

## VC ECHOES

Volume 14, Issue 2

Valley Central Teachers' Association

December, 2011

### APPR REFORM?



"This is an ineffective teacher because he is standing 2 inches off the center mark."

## Valley Central Teachers' Association

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### In this issue:

|  |    |
|--|----|
| Kathy Foti<br>Deb Simons<br>Brian Ackley | 2  |
| Zero to Fifty                            | 3  |
| Wall Street                              | 4  |
| Child Abuse                              | 5  |
| Understanding APPR                       | 6  |
| In the Trenches                          | 9  |
| Occupy Wall Street                       | 10 |
| Mac's Musings                            | 11 |
| VOTE-COPE                                | 12 |

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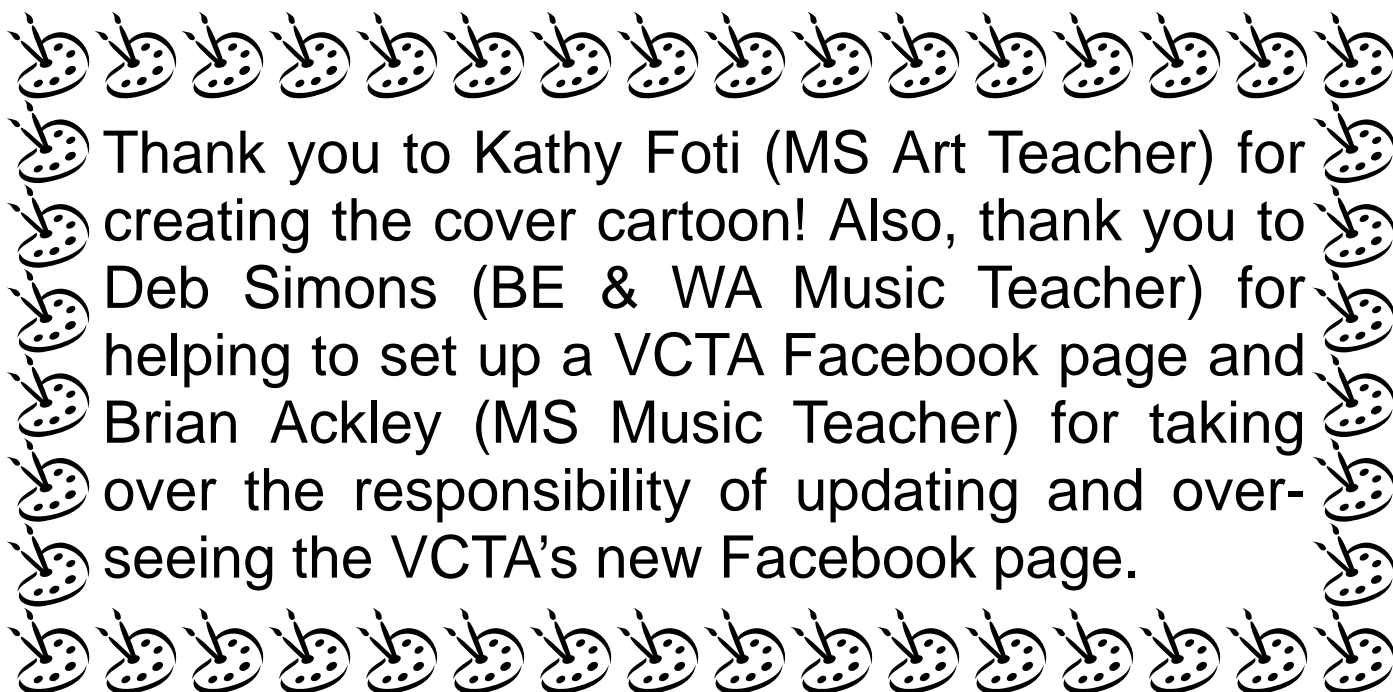
**Contribute to the next issue!**  
**Articles or**  
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**should be sent to**  
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**30 January 2012**

### Executive Council Building Representatives

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•High School: Nancy Brother, Deborah McKenney, Antoinette Oakes, Melissa Verlin, Scott Warner  
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•Paraprofessional Representative: Kathy Lennon (W)

*The VC Echoes is the official publication of the Valley Central Teachers' Association—Local 3076—and is published regularly during the school year. Any articles submitted to the VC Echoes will also be posted on the VCTA web site.*

 Thank you to Kathy Foti (MS Art Teacher) for creating the cover cartoon! Also, thank you to Deb Simons (BE & WA Music Teacher) for helping to set up a VCTA Facebook page and Brian Ackley (MS Music Teacher) for taking over the responsibility of updating and overseeing the VCTA's new Facebook page.

