor puts on the top of his list for change. NYSUT cannot cede control of the APPR to SED or the legislature. Observation and evaluation must remain a mandatory item of negotiation under the Taylor Law. In the Chancellor's response to the Governor, she proposed three devastating changes:

1. "Eliminate the locally selected measures subcomponent, established through local collective bargaining."
2. "Establish State-prescribed scoring ranges for the other measures of teacher and principal effectiveness (the observation subcomponent) rather than allowing them to be locally-negotiated."
3. "Enhance the expedited disciplinary process to make a pattern of ineffective teaching a rebuttable presumption of incompetence rather than merely a significant factor of incompetence determinations, as it is done for NYC, but not the rest of the state."

Obviously, this completely removes the local's ability to negotiate any of the point distribution on the APPR and will result in teachers being deemed incompetent based solely on the state's formula, not multiple measures. Local control is a fundamental right of our unions and our school districts. We recognize that students are different and have different needs; therefore, the locals who serve those students are different and have different needs. One size does not fit all.

We received your email outlining actions taken to push back against the Governor, but rather than making us feel at ease, it has raised concerns. While clearly NYSUT has been busy, this does not equate with effectively changing the narrative in our favor. The efficacy of your response should be measured by how you address members' top priorities.

While NYSUT's response to date seems to be centered on fighting economic issues, a bully politician is attacking teachers at the core of our professionalism. School funding is critical. For too long, the Governor has ignored the glaring funding crisis in our most needy rural and urban schools. We are writing to emphasize that protecting our APPR, as it stands now, with a focus on local control, is a concurrent top priority. Clearly the Governor made changing it *his* top priority, and likewise, its defense must be *our* top priority.

As local leaders we are dismayed that the Governor's letter was sent to the Chancellor on December 18th and a month later we have yet to hear a full-throated defense of the evaluations we have negotiated. More importantly, we have yet to hear a full-throated attack of the junk science behind VAM scoring. We have ceded too much ground to education reformers, by turning over our curriculum and judgment to the representatives of hedge fund managers and charlatans hiding behind standardized tests. And lest we forget, where is NYSUT legal on Cuomo's libelous statements of convicted sex offenders being in the classroom? That kind of juicy headline yet again demonstrates the lack of truth or gravity behind his assertions; the rank and file is not happy that it has not been aggressively addressed.

We are suggesting NYSUT adopt the following lines of attack with the Governor (for a list of suggested questions that you should make all legislators accountable to answer before changing any education policy, see the ST Caucus open letter to Chancellor Tisch here, which she unfortunately did not respond to): <http://stcaucus.weebly.com/uploads/2/5/9/1/25917522/merryltisch.pdf>

We urge NYSUT adopt a policy that pushes back against the abuse of standardized tests in our classrooms. They are exploitative of students as well as of the professionals who have made a career of teaching them. We have let SED and the Governor get away with horribly inaccurate and damaging statements because they are based on "data." Basing a lie on data does not make it objective or accurate; it only makes it more likely to be believed. Union attackers have gotten away with this ruse for too long. NYSUT must challenge the erroneous assumptions that have gone into the metrics that produce such flawed results. For example, if we continue to let the Governor go unchallenged when he says that only 37% of New York students graduate "college and career ready," we may as well surrender. NYSUT must expose the deceit behind the data. The standard has been correlated to getting SAT component scores of 540 in math, 560 in reading, and 530 in writing. This is a combined score of 1630, which only about 40% of the students in the state earn (Click on the following link to see the SED document): <http://www.p12.nysed.gov/assessment/reports/summary38externalbenchmarkstudies.pdf> Dr. Carol Burris has been tireless in exposing erroneous conclusions based upon the flawed metrics SED and the Governor are hiding behind. Basing "college and career readiness" determinations on SAT scores is problematic at

best; it poorly predicts college success, but correlates remarkably well with parental income. If NYSUT is serious about fighting for fiscal fairness, it must also take on the fight against the abuse of standardized tests, because they are one and the same. Both damage economically disadvantaged students.

Educators know that in the next two months, thousands of students who earned scores less than 1630 will be receiving acceptance letters from colleges because they were deemed ready by their college, and that is because those institutions know what SED will not acknowledge: Standardized Tests are horrible predictors of college readiness. Far more important are the courses taken and the grades earned. We should be *highlighting* successful students the state would have been calling unready or essentially unfit for college, and point out that SED has no authority to label students in this coercive manner. Every parent that has a child who struggles with tests—but loves learning—will know exactly how flawed and damaging to a child's psyche this can be.

At a recent meeting in ED 18, President Magee said there was no deal with the Governor on APPR. The best way to ensure that is to fight back. The evidence will be in NYSUT's actions. Let us reiterate: funding is of critical importance, but the fight to protect APPR cannot be compromised. We must be able to push back on all of our most critical issues, and protecting a collectively bargained APPR and fighting the exploitation of flawed tests is as crucial as gaining funding increases.

Sincerely,

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