

## **BPS FAQ on Teacher Duties at City Honors School**

*These questions have been compiled by district and building administrative staff over the past few weeks. More questions will be answered and reported out as a result of a meeting between district officials and parent leaders on February 13.*

*Acronyms used in this document:*

*BPS- Buffalo Public Schools*

*BTF- Buffalo Teacher Federation*

*CHS- City Honors School*

### ***How many teachers work at City Honors?***

There are 88 faculty at the school who operate under the BTF contract.

### ***How many of the current teachers were here when non-teaching duties were put in place in 2010?***

39 of the current 88 faculty were on staff at City Honors in 2010.

### ***What is the history of teacher duties at City Honors?***

When the school was established in 1975, teachers were not assigned non-teaching duties as they have been in in every other BPS building. This took place despite the fact that CHS teachers historically worked under the BTF contract that allows teachers to be assigned up to two (2) non-teaching duties per day.

### ***Why were City Honors teachers left without non-teaching duties while their colleagues at other schools sometimes did up to two (2) a day?***

The answer is unclear. We do know that the school was much smaller when established, and had only high school students. The founders were progressive, and hoped the students would benefit from greater independence and less supervision. However, times, and the school, have changed. American society became highly litigious in the decades to follow, and the expectations from the courts, community and teacher organizations for student safety, supervision and order accelerated rapidly. In addition, the school grew. City Honors added hundreds of middle school students (grades 5-8) and moved from its previously cozy confines at School 17 to the Fosdick-Masten Park building.

### ***Did the founders leave teachers without duties so teachers could focus on AP and IB teaching?***

No. AP classes were not offered at CHS until the mid-'80's, and IB was added in the late '80's.

### ***How did the school function in the early years without teacher duties?***

The school coped without non-teaching duties in two ways. First, although open campus rights for students eventually went away, it continued a tradition of greater independence and freedoms for its students. Secondly, the district employed a contingent of teacher aides to do the supervision of students in the cafeteria, study halls, busses, and other common, high-traffic areas.

### ***Did this work?***

Initially yes, but by the 1990's the strains of this system were showing. This approach meant the district was spending funds on City Honors that it did not spend on other schools and suppressing the size of the teaching force at City Honors. In addition, the supervision was inadequate. Teachers were being cut or not hired in favor of the expenditure on these extra aides. In 1995, Principal Lafornera eventually felt the pressure to assign his teachers non-teaching duties. The BTF challenged this, and both parties signed an MOU to return to the previous arrangement without precedent or prejudice.

***How much did these aides cost?***

By 2005, the district was spending \$350,000 a year on teacher aide salaries and benefits to have them do the work normally covered in other buildings by teachers.

***When did the duties begin for teachers at City Honors?***

In the fall of 2010, the District directed the principal at City Honors to assign teachers non-teaching duties. In order to ensure the proper supervision of students and appropriate building operations, teachers were assigned one (1) duty each. No teacher was assigned more than one (1).

***Who created and assigned the duties?***

Upon being directed by the District to assign duties, the principal, as the lead administrator of the building, assigned the duties to teachers. The principal was the first principal the district had ever directed to assign duties at the building so by nature, every duty at the building was “principal created.”

***Does the teacher contract restrict what types of non-teaching duties teachers can be assigned?***

No. The district asks principals to use duties for supervision of students first and then the greater good of students and teachers. Additionally, the BTF requires that there is an equity of assignment regarding teaching duties.

***There has been a lot of talk about “useless” duties. Were a lot of teachers engaged in useless duties from 2010-2017 at CHS?***

No. Of the 88 teachers:

-62 teachers were assigned duties related to student supervision

-15 teachers were assigned duties related to teacher support or operations of the school. Some of these were required by the district such as wellness team members and a PE teacher to be an athletics liaison to the district. A full list is provided at the bottom of this email.

-11 did not do duties per the teacher contract or the request of the Buffalo Schools. Examples include counselors, librarian, psychologists, speech pathologists, and part-time teachers who required travel time between assignments.

***Could the school continue to function without the duties that do not involve student supervision?***

The quality of operations and services to the school community are compromised as a result of teachers not performing these duties, but the school can function.

***Why were the non-supervisory duties assigned if they are not essential?***

In order to be equitable, all teachers need to be assigned a duty, but not all teacher schedules fit with a supervisory duty. Therefore schools also have teachers perform other kinds of duties to benefit the school community.

