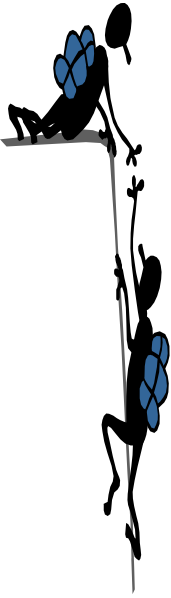


October 2011

The LEA Insider



From September 1, to September 30, 2011, the LEA Member Rights UniServ Director Dan Studer provided the following services to members (in no priority order):

- ✓ Advised members re: their job security situations
- ✓ Advised a number of members from multiple sites re: PLC time, FLEX time, lost plan time, pre-arranged leave, attending open house, responsibilities for parent-teacher conferences, goal writing for the new appraisal process, salary schedule placement, and concerns about LPS laptop computer policy
- ✓ Advised and assisted members re: their site assignment schedules
- ✓ Advised members in specialty areas regarding their proposed appraisal instruments and met with LEA representatives from these groups as well as the District along with other LEA staff
- ✓ Advised a number of members at multiple sites re: relationships with their principal
- ✓ Represented members at LPS Human Resources re: job performance concerns and lined up legal counsel for a member
- ✓ Advised a member re: indoor air quality concerns at their site
- ✓ Met with LEA members at a site meeting
- ✓ Attended NSEA UniServ training re: future negotiations timelines as set by the Unicameral
- ✓ Advised a number of members at multiple sites re: concerns about students, IEP process, etc.

Plan Time, Supervision, Staff Meetings & PLC's

Members continue to report to LEA concerns about workload issues and lost plan time. One element that is leading to lost plan time at some sites for some members (this appears to be more an elementary issue than a secondary one) is the scheduling of general staff meetings, PLC's, and/or extending supervision into what should be guaranteed plan time for certificated staff.

Plan time guarantees are spelled out for every certificated employee in the *LEA-LPS Professional Agreement* in Article 5, Section 16 (see the contract for full details).

Full-time elementary educators should receive 250 minutes of plan time per week within the student day with "daily blocks of planning time, three of which shall be at least fifty (50) minutes. Blocks of time less than twenty-five (25) minutes shall not be counted as plan time."

Additionally, **elementary educators** shall receive "a 45-minute block of planning time per day immediately before or after the scheduled student day. Blocks of time less than 25 minutes are not counted as planning time."

Four additional plan days, "one per quarter for each certificated employee as individual planning time," is also guaranteed for **elementary educators**.

For **elementary** staff "in the event scheduling conflicts do not allow the employee to receive all such planning time, the employee shall receive prorated optional pay for the amount of time not provided."

Secondary educators "shall have five (5) duty periods and two (2) plan periods."

In all cases, **part-time certificated employees'** "F.T.E. [full-time equivalency] shall establish the appropriate minutes of prorated planning time" (see 9-6 of the contract).

THEREFORE, if staff members are being **assigned before or after school duty** that takes them **beyond a 7.5 hour duty day** (the 7.5 hours includes a 30-minute duty-free lunch) **or erodes/interferes with the individual's plan time**, that assigned duty has to be changed **or** the individual is owed pro-rated optional period pay.

THEREFORE, if staff members are being called to **general staff meetings and/or PLC's during their plan time**, the beginning of the staff meetings and/or the PLC's have to be changed so that individuals still receive their full plan time **or** the individual is owed pro-

rated optional period pay. [Some secondary locations occasionally have general staff meetings during plan periods. As long as the site makes such staff meetings optional and/or offers as an option a general staff meeting before or after school and members can decide which general staff meeting they want to attend, there is no contract violation.]

Two Additional Considerations:

1. Members who raise concerns about lost plan time due to supervision, in particular, sometimes hear the response, "It is good for kids..." and the expectation is that *good, caring* educators will place what is good for kids ahead of contractual requirements. Both LEA and LPS have established the contractual requirements for plan time and what is in the contract wouldn't be there if it wasn't "good for kids." **Therefore**, if there are no other options available to a site (volunteers, paras, parent volunteers, etc.) but to have staff on duty during their plan time, then **staff need to be compensated because the need for plan time doesn't cease to exist because of the need for supervision**. Instead, the planning gets done on the educators' own time (and educators already work far above and beyond what is contractually required of them). **Plan time as guaranteed by the contract for educators is "good for kids"** and educators at a site where there are no other options but to carry on supervision or attend general staff meetings and/or PLC's which cuts into plan time need to insist upon compensation.

2. Although it comes up every year, the belief that teachers can be required to be "on call until 5:00" on a regular basis *is a myth*. Old language stating that teachers are on call until 5:00 has long been removed from LPS Board policy. In its place is the following from LPS Policy 4730 (with editorial emphasis added):

"The Lincoln Board of Education recognizes that certificated employees' responsibilities to their students and their profession generally involve the performance of duties and the commitment of time beyond the normal working day. The Board also recognizes that teachers and other educational professionals are entitled to regular time and work schedules on which they can rely in the ordinary course of events and which will be fairly and evenly maintained to the extent possible throughout the school system.

"All certificated staff are required to be on duty at such times established by their supervisor **and in compliance with the negotiated agreement**. Professional staff will be available on an as-needed basis to complete their other duties as assigned. Regular, dependable attendance is an essential function of each employee's position.

"In the event of a school or community emergency, employees are expected to remain on duty as assigned, unless notified otherwise by their supervisor.

"Employees who miss meetings or inservice sessions are required to develop and carry out a plan to gain the information missed."

On a different note: *Members with concerns about the length, number of, and relevance of general staff meetings* are advised to read Article 5, Section 18 of the *LEA-LPS Professional Agreement* for the guidelines regarding general staff meetings and how to appeal general staff meetings at their site which are not in compliance with the guidelines.

Important Dates Coming Up:

October 1 Deadline for certificated staff to have been notified who their appraiser will be and to have reviewed the appraisal process.

October 14 Deadline for certificated staff to submit appraisal goals to their appraiser for the year. **Goals may be requested earlier, but cannot be mandated until the end of first quarter.**

Oct 20; 4:00 p.m. Deadline for Secondary Teachers to submit 1st quarter student grades.

Oct 24; 4:00 p.m. Deadline for Elementary Teachers to submit 1st quarter student grades.

Bumper Sticker of the Month: "I'm supposed to back up my hard drive, but how do I put it into reverse?"