



# **HANDBOOK FOR ASSOCIATION REPRESENTATIVES & LEADERS**



**BUILDING LEADERSHIP,  
UNION PRESENCE, AND  
A STRONG VOICE IN  
SCHOOLS AND  
WORKSITES**

**2018 EDITION**

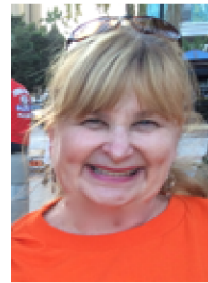


This handbook was prepared as an informational guide for OCCTA Association Representatives and leaders.

It is dedicated to two extraordinary and dedicated past Presidents –Ulysses Floyd and Cliff McInturff. They exemplify what it means to be true unionists and member advocates. Both selflessly promoted the interests, goals and missions of The Orange County Classroom Teachers Association during their terms as OCCTA Presidents. They have been mentors to many members and they continue to serve the union today.

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## President's Message

Dear CTA Leaders:

**Thank you for committing to be an Association Representative or a leader  
on your work site's leadership team!**

Last school year we grew our membership numbers to the highest they have ever been. This year we not only want to continue to grow our membership numbers, but we also want to expand the number of devoted union leaders so we can recruit more members and inspire every member to be active in CTA. We hope this leadership handbook is both useful and inspirational.

We often hear the question, "What is the union doing about. . .?" In reality, the union is not the leadership, but it is the members – **you** are the union. The union's strength depends on dedicated members like yourselves – members who support students, teachers and our profession – members who are participating in and promoting union activities – members who are using their voices to educate others about our profession – members who understand the value of union membership.

Orange CTA provides an opportunity for teachers to have a united voice, to collaborate and to work together so that every teacher has the tools and resources needed to ensure student success. As we grow in numbers and develop new leaders, we will have a stronger voice at the bargaining table and a stronger political voice in our community to influence those who make decisions about public education and our careers. Our union's strength depends upon every individual member's contributions and voice.

Every member must commit to being heard beyond the walls of their school. Our voices must be expressed in letters to the editor, at school board meetings, at community events, in our statehouse, and in our nation's capital. Now, more than ever, our united voice must rise above the voices of those who profit from our profession and work to silence the voices of the teachers. All of us must commit, not just to our students, but also to joining all of our union's brothers and sisters in Orlando, in Florida, and across the nation to speak loudly and proudly to strengthen our profession. Thank you for being a voice for CTA!

In Solidarity,

Wendy L. Doromal  
CTA President





## **MISSION STATEMENT**

CTA's mission is to empower and advocate for our members in order to ensure a quality public education for every student.

## **VISION STATEMENT**

CTA will be the unified voice for and of public education in Orange County.



# CONTACTS



*OCCTA Staff: (L-R) Brittany Macey, Michelle VanderLey, Edie Sheehan, Christina Phillips, Leonard Conner, David Cintron.*

## CONTACT CTA

**If you have a problem, question or need assistance, know that CTA is committed to serving all members.** When you email or call CTA you should receive a response as soon as possible, and certainly within 48 hours. Always leave your full name, employee ID#, School, a brief description of the issue and call back phone number.

**Phone:** (407) 298-0756

**FAX:** (407) 290-8799

**Address:** Marion Cannon Center for Advocacy, 1020 Webster Avenue, Orlando, FL 32804

### EMAIL ADDRESSES:

General Email Box

Orangecta@gmail.com

**CTA President, Wendy Doromal**

Wendy.Doromal@Floridaea.org

**Chief of Staff, Michelle VanderLey**

Michelle.Vanderley@floridaea.org

### Field Representatives:

David Cintron

David.cintron@floridaea.org

Leonard Conner

Leonard.Conner@floridaea.org

Dr. Christina Phillips

Christina.phillips@floridaea.org

**Office Manager, Eddie Sheehan**

Edie.sheehan@floridaea.org

**Receptionist, Brittany Macey**

Brittany.macey@floridaea.org

## What to include in an email to CTA

*When emailing CTA please include your full name, your school or worksite, and Employee ID. State your issue and/or question clearly. Never email CTA from your OCPS email; always email CTA from your personal email address. Never email CTA during working hours.*

**Sending a New Membership Application:** Please send all new membership applications to [edie.sheehan@floridaea.org](mailto:edie.sheehan@floridaea.org)

**Being Questioned by an Administrator:** Give no written or oral statements, per the union contract. Contact CTA immediately by email or phone for advice and/or to request representation.

**If You Receive Notice to Report to the ELC:** If you receive notification that you must report to the Office of Professional Standards (formerly Employee Relations) for disciplinary or 'investigative' purposes, you should immediately contact CTA. Give no written or oral statements without representation. If you are asked to report immediately to Office of Professional Standards, you may be receiving a 'Relief of Duty' letter. Sign for it. You are not to provide any statement at that time. After receiving it, immediately contact CTA so union representation can be assigned to you.

**Department of Children and Families:** If you receive a request to respond to DCF concerning a student situation or your alleged misbehavior, state that you will not speak to them without representation from CTA. Do not write or give any statements. Get the investigator's card and contact the CTA Office as soon as possible.

**Florida Dept. of Education Professional Practices Services:** If you receive notification from the FLDOE Professional Practice Services Department that they are investigating any alleged misconduct or actions, do not call or contact FLDOE. You should call or email CTA immediately.

**Contract Violations:** If you believe that the union contract has been violated, it is best to clearly explain the issue/s, circumstances and any questions in an email. Please email CTA at [orangecta@gmail.com](mailto:orangecta@gmail.com) using your home email address. Do not email during class time. You may attach any applicable documents or correspondence from administrators or others. You may also copy the President. Make sure to include your full name, school or worksite, employee ID and cell phone number if you want a return call rather than an email reply.

**Evaluation:** Concerns and questions about your evaluation including observations, deliberate practice, or VAM scores should be directed to [orangeCTA@gmail.com](mailto:orangeCTA@gmail.com). Again, include your full name, school, or worksite, employee ID, and a detailed explanation of your concern.

**Questions on Dues:** If you have a question concerning dues, such as you submitted an application and dues are not deducted, please call the CTA Office at 407-298-0756 or email [orangecta@gmail.com](mailto:orangecta@gmail.com)

**Upcoming Events and News:** Check the CTA website [www.orangecta.com](http://www.orangecta.com) and the CTA Facebook page [www.facebook.com/OCCTA7448](https://www.facebook.com/OCCTA7448)

**For Help in Establishing an FAC:** It is vitally important that every school has a functioning FAC. Email [orangecta@gmail.com](mailto:orangecta@gmail.com) and copy the President to schedule a visit for help in setting up an FAC. You can also ask a Field Rep. for assistance in electing ARs, establishing a Student Placement Committee and/or a Budget Advisory Committee at your School.

**Request a School or Site Visit:** If you need help with organizing and building a leadership team, have concerns specific to your school or just want to have a visit from a Field Rep., call or email CTA.

## **CONTACT THE DISTRICT**

There are some questions that you can best get answered by directly calling a District Department. These include questions related to medical, insurance, retirement, leave, and payroll. Please contact the District before contacting CTA. Generally, CTA will refer you to the District contacts that follow below.

### **Sick Leave Bank**

For sick leave bank information email: [\*\*Retirement.Services@ocps.net\*\*](mailto:Retirement.Services@ocps.net)

### **Medical or Insurance Questions**

Contact the District with any questions you may have concerning your insurance plan, medical, prescription or mental health issues.

### **VAM Questions**

Contact the Research and Evaluation Department at 407.317.3370 or Director Chen An at [\*\*chen.an@ocps.net\*\*](mailto:chen.an@ocps.net)

### **CIGNA**

John Laica 407-317-3200 Ext. 2002487 [\*\*cigna\\_representative@ocps.net\*\*](mailto:cigna_representative@ocps.net)

### **Medical, Prescriptions & Mental Health**

Main Number: 407-317-3245

Beth Curran	Ext. 2002379	<a href="mailto:Beth.curran@ocps.net"><b><u>Beth.curran@ocps.net</u></b></a>
Christy Kinard	Ext. 2002437	<a href="mailto:Christina.kinard@ocps.net"><b><u>Christina.kinard@ocps.net</u></b></a>
Lynda Krapp	Ext. 2002438	<a href="mailto:Lynda.krapp@ocps.net"><b><u>Lynda.krapp@ocps.net</u></b></a>
Kimberly Eisenbise	Ext. 2003264	<a href="mailto:Kimberly.eisenbise@ocps.net"><b><u>Kimberly.eisenbise@ocps.net</u></b></a>

### **Retirement Questions**

Contact the Retirement Services for any questions regarding DROP, retirement benefits, the Sick Leave Bank, and tax deferred annuities. Frequently Asked Questions are answered on the OCPS Retirement Service website. The main number is 407-317-3227 and the Email is: [\*\*Retirement.Services@ocps.net\*\*](mailto:Retirement.Services@ocps.net).