## From Zero to Fifty

**V**CTA officers were recently informed that the District is mandating a new grading policy that will be effective next year. This new policy/mandate will limit the minimum quarterly grade that can be assigned to a student to 50%. *This is exactly what I feared data driven instruction would eventually translate into, even here at VC where we give politically correct voice to the concerns/pitfalls of the misuse of data driven accountability.* What will this new policy mean in practical terms? Look at how the following two scenarios change a grade of F (i.e. a grade below 65).

|           | System   | Course    | Q1 | Q2 | Q3 | Q4 | Avg |
|-----------|----------|-----------|----|----|----|----|-----|
| Student 1 | Current  | Full Year | 80 | 80 | 0  | 0  | 40  |
| Student 1 | Proposed | Full Year | 80 | 80 | 50 | 50 | 65  |
| Student 2 | Current  | Half Year | 80 | 0  | NA | NA | 40  |
| Student 2 | Proposed | Half Year | 80 | 50 | NA | NA | 65  |

Under current policy a student earning a grade of 80 in the first two quarters of a full year course would need to earn a grade of 50 for the 3<sup>rd</sup> and 4<sup>th</sup> quarters to have a minimum 65 passing class average entering the final exam. However, with the new policy a student could earn a grade of zero in the 3<sup>rd</sup> and 4<sup>th</sup> quarters while never attending class and still pass the course. Imagine the surprise of parents when their child successfully passes the course but fails the Regents. *How can a student do passing work for 40 weeks and fail the state assessment? That teacher must have been “ineffective” and it should be reflected in that teacher’s APPR Review!* I also feel sorry for any teacher who will be evaluated on a false growth model that manipulates grades by 50 points. Confusing and misleading data will be a staple of this new grading policy for the following year’s teachers of these struggling students. A grade of 50 could represent either a decrease or a substantial improvement in learning depending upon what that 50 really represents. If this district is truly interested in college readiness, perhaps it should be promoting a collegiate grading system that utilizes a zero through four numerical system—similar to the A through F system. At least this system does not intentionally manipulate grades for the sake of “data driven accountability.” Transparency does not exist when mandatory 50 point curves manipulate reality and truth.

At what point will teachers stop being micromanaged at every turn of their teaching, which will now include grades. I have always offered students an opportunity to backtrack on missed work if they demonstrate initiative in following marking periods by actually attending class and staying for extra help during post session or before school. This opportunity represents an earned “redo” or an extension of the district’s makeup policy. Is my professional judgment now suspect or is the need to manipulate data now the district’s number one priority?

I was once told at a CO meeting that building principals needed to be granted more autonomy within their buildings since their jobs, via RTTT mandates and subsequent APPR requirements, could now be in jeopardy based on building test scores. Now to be honest, I believe that

*(continued on page 4)*

## **From Zero to Fifty (from 3)**

building administrators are just as frustrated by RTTT and APPR mandates as teachers and I trust that they are each looking out for their staff and lobbying for practical implementation procedures for these ridiculous mandates. I am not frustrated with building administration; the above comment did not originate from building principals; it originated from CO administration. It would appear that the King has more concern for the lords of the manors than the serfs that do the primary grunt work. If this philosophy is going to be used to justify autonomy for building principals why does this not also apply to classroom teachers? In accordance with the premise of this CO philosophy, administration should be solely responsible for teacher test results if teachers' actions are to be micromanaged every minute of the day. I would like to remind CO that all bargaining units are stewards of this district and should be treated as such.

NOTE: I am sure that there will be staff that both like and disapprove of a minimum 50 grade policy. There are other districts that have similar policies. This was discussed at the Orange County Teachers' Association Meeting in November. However, of the schools represented, none had a minimum grade policy that extended beyond the first quarter. Translation, VC will now have the most manipulative, non-transparent grade tampering policy in the county...and ours will extend athletics (see the newspaper for a neighboring schools woes). I fear that we are playing into the hands of data driven mediocrity. Why do you suppose we hold on to one of the toughest Academic Ineligibility policies in the area? Shouldn't we water down our AI policy like other schools or will we only water down what counts for NCLB?