***Is it unusual for teachers to have duties in schools?***

No. Duties are the prevailing practice in American public schools, including high performing magnet schools such as Stuyvesant in New York City, as well as in every other Buffalo Public School. This is a cost efficient way to manage student supervision and some basic operational tasks in schools.

***Do the duties at City Honors differ from other buildings in BPS, the suburbs or privates?***

While duties are performed by teachers in every other Buffalo Public School, the duties assigned are dictated by the unique needs of each school. All school buildings have similar duties such as hallway,

bathroom, studyhall, and cafeteria monitoring. But every school community has its own unique duties as well.

***What was the justification for assigning the duties at CHS?***

The district signed a contract with the teachers in 1999 where the BTF agreed that all teachers would do up to two (2) duties. In addition, the cost of the teacher aides managing student supervision was suppressing staffing in the arts, counseling and raising class sizes at City Honors. Beyond this, the funding represented a special allotment that other schools were not receiving. Eliminating the duties has allowed the school to expand staffing in the arts and counseling, reduce class sizes and improve instructional quality.

***Some have said that reducing the teaching force at the school is retaliatory for losing the arbitration.***

This is inaccurate. The district has been consistent in its position with the BTF for well over a decade that funding aides to carry out teacher duties at City Honors is not financially sustainable and leaves less funds to be spent on teachers. The BTF was regularly reminded by the district that it could not sustain the size of the teaching force at City Honors if it needed to pay for teacher aides to do the duty assignments at City Honors normally done by teachers at other buildings.

***What does the 2016 teacher contract say about duties?***

The contract that all district teachers voted on in 2016 states that all BPS teachers may be assigned up to two (2) non-teaching duties.

***What happened after BPS assigned the duties in 2010?***

The BTF filed a grievance and a lengthy arbitration did not conclude until April of 2016. The arbitrator sided with the BTF, citing the maintenance of benefits clause in the teacher contract. He directed the district to eliminate the non-teaching duties and to work to make the teachers “whole.” This term usually refers to the fact that both sides need to agree on a compensation package for the teachers.

***What happened after the arbitration ruling?***

In the year that followed, the district and BTF had discussions around the topic. The district reiterated to the BTF what it had prior to 2010, that it could not afford to pay teacher aides to conduct duties at City Honors and keep staffing at its current level. To do otherwise would represent an inequitable arrangement, as it would be a special allotment of funds that other schools do not receive. In addition to no duties for City Honors teachers, the BTF requested a compensation package for the teachers at City Honors totaling \$3.5 million dollars (approximately \$30,000 for any teacher affected) which is not equitable, reasonable or affordable from the District’s perspective. In September of 2017, the faculty at the school voted to pursue a contempt of court action against the district for failing to resolve these issues in a timely fashion. Judge O’Donnell took supervision of the case and directed the district to remove the non-teaching duties at the building as quickly as possible.

***Did the performance of the school suffer in the seven years that teachers did duties at City Honors?***

No. By almost all measures student performance actually improved. This came despite the highest levels of enrollment for students coming from special needs and poverty in the history of the school.

***Is it true that many teachers transferred out of CHS after the duties were assigned in 2010?***

No. City Honors continues to have the lowest transfer rate of any building in the district.

***Did the district refuse to comply with the arbitrator or judge?***

No. While the district disagrees with the arbitrator's ruling, this is done respectfully. The district had hoped to negotiate with the BTF to avoid using teacher aides to conduct the duties at City Honors, as this is a costly and inefficient way to manage duties.

***Have the duties been removed for City Honors teachers?***

Yes. The last of the duties were removed in January 2017. Teachers have historically been assigned morning and afternoon assignments and those will continue.

***Who is doing the duties now?***

In November, the district began the process to on-board sixteen new teacher aides to cover the non-instructional duties attended to by teachers from 2010 until now.

***Why 16 aides?***

Yes, this number was surprising to building and district administrators when first reviewed. These numbers have been scrutinized by the district backwards and forwards for the past five months.