## **Payroll Questions**

Contact the payroll clerk at your school for any payroll questions. You can review your pay checks by signing into the employee pages (OCPS Intranet) on the OCPS website. The Payroll Department number is 407-317-3260, but again, start at your school level for answers to any payroll questions.

## **Whistleblower Complaints**

Any employee or member of the public may report any known or suspected violation of law or policy, theft, fraud or abuse, or damage to the public's health, safety or welfare. The procedure guarantees that no action will be taken against any employee who makes a good faith complaint. However, you may submit an anonymous, confidential complaint by calling 407-317-3976.

## **Personnel File**

You may also want to inspect your OCPS personnel file to make sure that there are no "internal reporting forms" containing inaccurate or unfair information of which you may not be aware. Contact Warren Martin at [warren.martin@ocps.net](mailto:warren.martin@ocps.net) to request a review of your OCPS personnel file.

## **Employee Information**

To view your paycheck, check your remaining leave hours, find out how many professional development hours you have, check your insurance benefits or other information specific to your individual employment, log into the OCPS website under the 'Employees' tab.

## **CTA Contracts, TAs and MOUs**

To view the latest CTA Contract, Instructional Personnel Evaluation System Procedures Manual, which is also considered contract language, go to the Labor Relations Department of the OCPS website. The Supplements Handbook and all current Memorandums of Understanding and Tentative Agreements are also found there. The link to the site is: [https://www.ocps.net/departments/human\\_resources/labor\\_relations/](https://www.ocps.net/departments/human_resources/labor_relations/)



*OCCTA members at Great Beginnings*

## **Some Orange County Public Schools Numbers**

Main Switchboard	407-317-3200
ADA Compliance	407-317-3200 ext. 2002923
Certification	407-317-3221
Community Resources	407-317-3323
Employee Relations	407-317-3239
Environmental Compliance	407-317-3900
ESE Parent Support	407-317-3200 ext. 2002614
Exceptional Student Education	407-317-3249
Family & Medical Leave Act	407-317-FMLA
Homeless Education	407-317-3485
Human Resources	407-317-3215
Information Hotline	407-317-3463
Information Technology Services	407-317-3292
Migrant Education	407-317-3940
Minority Achievement Office	407-317-3470
Multilingual Services (ESOL)	407-317-3410
Orange County Virtual School	407-317-3327
Payroll	407-317-3260
Professional Development	407-317-3436
Title I Services	407-317-3340
VAM Questions	407-317-3214
Workers Compensation	407-317-3904



*Some OCCTA members at Chain of Lakes Middle School*



# SCHOOL BOARD MEETINGS

School board meetings are usually held twice a month on the second and fourth Tuesday of the month. All meetings are held in the School Board Meeting Room of the Ronald Blocker Educational Leadership Center, 445 W. Amelia St., in downtown Orlando.

Attend school board meetings to gain a better understanding of the issues, demonstrate that teachers want a seat at the table, and to speak out as a voice for our profession.

You may speak during the public comment period of the meeting that is scheduled from 4:30 pm - 5:00 pm on a subject related to school board business that is not on the regular agenda. The public comment period guidelines are listed on the OCPS website. You may speak at the regular school board meeting that begins at 5:30 pm, only to address issues that are on the agenda. Check the meeting dates, agendas and board documents on the OCPS website: [https://www.ocps.net/departments/school\\_board\\_services](https://www.ocps.net/departments/school_board_services) .

When you speak at the School Board you may speak as an individual or a teacher. The President is the sole spokesperson for CTA.

Comments are limited to 3 minutes. If you are planning to speak at a meeting know your topic and come prepared. It is best to write down your comments so you can stay on script and make sure that you stay within the time limits.

Work sessions are held for the school board members to discuss specific issues. To find out the dates of work sessions check the OCPS website.

Minutes, agendas and contact information for the school board members is also located on the OCPS website.

We hope to see you at the School Board meetings!



*Teachers packed the School Board - Week of Action 2018*

## Orange County Public Schools 2018 – 2019 School Calendar

Monday - Friday	August 6 - 10	Pre-Planning August 8 Professional Development Day
Monday	August 13	First Day of School
Monday	September 3	Labor Day Holiday
Friday	October 12	End of First Marking Period
Monday	October 15	Teacher Workday/Student Holiday
Tuesday	October 16	Begin Second Marking Period
Friday	October 26	Teacher Professional Day/Student Holiday Teacher Non-Workday
Monday - Friday	November 19 - 23	Thanksgiving Break
Thursday	December 20	End of Second Marking Period
Friday	December 21	Teacher Workday/Student Holiday
Two Weeks	December 24 - January 4	Winter Break
Monday	January 7	Begin Third Marking Period Begin Second Semester
Monday	January 21	Martin Luther King, Jr. Holiday (Schools and District Offices Closed)
Monday	February 18	Presidents' Day Holiday (Schools Closed/District Offices Open)
Thursday	March 14	End of Third Marking Period
Friday	March 15	Teacher Workday/Student Holiday
Monday - Friday	March 18 - 22	Spring Break (Schools Closed/District Offices Open)
Monday	March 25	Begin Fourth Marking Period
Monday	May 27	Memorial Day Holiday (Schools and District Offices Closed)
Wednesday	May 29	End of Fourth Marking Period/Last Day of School
Thursday - Friday	May 30 - 31	Post-Planning



**Orange County Public Schools  
Prioritized Bad Weather Days  
2018 - 2019**

<b>Priority</b>	<b>Date</b>	<b>Current Use</b>
1	October 26	Professional Day
2	November 19	Thanksgiving Break
3	November 20	Thanksgiving Break
4	November 21	Thanksgiving Break
5	February 18	Presidents' Day Holiday
6	March 22	Spring Break
7	March 21	Spring Break
8	March 20	Spring Break
9	March 19	Spring Break
10	March 18	Spring Break



*Week of Action at the ELC*

## TARGETTED AND STO SCHOOLS 2018-2019

### CORRECTIVE PROGRAM SCHOOLS 2018-2019

School	LC Area
Eagle's Nest ES	Southwest
Eccleston ES	Southwest
Engelwood ES	East
Hiawassee ES	West
Lake Gem ES	North
Orange Center ES	West
Pine Hills ES	West
Riverside ES	North
Rolling Hills ES	West
Tangelo Park ES	Southwest
Washington Shores ES	West
Wheatley ES	North
Westridge	Southwest
Meadowbrook MS	North
Walker MS	Southeast
Colonial HS	High School
Edgewater HS	High School
Evans HS	High School
Jones HS	High School
Ocoee HS	High School
Wekiva HS	High School

### SCHOOL TRANSFORMATION OFFICE 2018-2019

School	LC Area
Ivey Lane ES	West
Lake Weston ES	North
Mollie Ray ES	West
Orlo Vista ES	West
Ridgewood Park ES	North
Rock Lake ES	West
Rosemont ES	North
Carver MS	West
Memorial MS	Southwest
OCPS AC (K-8)	Southwest

The schools on this list have 2 common meetings per week instead of one.

# ASSOCIATION REPRESENTATIVE ROLES

- Develop and maintain a visible union presence at your worksite.
- Engage and recruit new hires and potential members.
- Build and deepen relationships with current members.
- Lead efforts to move members to activists and activists to leaders.
- Advocate for members and public education at your worksite, district, local, state and national levels. Attend monthly AR Council meetings.
- Conduct elections for school-based committees, including the Faculty Advisory Committee, the Placement Review Committee and the Budget Advisory Committee. Conduct the AR election at your school or worksite.
- Serve to the best of your ability for your elected term. If you are transferred or must resign, make sure to identify a member to step into your shoes.