—Tim Brown, HS, Health

## **Wall Street vs. Main Street**

What follows is a partial transcript and partial paraphrasing of a Daily Show segment aired on 12/1/2011 entitled *How the \_\_\_\_\_ Is It That Martha Stewart Went To Jail?* The information below was originally provided by the Bloomberg Report and segments of 24 Hour News, including FOX.

1. Main Street did not get bailed out but the rich guys and fat cats on Wall Street did.
2. TARP provided \$700 billion to Wall Street but at least the public knew about this.
3. There was another more secret program in which the federal reserve funneled money into the banks:
  - \$7.7 Trillion (Yes Trillion—11 times more than TARP)
  - That's more than half our country's gross domestic product
  - That's more than twice the annual budget of the entire federal government.
4. This \$7.7 Trillion was loaned at below market rate (i.e. 0.01%) This is essentially free money.
5. It was reinvested in treasuries that pay 3%. The banks profited by about \$13 billion.
6. The government was lending the banks money at no interest and then borrowing it back from the banks at interest. Think of it like our government selling dollar bills to the banks for 97 cents and the banks had the gonads to bonus their employees for having the smarts to say "okay."
7. For banks this is a perpetual money machine. Now in fairness, the Bloomberg Report (the source) indicates that the interest banks earned from the treasury deal while they were getting free loans from the Feds only accounted for \$10 billion of the 13 billion in bailout profits.
8. This information was kept secret from the treasury during the time that it was creating TARP and from Congress when they were doing the Dodd-Frank Financial Reform Law.

## **Child Abuse/Neglect: Two Simple/Necessary Steps**

**W**ith the recent controversy that has tainted the reputation of Penn State University it would seem appropriate to restate the Two-Step Action Advice that VCTA officers have shared with members regarding suspected child abuse and neglect for the past 14 years.

1. Report the suspected abuse/neglect to your principal right away;
2. Follow-up immediately by making a phone call to Child Protective Services, informing the CPS employee that you have already notified your building principal.

There are, unfortunately, areas of our nation where step two is forbidden via non-disclosure policies (a standard practice within the private sector to protect businesses from wrong-doing); however, this is not the case in NYS for public employees. There are no confidentiality or non-disclosure clauses that we must sign with our employer that effectively prevents employees from directly reporting criminal acts such as child abuse/neglect to CPS. On the state and national level our union has worked hard to provide whistleblower protections to employees and our local union membership has worked hard to ensure that children are the center of our focus with regard to decisions that we make both organizationally and individually at work.

When it comes to the safety of children, never make the assumption that someone else will contact the appropriate authorities. Too much is at stake:

1. the health and safety of the child(ren) involved in the specific incident or warning signs observed;
2. the health and safety of any future children that could become victims if the current "suspicions" are not reported properly/timely;
3. as mandated child-abuse reporters, each VCTA member's personal reputation and professional license is on the line for any failure to do the right thing with regard to suspected abuse or neglect.

Although the legal responsibilities regarding the reporting of child abuse/neglect vary from state-to-state depending to some degree upon the observer's job

title and certification/license, the ethical responsibilities do not vary:

1. Protect children from adult predators without delay.
2. Do not assume that someone else will report the incident, even if specific internal reporting procedures exist.

Too many unknown factors could negatively impact well-designed institutional reporting procedures. For example, the district's reporting agent in a specific building (usually the building principal) could have a personal relationship with the child's family, effectively making the suspicions less "credible." Do not leave it to chance. Make the call yourself; two phone calls to CPS regarding the same child/incident will not overwhelm CPS. Remember: the reporting of suspicions or warning signs is not a confirmation that child abuse/neglect has occurred. It is the responsibility of Child Protective Services to investigate and make this determination. Our role is quite simple: if there is any evidence that a child is being hurt—WE ACT IMMEDIATELY to protect that child (see steps 1 and 2 above).

