

December 22, 2004

To: Lindley Uehling

From: Ted Smith

Dear Lindy,

I am responding to your memo of December 20, 2004 and your observation of December 16, 2004. You have asked me to read the letter of December 20, 2004 and tell you if I find errors or inaccuracies. There are many. I will explain.

First, when I applied for the position of Phys. Ed. teacher of the Museum School, you did not tell me that five of the Phys. Ed. classes had more than fifty students and that five classes meet once a week (double periods), two classes would meet once a week for one period, and two classes would meet twice a week for two periods.

Knowing the above you observed me in classes with over 50 students who meet only once a week. These observations occurred on November 9, 2004 and December 16, 2004. I am enclosing an email sent to you on December 13, 2004, in which I asked you to please observe me in a regulated size class. You refused. This was very unfair to me, and not in compliance with the regulations of the Department of Education, the City of New York "the City" and the Regulations of the Commissioner of the State of New York "the State".

I have planned and instructed my students and have provided for them the opportunity for challenge and learning under very difficult conditions. I am proud to see them enjoy their participation, and the knowledge they have acquired knowing they have done so because of my planning and instruction. We have discussed my worries regarding their safety, the oversized classes and the infrequent meeting of the classes... On Friday, December 17, 2004, there were 57 students in my class which usually has 64, and as you know there was no assistant.

Regarding your observation of December 16, 2004:

1. You observed me in a class with over fifty students registered. There were several absences that day, however the number exceeded the forty nine you say attended.
2. The class meets once a week for two periods.
3. I do not believe the discussion of the grades is part of the observation.
4. In paragraph one you say I am supported by a certified classroom teacher. The teacher is not certified in Phys. Ed., and is unable to properly assist me, and does not support me.
5. You say that at 1:33, the teacher assistant for the period left, the other arrived at 1:38. Neither one was involved in teaching, planning or instructing the students.

6. You refer to a memo of December 6, 2004 in which you state the students need practice for the "state standards assessments". Your memo of December 6, 2004 makes no reference to "state standards assessments".
7. You again refer to "meeting state standards", 2 b. You do not make reference to the email I sent to you on December 9, 2004 asking for your advice. The following morning I received a memo dated December 9, 2004 which was inaccurate.
8. Although we discussed and I explained there were four students unprepared (three, since one was excused), you say there were fourteen who were not prepared. I simply do not know how you reached this conclusion. It is wrong. I was holding my attendance book and you did not ask to see it.
9. You say nothing about addendum to the lesson plan.

You say the students enjoyed playing soccer, demonstrated active participation and followed my directions. This was because of my planning and instruction. You then say the lesson was unsatisfactory due to unsatisfactory planning and instruction.

There have been voluminous memos and about fifteen meetings, most at your request. You have told me that "[I] don't get it" and that "[I am] disconnected". This is clearly wrong of you..

I am becoming increasingly concerned regarding the safety of the students and by the fact that you have so deviated from "the City" and "the State" regulations. This puts an enormous responsibility on me, and for which I should not be responsible.

For the above stated reasons, I ask that you do not put the December 16, 2004 letter in my file, and that a transfer be arranged as soon as possible to a school that is in compliance with "the City" and "the State" regulations.

Finally I want you to know that in the last ten years working for the Board of Education and the Department of Education, I have not received an unsatisfactory rating.

Sincerely,

Ted Smith

Cc: Peter Heaney, Jr, Regional Superintendent, Region 9
Michael A. LaForgia, Local Instructional Superintendent, Region 9
Leo Muellner, UFT Representative