## **CTA Contract Language Related to Association Representatives**

Please take the time to learn the contract language that addresses the rights of Association Representatives. There are some special privileges given to Association Representatives, including being able to hold meetings and communicate with staff within the contracted provisions. Furthermore, an AR who receives an involuntary transfer, a change of grade/subject area assignment, or a room change has the right to have that involuntary change reviewed and reconsidered.

Because many schools stopped having regularly scheduled face-to-face faculty meetings in favor of electronic ones, in March 2017 CTA negotiated contract language to allow ARs to hold a monthly meeting separate from a faculty meeting. This provides a great opportunity for ARs to speak to the entire faculty once a month. Please take advantage of this opportunity. We will provide talking points for monthly meetings at the AR Council meetings.

Additionally, we negotiated contract language that allows ARs to distribute association approved messages (those that are approved by the President and the District) to all instructional personnel at your work site through OCPS email. You will be receiving messages this year from the President to email to your faculty. Please remember you may not send messages to your entire faculty through the OCPS email unless they are approved by the CTA President and the District.

Below is some of contract language related to Association Rights:

## **ARTICLE IV ASSOCIATION RIGHTS**

### **B. Site Association Representatives**

1. Upon conclusion of any faculty meeting, the site Association Representative shall be given the

opportunity to make announcements relating to Association business. Continued attendance by employees shall be voluntary.

Once a month the site Association Representative(s) shall be given the opportunity to hold a meeting during nonstudent contact time of all instructional personnel at a school site to make announcements related to Association business. Attendance by employees shall be voluntary,

The site Association Representative(s) shall be given the opportunity to send an Association-approved email message related to Association business to all instructional personnel at a school site.

2. The site Association Representative may use the work location's facilities for the purpose of conducting professional meetings during non-student contact times. Such meetings shall be arranged in advance with the administrator and shall not be unreasonably denied.
3. When the site Association Representatives are either involuntary transferred, or have grade/subject assignment changes and room changes on the work location's campus, the transfer or changes, shall be reviewed by the CTA President and the Superintendent or their designee. The site Association representative must request such a review in writing, and submit the request to the Association within ten (10) days of the transfer or change.
6. The site Association Representative and the Administrator may meet monthly to discuss implementation of the contract and issued within the work location.

#### D. Communications

4. The Superintendent or designee shall receive a copy of all materials/communications to be distributed district-wide, either through the courier or through email, at least one business day prior to distribution. This shall include Association approved email messages distributed through the site association representative(s). The administrator shall receive a copy of materials/communications to be distributed in the school. When the Association disseminates information without utilizing any District resources such as mailbox, email or courier, the Association is not required to produce a copy to any administrator. Emails that are notices for Association meetings at the Association's office do not have to be sent to the District.



*Hispanic Parade 2018*

# FIFTEEN THINGS EVERY AR SHOULD KNOW!

## 1. You don't have to be an expert

ARs are always being asked questions. Don't act like you know what you're talking about when you don't. This is a sure way to let members down and turn them off. Find out the answer and get back to them.

## 2. Figure out where to turn for answers

Your union staff is knowledgeable in contract interpretation and many areas of labor law. Other union activists-members can be important resources too. Feel free to contact the President too.

## 3. Knowing how to delegate tasks is your most important skill

Recruiting volunteers is important to build a cohesive team. Identify members' skills, talents and interests. Go beyond the core group that shows up for every events to get others moved to the core. There is a role for every member of the union. Help members find their roles.

## 4. If you try to do it all yourself, it won't work

The more people you get involved, the more you can accomplish. Work on establishing a leadership team at your school or work site so you can spread the work.

## 5. Your job is to empower people

Give a man a fish; he'll eat for the day. Teach a man to fish and he'll eat for a lifetime. Give a man a fish while teaching him to fish and you'll fulfill his needs while empowering him. Be a mentor. If all you do is solve other people's problems for them, what are they going to do when you're not there? Help people learn how to solve their own problems.

## 6. Ask a lot of questions

Socrates didn't get to be famous for nothing. The best ideas come from picking a lot of minds and getting people to think about old problems in new ways.

## 7. Learn how to listen

When grievances and personnel problems occur, sometimes just being willing to listen is the most important thing you can do. When you're organizing you need to know how other people feel and how they view the situation before you can influence them. Ask and listen.

## 8. Don't let administrators mistreat you

When you are representing your co-workers you are your supervisor's equal. You are both intelligent adults. On the job, your supervisor may have authority over you. But concerning union business, you are his/her equal.

## 9. Never assume that administrators know better than you

Most administrators have little understanding of contract rights or labor law. Generally, they have experience in other areas. Anything you learn about employees' rights on the job makes you more of an expert in that area than they are. Know your contract.

## **10. Learn how to work with administrators**

Painting yourself as a “union thug” may be a real turn-off to administrators. You can question authority in a respectful and collegial manner while standing up for members’ rights. Learn how to be a formidable advocate while at the same time maintaining dignity and respect in dealing with administrators.

## **11. Pick your fights**

Defending your fellow employees is an important part of an association representative’s main duties, but do not put yourself on the defensive all the time. If you identify issues and take the initiative to demand changes, you will make important progress. Don’t let administrators control the agenda. Be pro-active and pick the issues where you think you can make some headway.

## **12. Always get back to people**

If you want your members and co-workers to have trust in you, be consistently responsible and reliable. Do not promise things you cannot deliver, and be sure to follow through on any commitments that you make.

## **13. All for one and one for all**

When we work in one cohesive group, individual members are less easy to target and are therefore more protected. Even small steps can take you to the finish line. Start with a petition or letter that everyone at your worksite signs. Once a small action succeeds, members will gain confidence to move on to the bigger ones.

## **14. Be a responsible employee**

You are representing the union at your worksite. Following the contract and school and district policies is important to gain the respect of the administration, as well as co-workers. Not only will your opinion be considered more reliable, but you will avoid unnecessary conflict with administration.

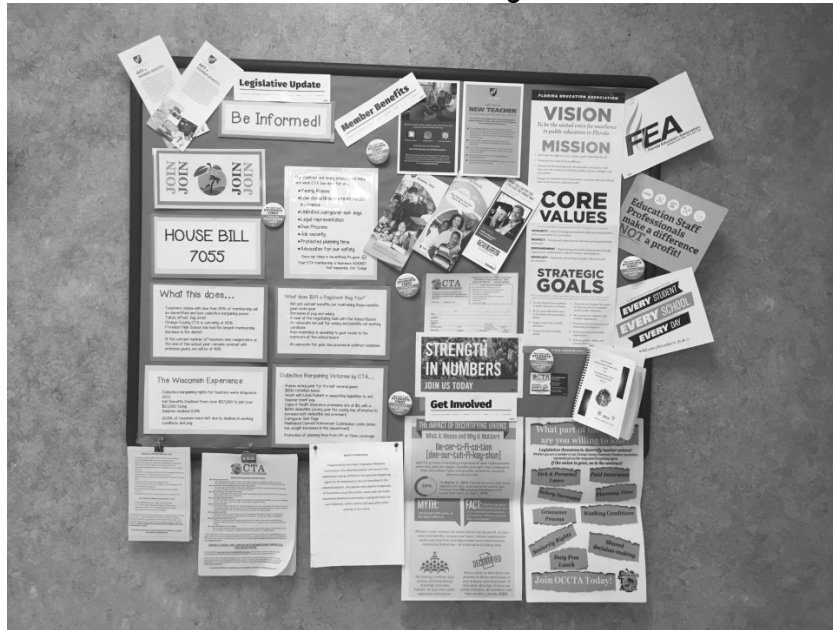
## **15. Keep your eye on the prize**

Set clear and measurable goals that are supported by the majority of members. There will be setbacks. There will be losses. Sometimes people will get angry with you, and sometimes you’ll start to wonder if it’s all worth it. But as long as you remember that collective action is the only real way to change things for the better, you’ll know that in the long run, helping to build the union is the best thing you can be doing - for yourself and members.

*Adapted from the Broward Teachers Union Steward Manual*



*2018 AFT Convention –Sticking With Our Union!*



*CTA Bulletin Board*

## BULLETIN BOARD GUIDELINES

- Make use of the bulletin board kit that every AR receives.
- Keep your bulletin board neat, uncluttered and up-to-date.
- Make your bulletin board attractive and easy to read.
- Consider what should be placed on the bulletin board. Some items are best used as box stuffers or distributed individually.
- Be sure to post any flyers announcing upcoming workshops or events that are included in your AR packet at the monthly AR Council meetings.
- Highlight important information published in the CTA newsletter or on the website and place those clippings on the bulletin board.
- Place your bulletin board in a well-visited location such as the mailroom or teachers' lounge.