—Tim Brown, HS, Health

### **Telephone numbers to report abuse or maltreatment are:**

**Mandated Reporter: (800) 635-1522**

**Public Hotline: (800) 342-3720**



**There are no greater advocates for children and education than teachers and teacher unions!**

## Understanding APPR

**W**hat does the new APPR mean to you as a NY educator? It means that evaluation has and is changing and it is your responsibility to understand it. The new APPR law is just that: a law. The first one was legislated in 2000, which is when APPR projects were introduced. The update was legislated in 2009 and affects VC educators when contracts expire (administrative 2012, teacher 2013). Most of the APPR plan must be collectively bargained by the Association and the District and cannot be imposed until the CBA has been adopted by the District and the Association. The new law is raising many questions, many of which remain unanswered by the state. Here are questions we can answer.

### **What must be included in the APPR plan which is due every September?**

1. Collection and reporting of data
2. The three components of teacher evaluation:
  - 20% student growth on state assessments
  - 20% locally selected measures
  - 60% teaching standards (which are updated also)
3. Composite Scoring
4. Timely and constructive feedback to teachers
5. Training of evaluators and ensuring inter-rater reliability
6. Appeals Process
7. TIP Process

### **What must be bargained in the APPR plan?**

1. Collection and reporting of data
2. 20% locally selected measures
3. 60% teaching standards:
  - Rubric
  - Multiple measures of teaching
  - Evidence collection
4. Scoring methodology for locally selected measures
5. TIP Process

***“A pessimist sees the difficulty in every opportunity; an optimist sees the opportunity in every difficulty.”***

***-Winston Churchill***

### **6. Appeals process**

### **Who is evaluated by the new system?**

1. Building principals
2. Classroom teachers (this includes special education and special area teachers as defined in section 80-1.1 of Commissioner's Regs)
3. NOTE: Related Support Personnel (counselors, pyschs, librarians) and Assistant Principals will still be evaluated by the **old** system.

### **How is the new system different than the old system of evaluation?**

1. Under the **old system**: tenured teachers were evaluated once every three years by classroom observation with APPR projects implemented for evaluation during the other two years. Summative evaluations were written at the end of the year by the principal for those observed, with the option of writing them for those who completed APPR projects. Non-tenured teachers were evaluated three times a year and could be let go anytime if the district did not feel it was a good fit.
2. **Under the new system**: principals and teachers must be evaluated on an annual basis using multiple measures including multiple classroom visits (principals – school visits) and districts must incorporate an annual cycle that incorporates all the requirements of the evaluation as legislated.

*(continued on page 7)*

## **Understanding APPR (from pg 6)**

There was no intent of the new law to change the tenure process so non-tenured teachers will most likely be evaluated more often with no change to that process. The bottom line is that in the past a teacher was basically evaluated on classroom observation and now a teacher will be evaluated across the scope of a school year much like a student is evaluated across the scope of a school year rather than on one isolated performance.

### **What are the multiple measures of teacher evaluation on the new APPR and how are they scored?**

1. 20% student growth on state assessments
2. 20% multiple locally-determined measures of student achievement
3. 60% state teaching standards/multiple measures

### **There are four levels of summative (yearly) achievement: known as HEDI**

1. **Highly Effective:** Scoring 91-100 points on the 100 point scale
2. **Effective:** Scoring 75-90
3. **Developing:** Scoring 65-74
4. **Ineffective:** 64 and below

Any teacher, who scores below a 75, will be in need of improvement and require a TIP. By law a teacher who has a “developing” or “ineffective” rating must result in a TIP as soon as practicable and no later than 10 days after the opening of the school year. It must identify areas to improve, timeline for achieving improvement, manner of assessment of improvement and differentiated activities that support improvement.

If a tenured teacher scores below a 75 for two consecutive years, he/she may face an expedited 3020a process which may terminate your employment. A teacher may appeal their summative achievement according to the new law in a

process to be determined by local negotiation.

### **How will the student growth percentile (SGP) be determined?**

1. The state will determine (and has yet to do so) a conversion formula for SGP which will translate on a 0-20 point scale.
2. Scores are supposed to be adjusted for student poverty, students with disabilities and ELL. Every teacher of record in 4-8 ELA or math represents the mean or median of the SGP's of his or her assigned students. Building principals have a similarly calculated score based on the SGP's of the students who took the same state assessments.

