



**From January 3, to January 31, 2011, the LEA Member Rights UniServ Director Dan Studer provided the following services to members (in no priority order):**

- Advised *numerous* members in regards to working with their appraisers and/or site administration.
- Advised and represented four members regarding Risk Management meetings at Human Resources re: leaves of absences and/or return to duty.
- Advised and worked with four members on Notice of Performance Concerns and represented them at meetings with their appraisers.
- Advised numerous members re: pre-arranged leave which is required the day before or after breaks when a member knows well in advance they will need to miss a contract day. [NOTE: Pre-arranged leave is never required for illnesses.]
- Advised a member re: disability benefits and put them in touch with NE Retirement System.
- Advised members re: student and/or parental concerns.
- Advised members re: mid-year retirements.
- Advised and represented a member in a meeting at Human Resources with Risk Management.
- Informed a number of members that no, their leave on a "snow day" will not be counted against them. **[NOTE: Members need to be reminded that in this year's contract, members who are on leave or who have arranged to be on leave and there is a "snow day" and school is closed, those members will not have their leave charged against them. Since this is a new provision in the *LEA-LPS Professional Agreement* this year, members need to watch their leave balance carefully to make sure an error is not made in regard to leaves taken or planned for on what becomes a school closure day. The new language was added to 5-5 of the contract.]**
- Advised a member re: borrowing leave for sick leave purposes. [NOTE: LPS does not consider routine doctor appointments that could be scheduled outside of the school day as "sick leave" for purposes of borrowing leave from the next year.]
- Advised a member re: the LPS Intensive Assistance process.
- Met with LEA staff and LPS Human Resources representatives re: Association and District issues and to view the new, draft on-line appraisal templates.
- Attended as a member of the LEA-LPS Professional Committee (ProCom).
- Presented at FR Council, met with LEA members of the LEA-LPS Professional Committee (ProCom), met with the LEA Board of Directors and LEA and NSEA staff.
- Logged **37** *confidential phone calls* with members.
- Had **11** *confidential one-on-one* meetings with members.

**The Importance of the LPS Personnel Handbook, Building Handbooks, and Your "Signature"**

LPS recently sent out a notice to all employees regarding the LPS *Personnel Handbook* stating (editorial emphasis has been added):

"This receipt acknowledges that I have access to the Lincoln Public Schools web site and acknowledge the electronic receipt of the January 2011 Certificated Handbook; January 2011 Classified Handbook and Addendums; January 2011 Hourly Handbook; and January 2011 Administrative Employment Guidelines. **This receipt acknowledges that I understand that I am to read and be familiar with the handbook(s) relevant to my employee group(s);** that I understand the handbooks contain a drug-free workplace notice and the District's anti-discrimination and harassment policies; and that specific complaint and grievance procedures exist in the guidelines which should be used for responding to harassment or discrimination.

"If I change employee groups, I understand that I am to read and be familiar with the handbook(s) relevant to my new employee group(s).

"Your password is being used in place of your signature to acknowledge the electronic receipt of the handbooks. To confirm your electronic receipt of the handbooks, re-enter your user name and current password below then **click on 'Submit Acknowledgement'.**"

*Employees are often asked to sign off on receiving specific **site** handbooks, too.*

Many employees submit their electronic signature or sign off on receiving handbooks in a rather perfunctory manner. It is something your administrator and/or employer is asking you to do *and you need to follow through on that request.*

Members are cautioned, however, that once they have acknowledged receipt of such handbooks, any violation of rules, regulations, policies, or procedures that are included in the handbook(s) can and will be used against an employee in any kind of disciplinary situation. One cannot plead ignorance of a policy, rule, etc. when one has already signed off as receiving or having access to such documents.

Except for insomniacs, personnel and site handbooks might not make the best bedtime reading, but they shouldn't be ignored, either, and **members do need to have familiarity with all of the contents (not just what is new or has been revised)** to avoid what could possibly be costly, unintentional consequences.

## **And Speaking of the *Personnel Handbook*, What about “Code Red” General Procedures... *and Before?***

Safety of students and staff must always be a priority. No one ever expects or can predict when and if an emergency at a site will arise. Everyone at a site, however, needs to know what to do if an emergency ever does arise. The LPS *Personnel Handbook* contains the following in regards to “Code Red” situations on page 53:

“6. Code Red: The district has established a Code Red – General Procedures which includes safety and security plans and procedures, including plans and procedures to address emergency and crisis situations. Some of the situations addressed within the publication include abduction of students; armed intruders; bomb threats; bus accidents; death of faculty or students; disruptive students; natural disasters; suicides; and trespassers. Teachers are expected to be familiar with and to comply with the Code Red – General Procedures. The procedures may be obtained for review or copy from the principal.”

According to the “General Procedures,” a “CODE RED is declared when, **in the opinion of the Administrator-In-Charge** (editorial emphasis), a situation exists that threatens the safety of students and staff and requires that they remain in their classrooms.”

*Staff should always know what to do during a Code Red.*

### **But what about before a Code Red is declared?**

Here are some **key questions** LEA recommends that every member have an answer to (and if you don't have the answer, staff need to address these questions to the site's administration):

1. If a staff member becomes aware of a potentially questionable or dangerous situation that arises suddenly without warning (i.e. a questionable device is found, a student becomes dangerously volatile, a trespasser is on the grounds, etc.) that demands immediate attention, and the “administrator-in-charge” cannot be located in a timely manner, what are staff expected to do? [Obviously, doing nothing is not an option. Should a secretary in the office be contacted? What if no one answers the phone or the line is busy? Should 9-1-1 or the LPD be called and then the office informed? Etc.]
2. If the usual “administrator-in-charge” is off site, how will this be communicated to staff, and in an emergency who is next in the chain of command (“administrator-in-charge” or other) to be contacted and what procedures are to be followed?

Further, LEA always recommends that members document emergency situations that arise as soon after the fact as possible so that members have a factual record to fall back upon if needed. The answers to the usual reporter-like questions should be found in members' documentation: who was involved, what happened, what was said, when did the incident take place, where did the incident take place, who was the incident reported to, when was the incident reported, what was the outcome of the report? Documentation of this nature should be shared with the “administrator-in-charge” in a fashion that can also be documented and a copy of all documentation retained by the member.

**This Month's Bumper Sticker: “I read the Constitution for the articles.”**