Why so many aides? There are multiple reasons:

- City Honors a much larger building than when aides last did this work in the 2009-2010 school year. The facility size nearly doubled from reconstruction. There is now approximately 200k square feet to supervise.
- The student body is larger. The school district has added 300 students to City Honors since 2010.
- The configuration of the cafeteria is the biggest consideration. All of the walls and varied seating areas mean sightlines are short. Ten adults are needed to adequately supervise the large lunch periods averaging approximately 275 students. The teachers at the building have raised regular concerns since 2010 that there have not been enough adults supervising the café.
- The use of aides for café supervision is very inefficient compared to using teachers. There are 16 aides, but arriving at 8-10 per lunch period quickly becomes difficult when you understand the operations of a school and contractual obligations to the teacher aide contract:
  - There are four lunch periods
  - 4 aides per lunch period need to be provided with a break for their own lunch.
  - 1 to 2 study halls need to be supervised at the same time lunch is taking place.
  - 1 aide needs to be stationed at the front desk during each lunch period so that all visitors to the school are signed-in screened for safety.
  - 1 aide needs to supervise the grade 7-12 locker area.
  - 1 aide needs to supervise the PE locker area
  - There are no substitutes for teacher aides when they are absent. Since starting in January, there have been 1-5 teacher aides absent each day.
  - City Honors has 11 special needs classrooms that require a classroom aide or personal care aides. If a classroom aide is absent, the supervision aides must be moved to the classroom to meet with state special education compliance.
  - This brings you to approximately 6-7 aides to supervise each lunch period. This level is as low, or lower, than when teachers were supervising the café. In addition, other supervision that used to take place during lunch periods by teachers such as hallway and bathroom checks is eliminated.
- This is the first time the district has had to supervise the reconstructed building with aides, so monitoring is occurring to determine that the correct number of aides is being used to meet the district's obligation to supervise students properly. Adjustments will be made accordingly, however,

large adjustments are not expected. The inefficiency of using aides to do duties is evident. Returning to this practice takes badly needed resources from our students.

***Can upperclassmen or parent volunteers be used to do the duties for teachers instead of aides?***

Using non-employees for ongoing supervision of students would expose the district and students to liability issues and may be a violation of the Taylor Law for subcontracting work assigned to District employees. The intent here is very generous and positive but is not practical from legal standpoint.

***My child says there are too many aides and they are not doing anything. Is this accurate?***

This was the case as aides were initially being on-boarded. When the District assigned the first seven of sixteen teacher aides in January, the teacher aides were used to supplement rather than supplant the teachers in supervisory non-teaching duties. All of them were new aides for BPS, and needed training and orientation. There was also no way to equitably relieve the remaining teachers with only seven aides. When it became clear that negotiations were not progressing and the next Court date approached, the District was forced to move forward with ending the remaining non-instructional teacher duties, and employing “extra help” teacher substitutes to fill the remaining open TA positions. In addition, many of the 17 previous non-supervisory teacher duty assignments have been eliminated such as managing the school website, athletic department liaison, etc. In the absence of these types of duties, the aides are currently being used to provide additional supervision to restrooms and other “unowned spaces” in the building where teachers have raised concerns about inadequate student supervision.

***Where will the aides go if BTF and BPS arrive at a settlement?***

BPS has vacancies for teacher aides in other buildings. As a result, all of the new aides would be provided placements at other BPS schools with vacancies.

***How much will the 16 aides cost the district?***

Using the 17-18 School Year School Based Budget figures, \$35,700 each with salary and benefits. Times 16, that is \$571,200 per year to have teacher aides assume the critical non-teaching duties at this school that would normally be done by teachers in other BPS schools.

***Why does the district want to use aides to cover the teacher duties?***

The district does not want to use aides to cover teacher duties. For the past decade, and longer, the district has been seeking to eliminate this practice, which is detrimental to our students and teaching force. The BTF would like aides to cover teacher duties. It is an expensive and inefficient way to cover these duties. Part of the issue with using aides is that a large contingent of aides is needed to cover the lunch periods, but then there is some excess labor during the other periods of the day. This is why no other district we know of uses aides to cover these duties. In addition to study hall, cafeteria, and front desk supervision, City Honors is currently using the new teacher aides to provide supervision at restrooms, where there have been concerns raised by teachers about student supervision, during non-lunch periods. The new aides are also covering atrium supervision before the start of the teacher day, so that students do not have to stand out in the cold, and covering the 20 minutes of required recess time in the grade 5 and 6 classrooms.

***Could you just employ the aides five or six periods a day?***

The district has a shortage of teacher aides as it is. A part-time job with no benefits would not attract applicants.

***How many positions will be cut?***

After reviewing the need for students to complete courses they are currently enrolled in, the district determined it can only make maximum cuts mid-year totaling just over \$519,000, which is equivalent to 5.5 teaching positions. This does not arrive at the \$571,200 needed to cover the cost.

***What does the '18-19 School Based Budget for CHS look like?***

The '18-19 school year budget is still being processed.

