

**From:** Randi Weingarten [rweingarten@uft.org]  
**Sent:** Tuesday, March 28, 2006 8:10 PM  
**To:**  
**Subject:** RE: The administration of my school has been erroneously charging me with misconduct as a means of reprisal stemming from a special complaint to the chancellor dated October 11.doc

I have talked to Lowell and since I haven't been in the office don't know what came in.  
Randi

-----Original Message-----

**From:**  
**Sent:** Tue Mar 28 17:31:58 2006  
**To:** 'Randi Weingarten'  
**Subject:** RE: The administration of my school has been erroneously charging me with misconduct as a means of reprisal stemming from a special complaint to the chancellor dated October 11.doc

↑ EMail Response #2

Randi did you receive the exhibits I had faxed to you regarding the letter?  
I faxed it to fax # 212-260-6393 yesterday.

-----Original Message-----

**From:** Randi Weingarten [mailto:rweingarten@uft.org]  
**Sent:** Tuesday, March 28, 2006 6:55 AM  
**To:**  
**Subject:** RE: The administration of my school has been erroneously charging me with misconduct as a means of reprisal stemming from a special complaint to the chancellor dated October 11.doc

I will ask Lowell and Carmen to give me some background. Randi

-----Original Message-----

**From:**  
**Sent:** Mon Mar 27 20:11:06 2006  
**To:** RWeingarten@uft.org  
**Subject:** The administration of my school has been erroneously charging me with misconduct as a means of reprisal stemming from a special complaint to the chancellor dated October 11.doc

When reading please refer to faxed exhibits 212-260-6393

Ronald

Bayside, New York 11360

To: Randi Weingarten

March 28, 2006

President of the United Federation of Teachers

52 Broadway

New York, N.Y. 10004

Dear Randi:

Re: See fax w/exhibits to Randi-On Cover see Email for Details

My school's administration has falsely charged me with misconduct, as a means of reprisal stemming from a special complaint dated October 19, 2004 to Chancellor Klein. (See exhibit 1a) On November 2004, the Chancellor accepted the letter as a special complaint and sent it to the Department's, Office of Labor Relations pursuant to the collective bargaining agreement under article 23, of the United Federation of Teacher's Contract. (See exhibit 2a) As of this point, this remains an open case.

Linda Wernikoff, Deputy Superintendent of Special Education, Judith Chin, Superintendent of Region 3, Carmen Alvarez, UFT- Vice President at Large Special Education, and others received the letter as well. Judith Chin also received a letter (see exhibit 3a) from my City Council Representative David Weprin, while in receipt of my letter (see 1a) and chose to ignore both.

The administration of P.S. 251 continues to harass me. Last year I received a U-rating for contractually sanctioned absences; presently I have been brought up on fraudulent charges of corporal punishment (see exhibit 4a) then placed on administrative assignment. Most significant I brought to their attention in October of 2004, is the Department of Education's refusal to address any of the issues.

In June 2005, the principal wrote a memo threatening a U-rating for irregular absences. (See exhibit 5a) This was extremely upsetting, so I sought help from UFT-Rep Martin Rosenblum (Queens Office) because my chapter leader was not available. The ten days in October were for an injury in the line of duty, where I injured my back. (See exhibit 1a); eight days in December were for L-Quarantine because of an infectious skin disease I caught from a student. Three days of absences in February, were for treatment of my back; additionally, this was and is still a source of pain and distress. I had a doctor's note. I took off four days in May for my father-in-law's death, and I requested an extra day. The April day was for a medical emergency. (Mr. Rosenblum said he would look into the matter on my behalf and contact Judith Chin.) In June 2004, I had 38 days in my cumulative absence reserve, so I started the 2004- 2005 year with 48 days. My rated absences for the period were not in violation of contractual obligations. Mrs. Jones's insensitivity, in light of my father-in-law's condition was appalling. Michelle Lovelace my chapter leader refused to



consult with me about this matter; she always claims she is too busy. The principal's desire to give me a U-rating for attendance is clearly retaliation since in my 24 years; attendance has never been an issue. Another issue was that she did not give me my rating sheet, even though I requested it many times; and neither did I sign the rating. Recently I complained about the rating sheet to my U.F.T. - District 29 Representative, Lowell Wayne who accessed my information by computer and found out that I was U-rated last year. He retrieved the information because we were trying to check absences in order to find out if her rating was legitimate. He told me it was illegal for her to hold onto the rating sheet. I feel it is yet another maneuver to destroy an otherwise impeccable 24-year career. She knew that time would elapse before I realized the problem, now forcing me to address a U- rating appeal, in addition to her charge of excessive absenteeism. Clearly, after 24-years and with forty-eight days banked, I have hardly been excessively absent!