### **What is the value-added score?**

If the value-added model is approved for **2012-13**, then 0-25 points of teacher evaluation will be based on the VA score while 0-15 is based on other local measures. Since the VCTA contract expires in 2013, the VA is more likely what we will deal with. The VA takes into account student, classroom and school characteristics in the computation of the score and will seek to avoid negative results because of statistical anomalies. The VA will be based upon existing Regents and the new test sequences in grades 6-8 science and social studies and the 3 years of ELA being planned. If it is not ready, then SGP will be continued. The state has devised a state-wide process for determining student growth in areas that lack state testing using Student Learning Outcomes. These must identify student population, learning content, interval of instructional time, evidence, baseline, targets, criteria which determines what range of performance is aligned with the HEDI composite score ranges and the rationale for choosing the content, evidence and target.

*(continued on page 8)*



## **Understanding APPR (from pg 7)**

### **What are the requirements of locally determined multiple measures?**

They must be rigorous meaning that they are aligned with student learning standards  
They must be comparable across classrooms meaning that they will administer and score in a similar manner.

### **What are the 60% other measures of teacher effectiveness?**

The multiple measures of teaching practice are observation, self-assessment, review of student work, analysis of teaching artifacts, professional growth goals and evidence binder. They are judged against the NYS Teaching Standards which were updated with the new law. The old eight teaching standards had to be achieved in a 3 year cycle. The new seven must be achieved every year. The old eight were a descriptive sentence with no further explanation. Actually the VC APPR committee wrote observable indicators to encourage inter-rater reliability. The new seven consist of a standard (what teachers need to know and be able to do), elements (desired knowledge, skills, actions and behaviors) and indicators (observable and measurable aspects of teaching practice). The 60% must be scored on the agreed upon rubric for each teacher. It will require observation beyond the classroom visit and must be evidence based which means it must be factual, include teacher and student action and behavior, may include artifacts from the teacher and students, will not be clouded by personal opinion and bias. The assignment of 40 of the 60 points must be on multiple classroom observations which means 2 or more by an evaluator. They are permitted to be performed in person or on video. The remainder of the points can be on any of the following: structured review of student work, teacher artifacts, feedback from students, parents and other teachers, and self-reflection on professional growth

goals. The assignment of points will be negotiated.

### **Who may conduct observations?**

Principals are the lead evaluators of their buildings and other trained administrators may conduct multiple classroom observations. Observers must be certified administrators and may not be teachers or retired teachers. Evaluators must be trained and that training is determined locally. Lead evaluators conduct the entire evaluation including the scoring and rating.

### **Where is VCSD in this process?**

The APPR committee has been meeting monthly discussing the new law and considering the state approved rubrics. The committee is comprised of teachers and administrators. The District and the VCTA are in the process of setting negotiation meetings. Once the rubric is selected in negotiation then the multiple measures of teaching practice will be negotiated as well as the methods of collecting evidence. The collection and reporting of data, the locally-selected measures and how they are scored, TIPs and the appeals process must also be collectively bargained.

VCTA members on the APPR Committee:  
Laura Magee, Joe Fracalossi, Deb Calvino, Linda Draughn, Tara Brown, Antoinette Oakes, Patti Behr, Rich Steger and Chris Mello.

—Patti Behr, HS, Art



## In the Trenches

**R**oughly 30 years ago while I was contemplating a career, it was my mother who suggested that I would make a great Social Studies Teacher because I had always loved history and truly enjoyed people—and she was right! Here I am 27 years later still loving history, politics, and people!

What my mother never foresaw was the avalanche of bureaucratic nonsense that has now begun to crush my enthusiasm for teaching and being with people—the job that I have loved for 27 years. In fact many teachers that I have spoken to from kindergarten through the high school feel the same way! Are you one of them? APPR, NWEA, CFA's, DDDM, national standards, state standards, common core, RTTT, Mandates, Mandates, and even more mandates! It is totally out of control (can you say micro-management).