- No other organization, member or education professional can use or post material on the CTA bulletin board.

## **CONTRACT LANGUAGE: ARTICLE IV ASSOCIATION RIGHTS**

### **D. Communications**

1. The Association shall have the exclusive right to bulletin board space of at least nine square feet for the purpose of posting materials related to Association business, such as newsletters, Association programs, training, meeting notices and committee reports.
  - a. The Association may, at its own expense, provide an additional bulletin board for its exclusive use subject to the provisions contained in this Section.
  - b. The bulletin board space shall be located in an area mutually determined by the administrator and the site Association representative. The President/designee shall have input into the decision.



*AR Council Meeting*

## **PREPLANNING CHECKLIST FOR ARs**

### **\_\_\_\_\_ HOLD A TEN MINUTE MEETING TO WELCOME CTA MEMBERS BACK**

- You can buy snacks for the meeting. Spend up to \$30.00. Turn in receipts and the sign-in sheet to CTA by the September AR Council Meeting for reimbursement.
- Inform CTA members about upcoming school-based committee elections. Identify members who want to serve on the FAC and other committees.
- Enlist members to help with elections and put up the bulletin board.
- Establish a CTA leadership team that will recruit potential members.

### **\_\_\_\_\_ ELECT FAC**

### **\_\_\_\_\_ ELECT STUDENT PLACEMENT COMMITTEE**

### **\_\_\_\_\_ ELECT BUDGET ADVISORY COMMITTEE**



\_\_\_\_\_ **WELCOME NEW TEACHERS**

\_\_\_\_\_ **WELCOME BACK TO ALL TEACHERS (FACULTY MEETING OR  
PRE-PLANNING MEETING)**

\_\_\_\_\_ **UPDATE THE CTA BULLETIN BOARD**

\_\_\_\_\_ **MEET WITH YOUR ADMINISTRATIVE TEAM**

## **ASSOCIATION REPRESENTATIVE ELECTION**

CTA Association Representatives are elected by their faculty every two years. Elections should take place during the last four weeks of school and no later than the last week of school. The lead AR conducts the election by noticing all CTA members of the deadline to submit their intention to run. The election must be held by secret ballot. One AR can be elected “for every 20 CTA members or major fraction thereof” according to the CTA Bylaws.

If there is a vacancy or no AR at a school or work site, an AR election should be conducted *immediately*. All elections must be documented on the AR Election form and submitted to CTA via courier or scanned and emailed to [OrangeCTA@gmail.com](mailto:OrangeCTA@gmail.com) .

It is very important that there is at least one AR at each school or worksite to coordinate the work of the union. If you need help in holding an election, please contact CTA to assist ([orangecta@gmail.com](mailto:orangecta@gmail.com)). Without a proper election, CTA will not recognize a member as being an AR.

The members at your school or work site put their trust and confidence in you as a union leader. Being elected to any office or position carries responsibilities and commitment. As the Association Representative you have a responsibility to the members who elected you. You owe it to the members to represent them at AR Council meetings and provide updates after each one; to advocate on their behalf; and to be the voice of the union at your school or worksite.

If you are transferred or otherwise must resign from the AR position, contact CTA, make sure you identify a committed replacement and hold an election immediately to fill the unexpired term, as provided in the CTA bylaws.

Do not forget to send the AR Election form to CTA after the election so that the Association Representatives and alternates at your school are recognized. CTA is working to keep AR information updated to ensure that important information and materials are sent to the correct contact. If the form is not received, CTA does not recognize the AR.

**Sample Email for AR Election**  
(send to CTA members only)

Dear CTA Members:

In accordance with the contract between the OCPS School Board and the CTA, I am announcing the election of the 2018 - 2019 (name of school) CTA Association Representative/s. Any CTA teacher or instructional personnel may sign up to run. If you are interested in running, please email me by (date) \_\_\_\_\_ (time) \_\_\_\_\_. We can elect (number) \_\_\_\_\_ ARs and (number) \_\_\_\_\_ alternates.

An election will be conducted on (date) \_\_\_\_\_ in accordance to the requirements of the contract.

Sincerely,

(Name of Lead AR)

(Include all of the FAC contract language at the bottom of the email.)

**From the CTA Bylaws:**

**SECTION VII: ASSOCIATION REPRESENTATIVES**

Each school shall elect, by secret ballot, no later than the last week of the school year, at least one representative plus one additional representative for each twenty (20) members or major fraction thereof. Each school shall be guaranteed at least one (1) representative. Vacancies may be filled by election at the site as needed.

**A. Eligibility of Representatives**

All candidates for the position of Association Representative in this Union must be members of the Union.

**B. Term of Service of Representatives**

Each representative shall serve for a term of two (2) years. In case of vacancy, the CTA members of that school faculty where such vacancy occurs shall elect, by secret ballot, a representative to fill the un-expired term.

**C. The Representatives shall:**

1. Serve as a member of the Representative Council.
2. Organize a CTA leadership team at his/her worksite and serve as its worksite leader.
3. Attend Monthly AR Council meetings.
4. Report the business and activities of the Union to his/her faculty.
5. Present to the Representative Council the concerns and issues of his/her faculty.
6. Be assisted by the Alternate Representative in performing his/her duties.
7. Recruit members and send required forms to the CTA office.

**From the CTA Contract:**

**ARTICLE IV ASSOCIATION RIGHTS**

**B. Site Association Representatives**

4. The Association will provide each site administrator the name of the CTA Association Representative at his/her school within six weeks of the beginning of each school year. Notification will be given of any changes throughout the year.
5. The Association shall provide and maintain a current list of site Association Representatives and provide such a list and updates to Employee Relations.

**From the CTA Policies:**

## LEADERSHIP INCENTIVE POLICY

- 1) AR's will receive a \$ 10.00 reimbursement for mileage for attending each Association Representative meeting. The Directors will verify the signatures on the sign-in sheet. Payment will be made by the end of June. The Board may establish additional or replacement incentive plans annually.

Board of Directors  
06/18/07

- a) CTA BOD adopted the recommended incentive plan for ARs. \$77.55 local dues reimbursement.

ARs will receive a refund of their local dues if they complete the following AR tasks and provide appropriate evidence by May 18, 20\_\_:

- Submit the official AR Election Form listing AR/ARs and alternate/s, dated and signed by witnesses by October 1, 20\_\_.
- Hold all school/site committee elections (Faculty Advisory Committee, SAC teacher representative/s election, Budget Advisory Committee, and Placement Review Committee. Send in the list of names for each committee or representative by October 1, 20\_\_.
- Enroll 3 new CTA members and submit the copies of the membership applications with the AR listed as the recruiter.
- Submit a photo of the CTA Bulletin Board.
- Map the school to identify a CTA leadership team. Submit outline of leadership team by hallways, by grade level or by subject area.
- Attend 7 AR Council meetings (sign-in sheets).
- Attend 1 AR training – July, October or after January (sign-in sheets).
- Attend 1 School Board meeting and submit photo evidence.
- Hold 3 CTA leadership team meetings at the school or site (sign-in sheets).
- Hold 10-minute meeting after each AR Council meeting (sign-in sheets).
- Attend 1 CTA-sponsored event other than the AR meetings, such as a summit, film screening, parade, conference, or a social event (sign-in sheets or photo).

Board of Directors 08/02/17

### From the CTA Contract:

#### ARTICLE IV ASSOCIATION RIGHTS

##### B. Site Association Representatives

4. The Association will provide each site administrator the name of the CTA Association Representative at his/her school within six weeks of the beginning of each school year. Notification will be given of any changes throughout the year.
5. The Association shall provide and maintain a current list of site Association Representatives and provide such a list and updates to Employee Relations.



*AR Council Meeting*



**ORANGE COUNTY CTA**  
**Association Representative Election**

**School/Workplace:** \_\_\_\_\_

AR election contract language: Each school shall elect, by secret ballot, no later than the last week of the school year, at least one representative plus one additional representative for each twenty (20) members or major fraction thereof. Each school shall be guaranteed at least one (1) representative.

The following were elected as the 2018 - 2019 Orange County CTA Association Representatives from the above school/workplace. Open nominations were held. If the number of nominees exceeded the number of seats available for our school/workplace, a vote was taken by secret ballot.