I feel that Mrs. Jones had some agenda and tried to ensure that I would have a difficult school year. By late September, she had reorganized the special education classes, giving me twelve of the worst behavior problems, and reassigning an educational assistant who worked with me for two years. Mrs. Jones reassigned me a paraprofessional who reputedly was a bad influence on the children. Periodically I complained to the administration about this educational assistant and his roughness with students, the tone of his voice, and his inability to work with me as a team. On several occasions, he falsely alleged I hit the children, and during emergencies, he would stir up the children's volatile nature. My special education instructional support person was aware of this conflict as was the administration, which chose to do nothing. In fact, my UFT chapter leader told me Mrs. Jones placed him with me because she wants me to fail. There were twelve special education students in a small room exhibiting dangerous behaviors; and the guidance counselor consulted with me whenever she was available. Some students would lie and fight. One student, without the benefit of his medicine, would jump on tables, run from the room and roam the building. I received no support from the administration, which put a lot of stress on me. Additionally, the lack of administrative support and a paraprofessional who incited the children toward more aggressive behavior clearly put the twelve children in imminent danger as well. When I asked the administration for help, they would blame me rather than understand or offer help with difficult situations. The fact that I was held culpable for dangerous student behaviors further illustrates the schools non-compliance with mandates to facilitate an integrated functional behavior assessment plan in clear violation of state and federal law regarding special needs students. The principal would suspend my students without a meeting or consultation with me, and she would not give me the professional courtesy of letting me know if a student was suspended. Furthermore, the presence of a fully active student-supported team approach for misbehavior was missing. The special education teachers did not receive mandated Orton- Gillingham multi-sensory reading training as required, and all workshops taught to general education curricula. This lack of integration between regular education and special education perpetuated a climate of exclusion rather than inclusion with general education.

The principal decided to observe me a number of times in December and February. You cannot tell the difference between the formal and informal observations. (See exhibits 6a & 7a.). Her reports do not reflect an earnest desire to help me become a better teacher, but a way to highlight perceived inadequacies. The protocol she used for a formal observation on February 13, 2006 exhibits a desire to write whatever she feels using a prep

period meeting as a pre-observation conference without discussing math curricula beforehand. Blaming me for the class behavior shows that she has no awareness of the needs and behaviors of special education students. Her supervisory judgment does not hold the students accountable for their misbehavior; she could have supported me by adding an additional staff person or requesting a crisis intervention teacher to observe specific students and make recommendations. Another approach would have been for her to say, "Let me see what I can do, to help you remedy the situation." Blaming the special education teacher for student behaviors does not support a holistic team approach; and therefore under the Individual Disabilities Education Act (IDEA), every school should have a functional behavior assessment plan on each student on file.

According to Chancellor's Regulations for the New Continuum 2000, the Principal is responsible for the development of plans to effectively respond and manage these children's behavior. By not having a school wide plan for special needs students, she is in violation of the federal mandate, Individual Disabilities Education Act (IDEA). The school should have a functional behavior management plan that everyone in the school is aware of in order to accommodate the behavior of special needs' children. During her visit, she seemed surprised by my student's behavior. Both observations took place without pre-conference notes from the principal; and in one of them, she brought a parent in without giving me prior notice. This is unheard of!

The principal tried to make me appear weak by taking over my class, thereby nullifying the control I had of my class. This practice does not empower me, but lets the students see that she does not support my teaching. Moreover, realizing she does not support me, allows the students to use her prejudice against me if they do not get their way; and therefore, they contrive stories about my hurting them or forcing them to do things. In fact, all I do is require them to complete class work before they receive a reward.