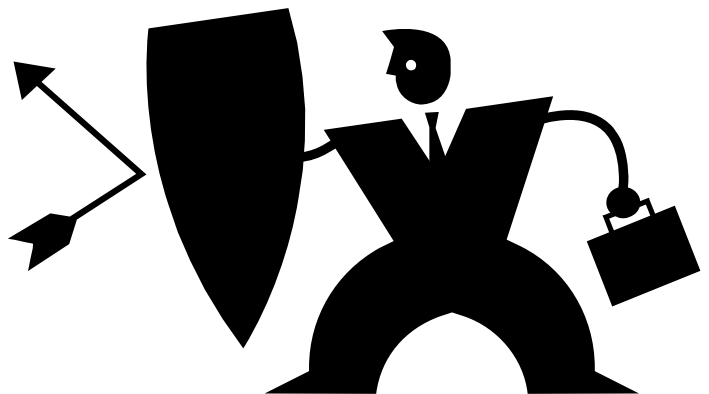
How and when can we possibly teach and make those crucial connections with our students if we are constantly being asked to do more and more planning, data collection, mandate review, adjust to changing curriculum and on and on and on! **No**, I am not blaming Central Office (they are equally bombarded with this). In fact, in a recent conversation with two Orange County superintendents, both praised Dr. Richard Hooley for standing his ground vs. the state education commissioner this past year in regards to these very “pie in the sky” schemes being hatched by the educational intelligentsia who seem to have **NO** concept of time, reality, or financial resources!

Is America really falling behind the rest of the world and is education totally to blame? (Educational elitists believe that social and economic factors really shouldn't matter). I look out at my high school kids every day and wonder to myself what will they be doing 5-10 years from now? Years ago there was plenty of opportunity—industry, the military, trades, college....those opportunities still exist, yet these elitist educational “gurus” who are driving reform,

believe that **all** students must learn the same content at the same pace, level, and then go on to higher education because we are, after all, in a post-industrial world that demands even greater, higher level thinking skills! Yet, those of us in the trenches know that it is just not going to happen. The last I knew, you can't get gold out of a silver mine now can you? Educational elitists believe that not only can we get the gold out of the silver mine but we must! And, they'll be watching us—**APPR** to the rescue!

No one has ever accused me of being a pessimist because I am not. A common sense realist? YES! To that end, I will continue to come into the school for the students I have come to love and do the best job that I possibly can. I am confident that I and most of you do the best damn job you can do each and every day—continue to do just that and remember—we are often the best part of most of our students' day. **MEASURE THAT!**

—Rob Sassi, HS, Social Studies



## Occupy Wall Street

Occupy Wall Street has both critics and supporters. I am one of those supporters with some reservations or concerns. Some of the top 1% wage earners would like you to believe that Occupy Wall Street participants are all out of control radical complainers who are rude Americans looking for a handout. One Rhode Island small business owner who decided to join the Occupy Wall Street events was singled out by a Wall Street Executive at a NYC Bank and told to stop complaining and get a job. This executive high roller obviously does not get it. We are still the richest nation on this planet with an immoral level of income inequity but, of course, there is a tendency to forget about the "have nots" when you are a "have." We all know people (friends and family) who have lost their jobs; they are not freeloaders simply because they have not found gainful employment again. If only the NYC subway made a stop in China...at least then some of our citizens might find gainful employment with the plethora of Chinese based American companies that are still raking in billions of dollars of record profits each year.

I am proud to identify myself with the Occupy Wall Street activists but will also present some concerns that I hope are addressed in future demonstrations:

1. Designate a leader or leaders to maximize effectiveness and agree upon a mission statement. A rudderless ship without a captain tends to go nowhere.
2. Police yourselves so the small number of bad apples do not get all of the press. NOTE: 99+% of the demonstrators behaved wonderfully. Unfortunately, if 300,000 demonstrators are present on a particular day, 1% bad equals 3,000 people with 297,000 well behaved individuals. FOX News is only looking for the bad apples in the group. Good behavior will be ignored.
3. Anticipate problems such as availability of rest rooms. I am confident that Mayor Bloomberg refused to offer portable restrooms

knowing this would create problems for the protestors, but this should not have been the unforeseen dilemma that it turned into.

4. Support local vendors at whatever location you choose. This support adds credibility to your cause and demonstrates that you actually care about the middle class and small business owners.

—Tim Brown, HS, Health

*"As a percentage of GDP, after tax profits for corporations are at the highest levels since before the Great Depression while wages and salaries for workers are at their lowest levels since the Depression.*

*You should know that the 1% is doing just fine in this recession...thank you very much...even if the 99% isn't." —Chris Hayes; "Up W/ Chris Hayes," 11/27/11*

## Mac's Musings (from the Retiree Side)...

**W**hen you come upon these musings, a semester will be almost a past tense. The time again has raced by. This space could be easily filled many times over with all that is going on in education. I am writing this on the 30th of November and so much has bombarded my mind: some good, some less so...

