



“It Ain’t Necessarily So” Part II

Included in this issue of *The LEA Insider* are additional condensed versions of just some of the annual FR Workshop on August 11th. The presentation’s title comes from the George and Ira Gershwin song, “It Ain’t Necessarily So.” The presentation focused upon misstatements, rumors, and myths that are sometimes handed to members which members, in good faith, often accept as true when those statements “Ain’t Necessarily So!”

Additional, new issues and concerns that “Ain’t Necessarily So” will be presented at the monthly FR Councils and in LEA publications. See the end of this issue of *The LEA Insider* to see how **you** can help LEA get the word out on what “Ain’t Necessarily So!” so all LEA members can be better informed of their rights!

“It Ain’t Necessarily So”:

I. If I can just explain what happened, everyone will understand and there will be no problem.

- If a person is ever accused of having done something wrong, it is human nature to want to explain the situation fully, get one’s “side” presented in the belief that all will be well. However, lengthy responses and/or explanations can be misinterpreted, confusing to the investigator (be it an administrator or a law official), and in the heat of the moment any miscommunication or misstatement that you later try to clarify can not only be used against you, but it may also appear as though you were initially trying to conceal the truth or mislead the investigator.
- If a member can categorically say, “I did not do that” in response to an accusation, fine. That is what a person’s response should be and that should be all that is said.
- Do **not** apologize. By nature most teachers are caring, empathetic individuals and even if they have **not** done something wrong, the temptation is to express sorrow for what has happened. **Don’t**. An apology can be misconstrued or interpreted as a confession or an expression of guilt.
- Never lie, but do not incriminate yourself, either. If you have done something that could be interpreted as a criminal violation, insist upon (criminal) legal representation being present before making any further statement. If you make an admission of any kind, the “game” is over.
- If it comes to it, it is better for a person to make no further comment and risk insubordination than it is to confess to something or give a lengthy response. Make the District and/or the authorities prove their case. *Unfortunately, convictions, regardless of the accusation, often come from the defendant themselves.*

II. LPS is in the “people business” and, therefore, can be relied upon to be compassionate and caring.

- In an ideal world, this statement would be true, however, the truth is that LPS is a business and there are times when the best administrator, be it at the central office or at the site, has to wear a managerial hat and they have to make decisions that may seem harsh and uncaring to an employee when in actuality the decision is based purely upon business realities.
- LPS relies upon tax dollars, and to avoid conflicts of interest have to be responsible to the tax payers and cannot be seen as allowing privileges to employees at tax payers’ expense.
- *LPS is self-insured.* Worker Compensation claims do **not** get paid by an insurance company. Every dollar paid out on claims comes from the LPS general accounts and it is the responsibility of persons in certain roles in LPS to make sure that every expense is carefully scrutinized and every situation fully analyzed. For employees this often feels as though they are not appreciated or that they are not being treated in a humane manner. It is, however, the reality of the situation with which one must cope and of LPS being a business.

III. When I leave the school grounds, I can do so with the confidence that my private life is exactly that—private—and I can live my life as I please; work and my personal life are two different realms of existence.

- This item is closely related to item IV (in the August issue) about freedom of speech and the fact that teachers are held accountable to a higher standard than other professionals because they are

working with children.

- The LPS Board of Education in 2009 considerably revised Policy 4790 in regards to employees having to report “**by the next working day** [editorial emphasis] after the employee is (a) arrested; (b) ticketed; or (c) issued any form of criminal charge for committing an offense, crime or infraction.” Notice this LPS Board policy is **not** in reference to being *convicted* of a crime. *One must report the incident upon being ticketed or arrested for any crime that **could lead** to a misdemeanor conviction or other criminal penalties as listed in the policy.* Not reporting being arrested or ticketed within the timeline could be grounds for disciplinary action regardless of the employee’s guilt or innocence because they have not followed through on LPS Board policy. Members should familiarize themselves with the complete LPS Policy 4790 on the LPS web at: <http://www.lps.org/about/policies/documents/4000-HumanResources.pdf> (page 94).

What Else “Ain’t Necessarily So”?

Is there a common practice/rule in your building, commonly repeated rumor or statement that you have heard from members or administrators in your building or the district that was not covered in the previous information that you have wondered about, but haven’t had the time, patience, or motivation to check into?

If so, what is it that you have heard or been told that you are wondering about?

Please take a few moments and e-mail your concern so we can respond to you at a future FR Council and LEA publication and let you know if “It Ain’t Necessarily So,” or not! If questions arise throughout the year, you can always send us your question when it arises.

Please get your questions to Dan Studer, LEA UniServ Director, at LEA via e-mail at: dan.studer@nsea.org.

Important Dates

August 19-31	Deadline for current employees to make changes to their online enrollment for the year (initial choices were made last spring by employees)
August 31	Deadline for new employees to enroll in group health insurance programs to get September 1 coverage .
Sept 4	Contact the LEA Office if you have had a change in status in your employment for purposes of payroll dues deduction. (.50 FTE and below part time/.51 FTE and above full time)
Sept 10	Deadline for new employees to enroll in group health insurance programs which guarantees coverage on Oct 1 .
20th Student Day (Sept 16)	Last day teachers can be notified of an extra-standard assignment.
Sept 30	Deadline for changing to Option B leave.
Sept 30	Deadline for individuals to select their annual leave option (current hires may only switch from Option A to Option B; they cannot switch from Option B to Option A).

Bumper Sticker of the Month: There's no right way to eat a Rhesus.