***Who determines what teachers would be cut?***

In this case, the district could only cut positions that ultimately meant that students could complete courses they were already enrolled in, and which were needed to progress toward graduation. Within those content areas, the BTF seniority system for determining reductions is strictly applied by the BPS Office of Human Resources.

***Why not cut the IB coordinators?***

City Honors is an IB-themed magnet school. The school would lose its IB authorizations for the two IB programs at the school without IB coordinators.

***Why are these cuts coming mid-year?***

This was not the wish of the district. The BTF filed a contempt of court charge in September. A judge was assigned to enforce the arbitrator's 2016 ruling. The judge directed that duties be removed for teachers. The district needed to secure aides to do this work immediately. The cost of the aides is significant, even at mid-year, and the district is unwilling to have other students in the district assume this cost for the purpose of City Honors teachers enjoying relief from duties.

***Why not just wait until the end of the school year?***

The district began encumbering costs related to hiring the aides in October. If the district does not cut teachers, it will be expending approximately \$300,000 in total by the end of the year. These are funds that will need to be taken away from other schools and programs in need.

***Did the district break-off negotiations with the BTF?***

No. The district rejected BTF's last proposal, but has never stated intent to end negotiations. The district is open to solving this issue until the teachers are transferred on February 27. The district will continue to work toward this in a civil fashion. Our students are worth it. We have already made many concessions to ensure the teachers at City Honors have the most guaranteed preparation time of any teachers in the city and what we believe are the best working conditions.

***What did the district's most recent proposal include for teachers?***

- The district agreed to no teacher reductions at CHS.
- Each teacher was offered \$1,000 per year, up to \$7,000, for each year since 2010. The district offered to make payment in 30 days.
- The district agreed to reshape the daily bell schedule at the school so that each teacher would retain two (2) preparation periods and a lunch. Other teachers in the district are guaranteed only one (1) preparation period a day and a lunch.
- The district agreed to cap teacher duties at City Honors at one (1) per day. Under the recently signed contract by the Teacher Federation, all other teachers may be assigned up to two (2) duties a day.

- The district agreed to give teachers time at the end of the school day for “office hours.” Other teachers in the district are not provided this.
- The district agreed to reduce student lunch periods from 45 minutes each to 30 minutes so teachers would have shorter lunch periods to supervise.

***Was there a “media-blackout” during negotiations?***

No. BPS never agreed to any type of media blackout. BTF suggested this in their first proposal, but BPS never agreed to such a blackout at any time.

***How close was the teacher vote on this most recent district proposal?***

Our understanding is that the BTF has not had the teachers at City Honors take a vote on either the first or second district proposal.

***Can the district initiate a vote of the teachers at the building?***

No. This is an internal function of the Buffalo Teacher Federation.

***Will teachers doing duties at CHS take away from their time with students?***

No. The district’s proposal actually increases the time that teachers will have with students. The district has offered to change the master schedule at City Honors in order to guarantee teachers two (2) prep periods and a lunch per day. They have also guaranteed all CHS teachers they will have only one (1) non-teaching duty period per day. The district has also offered “office hour” time at the end of the day. All other teachers in the district are guaranteed only one (1) preparation period per day and must do up to two (2) duties per day. No other teachers in the district are provided “office hours.” In addition, non-teaching duties themselves connect teachers in important ways away from tests, lectures, and the classroom, and positively bolster the culture and climate of the school.

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-88 BTF Teachers

-62 of 77 Duties are supervisory in nature

-11 Exempted from duties per BTF or BPS based on position (counselors, psychologist, librarian, part-time teachers etc.)

-Enrollment: 1073 Students

-Interior Square Footage to Supervise: Approx 200k

**Non-Teaching Duties Assigned to CHS Teachers by the Number**

Cafeteria Duty	24
Study Hall Supervision	9
Front Desk Sign-In	8
Grade 7-12 Main Locker Area monitoring	5
PE Locker Area monitoring	4
Library Duty	3
Early Morning Duty in Atrium	3
Attendance Designees (district required)	3
Bookstore	2
Atrium Supervision Period 1 & 8	2
Hallway and Bathroom Checks	2

Wellness Liaison (district required)	2
Grade 5/6 Lunch & Recess (district required)	2
Student Recycling Coordination	1
Teacher IT Assistance	1
School Community Website Calendar	1
Teacher Supplies/Xerox Checks	1
School Website/Social Media Management	1
Student AV and Auditorium Coordination	1
Science Research Program	1
Athletics Liaison (district required)	1