The governor has decided to cap budgets and to increase mandates for local districts. Am I missing something? Latin scholars have a saying: "Nemo tenetur ad impossibile" (No one is held to the impossible). Someone should clue in the governor, the State Education Department, the Board of Regents, etc.

On the good side, the folks in the trenches strive to do more with less. Again, you are to be commended. It is with this in mind that we realize the very important part our union must play: to embrace the good and change what is not. Our voices must be heard.

I have been very impressed with the columns of Meghan Murphy in the Record. She is fair in her reflections on the school scene; she deals in facts—a straight shooter. We need more people to keep education in the public eye—in an unbiased and professional way.

### —Some retiree news...

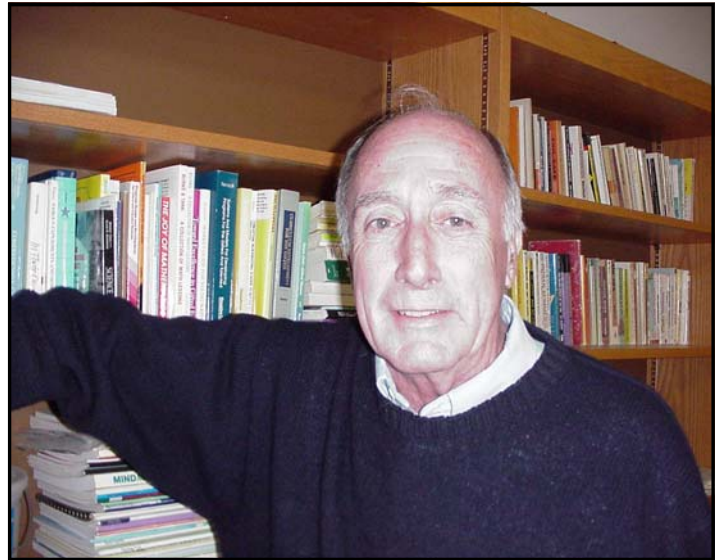
—A pleasant time was had by all at the retiree luncheon. About 65 retirees attended, another 30 took the time to drop a line. All seem happy and involved in this time of their lives.

—A thought!!! It is time for someone else to take on the luncheon. It's a fine tradition (30 years!!). I've been doing it for some ten years. Any takers? Call me at 778-7236.

### —Amen!

Happy Holidays to all the VC family. Until next time, keep pushing back the barriers of ignorance in whatever venue life finds you—and thanks for turning to the back pages. Peace.

—Mac (AKA Kevin McFadden)  
Retiree Representative



Visit ECHOES at [www.vcta.net/](http://www.vcta.net/)

"I believe public education is the new civil rights battle and I support charter schools."

—Governor Andrew Cuomo

Anyone smell an agenda?...

# **VOTE-COPE: THE AVERAGE AMERICAN'S BEST HOPE**

**The amount of federal revenue lost through corporate tax avoidance (2008-10) was \$222.7 billion—\$9.8 billion would have gone to public schools.**

**Almost 50 million Americans lacked health insurance in the year 2010.**

**Nationally, corporations outspend unions 15 to 1 on lobbying efforts. In New York State that number is only 4 to 1, helping NY workers avoid Wisconsin type repercussions to date.**

**Union membership is at less than 12% nationally. There is a direct correlation between declining union density, increased union busting and the widening gap between rich and poor.**

**Incomes of 90% of Americans have remained stagnant for the last 20 years while incomes of the top 1% (i.e. those earning more than \$380,000 per year) increased by 33%.**

**While the bottom 50% of Americans control 2.5% of the wealth, the top 1% control 38% and the top 10% control a combined 71.5% of American wealth.**

**Income inequity is so bad in the United States that we rank 64th in this category, just ahead of Uruguay, Jamaica, and Uganda.**

**The US Supreme Court has determined that Corporations are people. Only VOTE-COPE can compete with the unlimited lobbying resources available to corporations.**

**Without VOTE-COPE average workers & the middle class would have no voice.**

**Give to VOTE-COPE. Visit our website at <http://vcta.net/votecope.htm> to see how your VOTE-COPE contributions are utilized to support children, public education, labor and health care.**



**There are no greater advocates for children & education than teachers and teacher unions.**