**ELECTED:**

Date of Election \_\_\_\_\_

<b>R E P 1</b>	Name _____	Employee ID _____	Cell Phone _____
	Personal Email _____	T-Shirt Size (Please Check One) S <input type="checkbox"/> M <input type="checkbox"/> L <input type="checkbox"/> XL <input type="checkbox"/> 1X <input type="checkbox"/> 2X <input type="checkbox"/> 3X <input type="checkbox"/>	
<b>R E P 2</b>	Name _____	Employee ID _____	Cell Phone _____
	Personal Email _____	T-Shirt Size (Please Check One) S <input type="checkbox"/> M <input type="checkbox"/> L <input type="checkbox"/> XL <input type="checkbox"/> 1X <input type="checkbox"/> 2X <input type="checkbox"/> 3X <input type="checkbox"/>	
<b>R E P 3</b>	Name _____	Employee ID _____	Cell Phone _____
	Personal Email _____	T-Shirt Size (Please Check One) S <input type="checkbox"/> M <input type="checkbox"/> L <input type="checkbox"/> XL <input type="checkbox"/> 1X <input type="checkbox"/> 2X <input type="checkbox"/> 3X <input type="checkbox"/>	
<b>R E P 4</b>	Name _____	Employee ID _____	Cell Phone _____
	Personal Email _____	T-Shirt Size (Please Check One) S <input type="checkbox"/> M <input type="checkbox"/> L <input type="checkbox"/> XL <input type="checkbox"/> 1X <input type="checkbox"/> 2X <input type="checkbox"/> 3X <input type="checkbox"/>	
<b>ALT R E P 1</b>	Name _____	Employee ID _____	Cell Phone _____
	Personal Email _____	T-Shirt Size (Please Check One) S <input type="checkbox"/> M <input type="checkbox"/> L <input type="checkbox"/> XL <input type="checkbox"/> 1X <input type="checkbox"/> 2X <input type="checkbox"/> 3X <input type="checkbox"/>	
<b>ALT R E P 2</b>	Name _____	Employee ID _____	Cell Phone _____
	Personal Email _____	T-Shirt Size (Please Check One) S <input type="checkbox"/> M <input type="checkbox"/> L <input type="checkbox"/> XL <input type="checkbox"/> 1X <input type="checkbox"/> 2X <input type="checkbox"/> 3X <input type="checkbox"/>	

\_\_\_\_\_  
Person Conducting Election

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

**PLEASE RETURN THIS COMPLETED FORM TO THE CTA OFFICE**

By courier: Attn: CTA, 1020 Webster Avenue or email to [orangecta@gmail.com](mailto:orangecta@gmail.com)



*Membership 365 Conference*

## **ORGANIZING SCHOOL COMMITTEES**

Among the main responsibilities of an Association Representative are to oversee the elections of the school's Faculty Advisory Committee (FAC), the Placement Review Committee, and the Budget Advisory Committee. There is contract language outlining procedures for the establishment and charges of all school-based committees.

All elections must be conducted by secret ballot. You can have numbered ballots specifically made with water marks. Online voting sites such as Survey Monkey allow participants to vote multiple times and cannot be considered valid. Google docs is not secret. Administrators are not to be allowed to participate in, or to influence such elections.

The following pages contain some information, contract language and sample emails to help you in organizing these committees at your school. Ideally, notices should be sent during pre-planning so the elections can be completed and committees established before classes begin.

### **FACULTY ADVISORY COMMITTEE**

A democratically elected and well-functioning Faculty Advisory Committee (FAC) allows teachers to have a voice in the operations of their school. The FAC is an advisory committee of no less than five and no more than eleven teachers. The goal of the FAC is to have shared decision-making.

The FAC should meet once a month to hear recommendations and concerns from the faculty. Issues or concerns might include workload, abuse of planning time, discipline of students, substitutes, breaks, monitoring during lunches, testing schedules, PLCs, fundraisers, field trips, etc. Typically, the committee discusses the concerns and then the Chair and one other selected FAC member presents the issues and recommendations to the administration in a face-to-face meeting. It is important that issues are discussed confidentially and presented to the administration in a manner that ensures confidentiality. The issues discussed, all recommendations from the FAC, and the administration's

responses are all included in the minutes, which are sent to all faculty as soon as the principal or administrator responds. In some schools, the issues and recommendations are sent electronically to the principal or administrator so they can respond back in writing after the face-to-face meeting.

The FAC is also responsible for conducting the election of the teacher representatives of the School Advisory Committee. This should be done at the first FAC meeting.

**Who can serve?** Only teachers and other members of the instructional bargaining unit are elected as members of the FAC, as most issues pertain specifically to teachers. Your faculty may also vote *each year* to decide if you want to allow one representative from the classified ranks to serve on the committee. If you did not vote to have representation from classified staff, then no one from that bargaining unit may be on the committee. That vote must precede the FAC election. The lead AR should call all faculty to a meeting and they should vote by a show of hands as to whether to allow representation by classified personnel.

**How is the FAC elected?** The lead AR should send out an email to all faculty to see who would like to serve on the FAC. Five is the minimum number of members and 11 is the maximum number of members that can serve. If less than 11 teachers sign up to run, then there is no need for an election. If more than 11 teachers sign up to run than an election by secret ballot must be conducted. It is advisable that the lead AR encourage 11 or more excellent candidates to run so the make-up of the FAC is not left to chance.

Ideally, the election should be held during pre-planning. The best way to hold an election is by secret ballot. Online voting sites such as Survey Monkey allow participants to vote multiple times and are not valid. The lead AR should print up the ballots. Putting a watermark on the ballot is a good way to ensure the ballots are valid. You can collect the ballots in a locked ballot box. Count the ballots in front of other CTA members and faculty. Announce the results by email. Be sure to inform the administration of the results. (A sample email that the lead AR can use to notice the faculty of the election is provided in this section.)

**Administrators are not FAC members.** Administrators should not interfere with FAC member selection or the election. They cannot 'appoint' or 'select' members. They should not suggest who should serve on the committee. They should not ask teachers to serve. They should not sit in on meetings unless they are *invited* to provide information.

**The First Meeting** - At the first meeting the members should elect a Chairperson and Secretary; decide on future meeting dates, time and room; and select FAC members who will meet with the Principal or administration after each meeting to discuss issues and the FAC recommendations. Also, at this first meeting, the election to determine the School Advisory Committee teacher representatives should be planned and executed.

**Communication** - For shared-decision making to succeed, the FAC should seek input from the faculty and provide prompt feedback. Put out advance notice of FAC meeting dates and request suggestions. Input from faculty can be collected with a locked suggestion box, surveys, or written teacher requests put in the Chair or FAC members'



mailboxes. Reports and minutes should **not** cite teacher names to protect the confidentiality of those bringing issues to the committee.



*ARs at the AR Council Meeting*

### **Role of the Chair**

1. Conduct meetings
2. Develop agenda
3. Maintain open lines of communication with faculty
4. Meet with administration with another selected FAC member to share issues/concerns and FAC recommendations
5. Promote teamwork
6. Keep members informed of the status of issues and concerns
7. Follow-up or designate someone to follow-up on unresolved issues and concerns

### **Role of the Secretary**

- Record proceedings including attendance and dates of meetings
- Print and distribute minutes (usually by email to the entire faculty and administration)
- Handle correspondence
- Maintain all files, including correspondence, meeting notes and minutes, and issues and concerns at site

### **Role of FAC Member**

- Attend meetings
- Accept ideas from others
- Promote collegiality
- Maintain professionalism and confidentiality
- Work for the good of the school
- Seek facts and encourage colleagues to put their ideas in writing
- Keep Chair informed

### **Role of the Principal**

- Meet at mutually agreed upon times with the Chair and another FAC member to discuss suggestions, concerns and the committee's recommendations. Respond to all recommendations.
- Participate in the discovery process for solutions to issues



- Respect the FAC and its members

### **Sample FAC Minutes:**

#### **XXX SCHOOL FAC Minutes August X, 20XX**

**Meeting convened at 2:30 pm**

**Present:**

(teachers' names)

**Issues:**

**1. LUNCH SUPERVISION:** There is a concern that the hallways are not locked during lunches and are filled with unsupervised and noisy students, even when classes are occurring. The lack of supervision and the liability issue needs to be addressed.

