

Subj: **Phys. Ed. position at NYCMS 0506**  
Date: 7/17/2005 8:58:48 PM Eastern Daylight Time  
From: [LUehling@nvcboe.net](mailto:LUehling@nvcboe.net)  
To: [DMiller@nycboe.net](mailto:DMiller@nycboe.net); [leomueller@asia.com](mailto:leomueller@asia.com); [LBarrUFT@aol.com](mailto:LBarrUFT@aol.com)  
CC: [DMiller@nycboe.net](mailto:DMiller@nycboe.net), [leomueller@asia.com](mailto:leomueller@asia.com), [LBarrUFT@aol.com](mailto:LBarrUFT@aol.com)

Dear Ted,

Due to the limited gym space at the O. Henry building, the schedule of PE classes for the year will be similar to the schedule of 04-05. As we have discussed many times, we do not have the funding nor the access to the gym to (1) schedule more gym classes or (2) hire a second licensed PE instructor for the equivalent of a .6 position. You have declared that you cannot supervise the numbers of students in the gym during lunch time, so that limits your schedule, as well. We are still working on the schedule, but the stated facts above will remain unchanged.

As I understood it when we met with your union rep and Mr. Barr, you may file for a transfer at any time. In fact, Mr. Barr gave you the name of the person to contact at the union office. I believe you could have filed for an SBO transfer. As I have always said, I would certainly sign a release.

Yours truly,  
Lindy

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Lindley (Lindy) Uehling, Principal  
212-675-6206, ext. 256  
The NYC Museum School (02M414)  
333 W. 17th Street  
New York, NY 10011

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From: [mailto: aol.com]  
Sent: Sun 7/17/2005 7:00 PM  
To: Uehling Lindley (02M414)  
Cc: Miller Darlene (02M535); [leomueller@asia.com](mailto:leomueller@asia.com); [LBarrUFT@aol.com](mailto:LBarrUFT@aol.com)  
Subject: (no subject)

Dear Lindy,

I was told by Principal Miller that you are the principal of The Museum School until the end of July.

Although we spoke in the past regarding the curriculum for the following year, you have not responded. My question was and still is, is there a change regarding the phys. ed. program? Since you have not said anything, I am assuming that there will still be many oversized classes that meet infrequently with one certified phys. ed. teacher for the entire school. Please verify this.

We have discussed and I have asked in writing that I be given a transfer without any problems. You ignored my requests and following my requests gave me an unsatisfactory rating. You also stated at a meeting with Leo Muellner on June 28, 2005, that if I stay at The Museum School I will be at a "disadvantage" since you were going to show my file to the new principal. This was in total violation of my due process, since you had not yet attached all of my responses to your letters which were all copied to Leo Muellner. This was very unfair of you.

You have sent me another letter, dated July 13, 2005 which I will respond to.

I am not resigning, but since it appears that there will be no change in the program, and since you stated that I will be at a disadvantage, I am sending resumes and will try to secure a job elsewhere. How do I respond to your unjustified unsatisfactory rating?

I wish to remind you that in the eleven years I have worked for the Board of Education and the Department of Education, I have never received an unsatisfactory rating or an unsatisfactory observation.

Please advise regarding the above.

Ted Smith