As an administrator, she is obligated to first question the authenticity of accusations before making assertions on behalf of the students. The principal condoned this practice when she substantiated allegations of corporal punishment against me. (See corporal punishment exhibit 4a). In all of the incidents, she did not follow the chancellor's A-420 reporting procedures for corporal punishment (see exhibits 8a) because she did not meet with me or give me an opportunity to review victims' statements. Her written investigation substantiated multiple incidents on a single document weeks after they already happened. Her letter came to me after an inquiry by the Office of Special Investigation. In her query, she clearly substantiated, listed, and stacked incidents to reach a conclusion to the investigation! (See exhibit February 8, 2006 exhibit 4a).

In examining the complexity of the proceeding, (O.S.I.), Investigator Robert Small met with me on February 9, 2006 to question me about case #06-432. (see exhibits 01/20/06 9a) When I met with him I had no idea of the nature of



the allegations. In addition, I did not receive anything written until it arrived by certified mail February 18, 2006, nine days after meeting with OSI. (See exhibit 10a) Furthermore, my response to her investigation was certified and dated February 22, 2006. (See exhibit 11a) Mr. Small, questioned "words" I used in my incident report from January 10, 2006, then asked if I talk to my educational assistant, and would I ask him to lie for me. His questioning led me to believe that there was something devious being done behind my back. The fact that he asked me about a person without being aware of any witness statements is a clear violation of A-420 procedure. The principal allowed me to leave the school at approximately 1:00 P.M. for an injury in the line of duty on January 10.

I hurt myself by falling backward, hitting my mid-back on the corner of a desk, as I attempted to keep two students from injuring themselves while my paraprofessional watched. I would like to know, why she charged me for corporal punishment without first speaking to me first about this incident! That day I left school injured, so how am I involved in corporal punishment? That day I did not even know about any allegations, nor did my UFT chapter leader call to inform me of any. It is my understanding that the principal is complicit with other sources to entrap me and fabricate charges of corporal punishment to hide the inadequacies of her administration.

To explain the corrupt nature of the allegations I would like you to focus in on the documents (exhibits 9a & 12a): First, the principal contacted (OSI) dates of origin unknown see 9a Robert Small Jan.20, 2006. He questioned me on February 9, 2006 for case #06-432. On February 16, 2006, Robert Small comes to P.S. 251 unannounced toward the end of the day. The Assistant Principal Mrs. Gardner calls me down to her office, Mr.Small, is there, and explains, I will be coming to see him again (see corporal punishment exhibit February 16, 2006 12a); he wants to see me for case #06-0432+other; and it is the same case! Did he forget something the first time? Then he tells me I will be getting a letter in the mail removing me from the school to administrative duties. I asked what is going on, and he said he could not tell me. Later on, the principal returned to the school, and called me over the loudspeaker to come to her office. She retrieved a fax that ordered me to report to Region 3 for administrative assignment the next day. (See exhibit 13a) During the mid-winter break I received, a file letter in the mail from Principal Jones dated February 8, 2006 including her closed investigation and recommendations, with incidents going back to November. Why am I going back to Mr. Small for the same investigation? Mrs. Jones supersedes (OSI) because they usually tell the principal to do her own investigation. So if she concluded her case, what is Mr. Small doing? This investigation is one big contradiction! Corporal Punishment (A-420) reporting procedures were dishonest throughout the inquiry. The duplicity is evident when looking through the corporal punishment exhibits. Significant, is the students remained in my class until February 16, 2006, and even on the days of the alleged occurrences. It is my firm conclusion that as my collective bargaining agent the union follows up on my special complaint promptly. In this, I request relief from the constant harassment and threats of the P.S. 251 administration, and I would strongly consider litigation because they have maliciously devised this scheme to destroy my integrity and career, and may be violating both state and federal mandates. I am writing to you in order to give my union the opportunity to clear this matter up prior to my filing a complaint with the Public Employment Relations Board and the National Labor Relations Board, because my district representative and Queens UFT have been unable to

represent my best interests in this matter.

When you examine enclosures, they will reveal how the combined authorities have deliberately chosen corporal punishment allegations as a means of removing me from the school. This may be an attempt toward legal action from illegal procedures. Returning to the school would place me in a hostile work environment. Underneath all of these allegations, there are the issues of age, tenure, and seniority.

In Solidarity,

Ronald

PS: I will fax the thirteen exhibits to you so you can refer to them when reading the letter! See cover from Ronald

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The views, opinions, and judgments expressed in this message are solely those of the author. The message contents have not been reviewed or approved by the UFT.  
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