**FAC RECOMMENDATION:** The FAC suggests that every hallway be locked during lunches and that administrators circulate to regulate and supervise. Guidance is open during both lunches for any students that would need counseling or help so there is no need to keep hallways with the ESE Office and SAFE Office open. The students can be informed that if they require assistance or a safe haven they can go to the Guidance Office during lunches.

**ADMINISTRATION'S FEEDBACK:** Many hallways have either of offices or classrooms that need to be accessible for students or visitors for parent conferences, tutoring, meetings, etc. In order to maintain accessibility, we would recommend keeping doors unlocked and rotating administrators and security to monitor student behavior.

### **Sample Email for FAC Election:**

Dear Teachers:

In accordance with the contract between the OCPS School Board and the CTA, I am announcing the election of the 2018 - 2019 (name of school) Faculty Advisory Committee (FAC). Any teacher or instructional staff member may sign up to run for the FAC. The FAC may have no less than 5 and no more than 11 members. If more than 11 teachers sign up to be on the FAC, I will conduct an election in accordance to the requirements of the contract.

The FAC serves as a committee of faculty members that discuss and make recommendations to the administration on a variety of workplace issues to ensure the smooth operation of the school and to promote student achievement. Additionally, the FAC approves school-wide fund drives that involve teachers, determines the process to select faculty representatives to serve on the SAC and the process to select the faculty members to serve on the school budget advisory committee. (Please read the list of duties in the selected contract text below.)

If you would like to serve on the FAC please email your name to me by (time) on (date).

Sincerely,  
(Name of Lead AR)

(Include all of the FAC contract language at the bottom of the email.)

**CONTRACT LANGUAGE: ARTICLE XIX FACULTY ADVISORY COMMITTEE**

- A. The Faculty Advisory Committee shall have a membership of not less than five nor more than eleven employees elected by the employees at each school. Education Support Professionals may be included on the committee by a vote of the faculty. The Faculty Advisory Committee shall be elected by secret ballot election, conducted by the site Association representative within the first six weeks of the school year. In the absence of a site Association Representative, CTA shall assist in selecting a teacher on that school's staff to conduct the election. A list of the members of the Faculty Advisory Committee of each school shall be sent to the Association and the administrator. The administrator shall meet with the Faculty Advisory Committee within three weeks of a request.
- B. The Faculty Advisory Committee may meet during the regular duty day at such times as committee members have no student contact. The Faculty Advisory Committee may choose to meet with other employees and/or with the administrator, during the regular duty day provided the employees have no assigned instructional responsibility and that such meetings shall not conflict with previously scheduled meetings.
- C. In addition to duties outlined in Article XIV, the Faculty Advisory Committee may meet to discuss and make recommendations concerning the following:
1. A rotation plan composed of available staff to substitute in case of emergency.
  2. The purchase and distribution of instructional equipment, materials and supplies.
  3. Student discipline plans, which may include guidelines for referral of students into alternative education settings.
  4. The disposition of discipline referrals in a timely manner.
  5. Additional safeguards to deal with acts of violence, including those involving weapons, and procedures for notification of teachers when their students have been found to have carried a weapon on campus.
  6. Other concerns of the faculty, which may result in a smoother operation of the school.
- D. Any school-wide drives or collection of money which involve teachers shall not be approved until such have been discussed with the Faculty Advisory Committee.
- E. The Faculty Advisory Committee shall be responsible for establishing a process to elect teacher representatives to the School Advisory Committee.
- F. Participation on the FAC shall not serve as a basis for the evaluation of any teacher.

**ARTICLE XIV DUTY DAY**

- A. Except as otherwise provided in this Contract, the employee duty day shall be seven hours and 30 minutes including a duty-free lunch, or 37.5 hours per week total.
- B. As part of an ongoing program of school improvement, and in recognition of individual schools' needs to be given increased responsibility for site-based decision making, the parties agree to the following relating to the employee duty day:
1. The duly elected Faculty Advisory Committee and the administrator, with input from the school staff may mutually agree on scheduling arrangements for teachers to include, teaching load(s), student contact time, planning time, duty time, extended duty assignments, compensatory time, coverage of classes in

lieu of using substitutes, scheduling of elementary teachers, the use of flexible time blocks, common planning time, end of course testing schedules, scheduling of special area teachers and the implementation of any mandated school wide programs which affect any of the provisions found in this article. At the end of each school year, each teacher may submit scheduling preferences for elementary special area teachers to this process for consideration.

2. Such agreements shall be conditioned upon a majority vote of support by secret ballot of those voting from the faculty, reduced to writing and distributed to each teacher at the school. The agreement(s) shall remain in effect until the end of the school year. The FAC shall conduct the election. The faculty shall receive notice of the election in writing at least two duty days prior to the voting. The voting period shall extend for up to two duty days. The most senior Association Representative shall be present at ballot counting. If there is no Association Representative, the administrator shall contact the Association President prior to the ballot counting so that s/he or a designee may be present to observe.

## **SCHOOL ADVISORY COMMITTEE (SAC)**

**Per CTA Contract, the Faculty Advisory Committee is responsible for the election of the teacher members of the School Advisory Committee.** The number of teachers elected will depend on the number of other members from the specified groups, as outlined in Florida law. The principal should advise the FAC about the membership make-up of the committee and how many teachers should be elected.

At many schools the principal appoints teachers to the School Advisory Committee or calls for volunteers. This is in violation of the law and contract. If this is happening at your school, share the following contract language and Florida Statute with the principal.

### **CONTRACT LANGUAGE: ARTICLE XIX FACULTY ADVISORY COMMITTEE**

E. The Faculty Advisory Committee shall be responsible for establishing a process to elect teacher representatives to the **School Advisory Committee**.

The School Advisory Committee is mandated by Florida Statute, which outlines its members and roles.

**From 1001.452** District and school advisory councils—

(1) ESTABLISHMENT—

(a) The district school board shall establish an advisory council for each school in the district and shall develop procedures for the election and appointment of advisory council members. Each school advisory council shall include in its name the words “school advisory council.” The school advisory council shall be the sole body responsible for final decision-making at the school relating to implementation of ss. 1001.42(18) and 1008.345. A majority of the members of each school advisory council must be persons who are not employed by the school district. Each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult

education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. **Teachers shall be elected by teachers.**
2. Education support employees shall be elected by education support employees.
3. Students shall be elected by students.
4. Parents shall be elected by parents.

The district school board shall establish procedures to be used by schools in selecting business and community members that include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The district school board shall review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board shall appoint additional members to achieve proper representation. The commissioner shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status. Although schools are strongly encouraged to establish school advisory councils, the district school board of any school district that has a student population of 10,000 or fewer may establish a district advisory council which includes at least one duly elected teacher from each school in the district. For the purposes of school advisory councils and district advisory councils, the term "teacher" includes classroom teachers, certified student services personnel, and media specialists. For purposes of this paragraph, "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel pursuant to s. 1012.01 and whose duties require 20 or more hours in each normal working week.

(b) The district school board may establish a district advisory council representative of the district and composed of teachers, students, parents, and other citizens or a district advisory council that may be comprised of representatives of each school advisory council. Recognized schoolwide support groups that meet all criteria established by law or rule may function as school advisory councils.

(c) For those schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, district school boards may establish a district advisory council with appropriate representatives for the purpose of developing and monitoring a district school improvement plan that encompasses all such schools in the district, pursuant to s. 1001.42(18)(a).

(d) Each school advisory council shall adopt bylaws establishing procedures for:

1. Requiring a quorum to be present before a vote may be taken by the school advisory council. A majority of the membership of the council constitutes a quorum.
2. Requiring at least 3 days' advance notice in writing to all members of the advisory council of any matter that is scheduled to come before the council for a vote.
3. Scheduling meetings when parents, students, teachers, businesspersons, and members of the community can attend.
4. Replacing any member who has two unexcused consecutive absences from a school advisory council meeting that is noticed according to the procedures in the bylaws.
5. Recording minutes of meetings.

The district school board may review all proposed bylaws of a school advisory council and shall maintain a record of minutes of council meetings.

(2) **DUTIES** — Each advisory council shall perform functions prescribed by regulations of the district school board; however, no advisory council shall have any of the powers and duties now reserved by law to the district school board. Each school advisory council shall assist in the preparation and evaluation of the school improvement plan required pursuant to s. 1001.42(18). With technical assistance from the Department of Education, each school advisory council shall assist in the preparation of the school's annual budget and plan as required by s. 1008.385(1). A

portion of funds provided in the annual General Appropriations Act for use by school advisory councils must be used for implementing the school improvement plan

## **PLACEMENT REVIEW COMMITTEE**

The Lead AR should oversee the election of the Placement Review Committee during preplanning. If a teacher asks for a disruptive student to be removed from his/her class, the Placement Review Committee will meet to determine placement of that student.

### **Florida Statute calls for the formation of this committee. F.S. 1003.32 states:**

(4) A teacher may remove from class a student whose behavior the teacher determines interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn. Each district school board, each district school superintendent, and each school principal shall support the authority of teachers to remove disobedient, violent, abusive, uncontrollable, or disruptive students from the classroom.

(5) If a teacher removes a student from class under subsection (4), the principal may place the student in another appropriate classroom, in in-school suspension, or in a dropout prevention and academic intervention program as provided by s. 1003.53; or the principal may recommend the student for out-of-school suspension or expulsion, as appropriate. The student may be prohibited from attending or participating in school-sponsored or school-related activities. The principal may not return the student to that teacher's class without the teacher's consent unless the committee established under subsection (6) determines that such placement is the best or only available alternative. The teacher and the placement review committee must render decisions within 5 days of the removal of the student from the classroom.

(6) (a) Each school shall establish a placement review committee to determine placement of a student when a teacher withholds consent to the return of a student to the teacher's class. A school principal must notify each teacher in that school about the availability, the procedures, and the criteria for the placement review committee as outlined in this section.

### **Sample Email for the Placement Review Committee Election:**

Dear Faculty:

I am pleased to announce the election of a teacher member to the 2018 – 2019 (Name of School) \_\_\_\_\_ Placement Review Committee as per the CTA Contract:

#### **Article VII Teacher Rights and Responsibilities**

E. 5 A Placement Review Committee shall be formed for the purpose of determining placement of a student who has been suspended from a class in accordance with F.S.1003.32 (4), (5), (6). The Placement Review Committee shall include the following: two teachers, one elected by the faculty and one appointed by the teacher referring the student to the committee and one member of the school's staff who is selected by the principal. A teacher may appeal the decision of the Placement Review Committee to the District Superintendent.

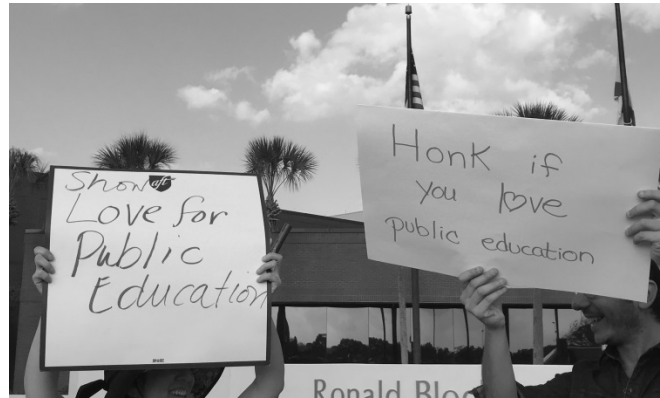
If you would like to serve on the Placement Review Committee, please email your name to me by (time) \_\_\_\_\_ on (date) \_\_\_\_\_. If more than one teacher applies, an election will be conducted.

Sincerely,

(Name of Lead AR)



*Protest at the ELC*



## **BUDGET ADVISORY COMMITTEE**

The lead AR should also oversee the election of a Budget Advisory Committee during preplanning. This committee is made up of a minimum of 3 teachers and a maximum of 5 teachers. They will review the school budget and make suggestions on expenditures for the upcoming school year.

### **Sample Email for Budget Advisory Committee Election**

Dear Faculty:

In accordance with the CTA Contract, I am announcing the formation of the 2018-2019 (school name) Budget Advisory Committee (BAC).

If you would like to be on this committee that is charged with reviewing and making suggestions regarding the school budget, please email your name to me by (time) on (date).

From the CTA Contract: ARTICLE XX SITE-BASED DECISION-MAKING

C. A minimum of three and a maximum of five teachers from each school shall serve on their school's budget advisory committee formed for the purpose of making recommendations on the school's general fund budget. Teacher members shall be elected by the faculty.

Sincerely,

## SCHOOL RECOGNITION PROGRAM (A+ MONEY)

Schools that receive an 'A' grade from the state are eligible for money from the Florida School Recognition Program. The money can be spent on bonuses for the faculty and staff; expenditures for educational equipment or materials to assist in maintaining and improving student performance; or temporary personnel for the school to assist in maintaining and improving student performance.

The way the money is spent is determined by the School Advisory Council (SAC) and the faculty, usually through a vote conducted by the Faculty Advisory Committee. Typically, the SAC considers input from the Faculty Advisory Committee (FAC) then they meet and make two – three recommendations, which are put on the ballot to be voted on by the faculty. The FAC oversees the election.

In many schools the staff votes to divide the bonus money equally between the faculty and all education staff personnel. Your faculty can decide if they want to award an equal amount or percentage to teachers and staff who worked at the school during the previous year, but left or teachers and staff new to the school. Some schools will set aside a small percentage to purchase technology, books or materials. If the SAC and school's staff cannot reach an agreement by February 1 as to how funds will be spent, then all of the bonus money is divided equally between the teachers at the school.

Never should the school administration bypass the process to dictate how the bonus money should be spent. If you have questions on the process, contact your CTA for guidance.

### **Florida Statute 1008.36**

- (1) The Legislature finds that there is a need for a performance incentive program for outstanding faculty and staff in highly productive schools. The Legislature further finds that performance-based incentives are commonplace in the private sector and should be infused into the public sector as a reward for productivity.
- (2) The Florida School Recognition Program is created to provide financial awards to public schools that:
  - (a) Sustain high performance by receiving a school grade of "A," making excellent progress; or
  - (b) Demonstrate exemplary improvement due to innovation and effort by improving a letter grade.
- (3) All public schools, including charter schools, that receive a school grade pursuant to s.1008.34 are eligible to participate in the program.
- (4) All selected schools shall receive financial awards depending on the availability of funds appropriated and the number and size of schools selected to receive an award. Funds must be distributed to the school's fiscal agent and placed in the school's account and must be used for purposes listed in subsection
- (5) as determined jointly by the school's staff and school advisory council. If school staff and the school advisory council cannot reach agreement by February 1, the awards must be equally distributed to all classroom teachers currently teaching in the school.
- (5) School recognition awards must be used for the following:
  - (a) Nonrecurring bonuses to the faculty and staff;
  - (b) Nonrecurring expenditures for educational equipment or materials to assist in maintaining and improving student performance; or
  - (c) Temporary personnel for the school to assist in maintaining and improving student performance.

Notwithstanding statutory provisions to the contrary, incentive awards are not subject to collective bargaining.



*Lancaster Elementary School*

## HANDLING CONCERNS AND DISPUTES

You are the face and first impression of Orange County Classroom Teachers Association in your school or worksite. You should expect to be approached by members who have issues with administration, possible contract violations or a variety of other problems. It is important to address each concern and respond with an answer, resolution or a name of a person to refer them to for assistance.

**You are an advocate for members only.** Never answer questions for or give advice to potential members. A primary benefit of CTA membership is that members may receive information, assistance and representation. Potential members do not receive these benefits. However, if a potential member approaches you with a problem, ask if they would like to join the union. **Be clear that if they do join, CTA would not represent them in any pre-existing problems or disputes.** Call CTA for further guidance.

**Get all of the facts if a member comes to you with a problem.** Be a good listener and ask questions. If the situation is complicated or requires clarification, ask the member to document the concerns or events in writing. That way if you need advice from CTA or if you need to refer the member to a Field Rep., the problem is clearly stated in the words of the member.

**Do not use your OCPS email account** to correspond with the member or CTA staff concerning members' issues. All emails between members and CTA concerning problems, questions or possible grievances should be sent from and to home email addresses. As an AR you can use OCPS email to correspond with all members to send invitations to meetings, make elections announcements and send other approved correspondence.



**Determine if a problem is a gripe or a grievance.** If the member is upset about treatment, has an interpersonal dispute with a co-worker or has an objection with management styles, the concern may be a gripe. If the concern is a violation of the contract, a violation of an established past practice or a violation of a written precedent contained in a settlement agreement or management policy, it is likely a grievance.

**Do not be dismissive of gripes.** Even if a concern is not a contract violation or does not rise to the level of a grievance be sure to address it to promote trust, build morale and to encourage a good work environment. If the concern affects many teachers at the school, you could suggest that the matter be addressed by the FAC so an agreement can be reached between the faculty and administration. If the concern affects teachers throughout the district, be sure to bring the matter to the attention of the President and email [orangecta@gmail.com](mailto:orangecta@gmail.com). Concerns of this nature can be addressed in management meetings, at special forums, at the school board and could even be used to rally new members. Always ask the member what resolution he/she would like to see.

**Check the contract.** If a member asks a question that you suspect may be a violation of the contract, search for the contract language that addresses the issue. The easiest way to search the contract is to look up related language in the electronic version that you can download from the CTA website. Ask CTA for help if you are uncertain.

**Remember the Weingarten Rights.** If a member is called to the office to meet with the principal or administrator, you may accompany the member. **The member also has the right to refuse a meeting without union representation if the meeting may lead to discipline.** Ask, "Will this meeting lead to discipline?" If the answer is anything but "no" the member can ask for a union representative to be present.

**Seek assistance when you do not know the answer.** If a member asks a question that you cannot answer or you feel uncomfortable answering refer the member to someone who can help them, such as a Field Representative or the President. Do not guess and risk giving incorrect information.

**Confidentiality** Get the member's permission to use their name if you need to communicate the concerns to administration, or CTA. Do not discuss members' business with co-workers or others.

**If it is determined that a contract violation exists, ask the member what solution or resolution he/she would like to see.** Also ask the member if he/she would like you to set up a meeting with the administrator to discuss the alleged grievance.

**Know when to call CTA.** In the following situations, call CTA or ask the member to call the CTA:

- The member has been directed to report to the Professional Standards Dept.
- An accusation or threat was made against a member
- For clarification of contract language
- To file a grievance for a contract violation
- Any situation you are not sure how to handle
- You have exhausted all attempts to resolve the matter with the principal or administrator



*Protest at the ELC –Week of Action 2018*

## **THE GRIEVANCE PROCESS**

A CTA member can file a grievance against the employer (OCPS) if there is a violation or misinterpretation of the Collective Bargaining Agreement (CBA), a violation of workers' rights, a violation of past practice, or a violation of established administrative policies or rules.

The most common grievances filed by CTA member's concern wages, working hours and working conditions. Other common grievances include the denial of benefits, planning time violations, unfair actions by administrators or discipline issues. Grievances can also be related to changes in the working conditions.

A grievance is a complaint that is presented through a succession of orderly steps so that those closest to the dispute, both on behalf of CTA and the Administration, can try to reach an equitable resolution.

Often members will seek out their Association Representative for advice and assistance in filing a grievance. Unless you are a seasoned and experienced AR, it is best to contact CTA for a Field Representative to lead the member through the steps of the grievance process.

If you are a confident and experienced AR, you may set up a meeting between the member and the principal or administrator to try to resolve a grievance through good faith discussion, which is Step One of the grievance process. However, it is best to consult CTA for advice and guidance before you proceed.

According to the Contract: "The request for the discussions shall take place within twenty (20) duty days after the employee knew, or should have known, of the incident which is the basis of the potential grievance. The discussion shall take place within six (6) duty days. In

the discussion, the employee shall advise the administrator of the particular section(s) of the Contract the employee believes was (were) violated, and how they allegedly were violated. The employee may also present a solution. Verbal dialogue is encouraged and may continue over the next six (6) duty days, a resolution must be presented and agreed upon or the employee shall receive an explanation as to why the administrator believes the contract was not violated. Any resolution shall not violate the contract and shall be reduced to writing by the site association representation and signed by the administration”.

If no resolution is agreed upon during the Step One discussion, then the grievance will proceed to a Step Two. The AR will contact CTA to handle the process at this point.

Whether you are preparing a statement for a meeting or writing a complaint for CTA to handle, be sure to get the facts. Follow the Five W's:

**Who** was involved? Who witnessed the acts that are the basis of the grievance?

**What** happened? What transpired, or what is the basis of the problem?

**When** did the incident take place? Make note of the date and time.

**Where** did the event occur? Make note of the place and setting.

**Why** is this a grievance? What articles, sections or provisions of the contract or other documents such as Management Directives or School Board Policies were violated, misinterpreted or misapplied?

Finally there is an **H – How** can the grievant be made whole? What relief is necessary to restore the grievant to the condition that he or she would have been in had the violation not occurred?

The grievance process is outlined step by step in the contract:

### **ARTICLE III GRIEVANCE PROCEDURE**

A. A grievance shall be defined as a dispute involving a violation, misinterpretation, or misapplication of a provision(s) of this Contract. The grievance procedures set forth below shall be used for the settlement of said disputes.

#### **B. General Provisions**

1. Only a member of the bargaining unit, a group of members of the bargaining unit, or the Association may file a grievance. Whenever the word "grievant" is used herein it may refer to any of the above.
2. A grievant may have representation by the Association at any step of the grievance procedure. Representation by the Association shall include the right to speak and to present arguments and evidence on behalf of the grievant.
3. Nothing in this Article shall be construed to prevent any employee from presenting at any time his/her own grievance, in person or by legal counsel, and having such grievance adjusted without the intervention of the Association, if the adjustment is not inconsistent with the terms of this Contract, and if the Association has been given reasonable opportunity to be present at any meeting called for the resolution of such grievance.
4. Each written step in the grievance procedure shall be filed on a standard form as agreed to between the parties.

5. The Association shall inform the Employee Relations Department of the grievance number, school and grievant's name when a written grievance is filed.
  6. The parties agree to attempt to resolve grievances at the lowest possible level, and shall present documentation and other needed information to that end.
  7. All grievance meetings, including arbitration hearings, shall be held during the employee's duty day and within his/her work year, unless the parties mutually agree to hold such meetings at other times. No employee shall suffer loss of pay for attending such meetings as a witness or party to the grievance.
  8. The parties agree that tape recording of any grievance meeting, other than an arbitration hearing, shall not be done without the express permission of all persons present.
  9. Either party to a grievance shall be granted a three duty day extension at any step in the processing of the grievance, provided that party notifies the other party, in writing, prior to the date that the time period for that step would elapse. The time limits prescribed herein may be modified by mutual agreement of the parties.
  10. Whenever illness or other incapacity of a party to a grievance prevents attendance at a grievance meeting, the time limits shall be extended to such time that the party can be present, except that the grievant may appeal to the next step if the designated administrator is incapacitated beyond ten duty days.
  11. If at any step in the grievance procedure, no disposition is made within the time limits prescribed for that step, the grievant shall have the right to proceed to the next step. If the grievant fails to appeal to the next step within the prescribed time limits, his/her right to proceed with the grievance shall be waived.
  12. If a grievance arises as the result of a condition which the administrator is without jurisdiction to resolve, the grievance shall be filed directly to the Employee Relations Department, and placed at Step III of the grievance process and a meeting shall be held in an effort to resolve the matter, as provided for in Section C.3. of this article. Prior to scheduling the meeting, the written grievance shall be provided to the Employee Relations Department, with a copy to the Association.
  13. A grievant may withdraw his/her grievance at any step, but that same grievance may not be filed a second time, unless it is of a continuous nature.
  14. If at any point during the processing of a grievance the grievant elects to seek resolution of a particular issue through a judicial or administrative agency proceeding, s/he shall waive the right to pursue only that particular issue through the grievance procedure.
  15. The Board shall assure the grievant and any witnesses freedom from restraint, interference, coercion, discrimination or reprisal in the processing of a grievance in accordance with Florida Statute.
  16. The filing of a grievance shall in no way interfere with the right of the Board to carry out its management responsibilities, subject to the final decision on the grievance. However, the final decision on the grievance shall be in accordance with Florida Statute.
  17. Any grievance pending at the time of expiration of this Contract shall be processed to completion, according to the provisions herein.
  18. All documents, communications, and records dealing with the processing of a grievance shall be filed in a separate grievance file and shall not be kept in the official personnel file of the grievant, except those that operationally or statutorily are required to be reflected in the personnel file.
- C. Grievances shall be processed as outlined below. The employee may choose to have representation at all steps of the process.
1. Step I: Good Faith Discussion If an employee feels s/he has a grievance, the employee shall first meet and discuss the matter in good faith with the administrator in an effort to resolve the matter informally. The employee may have representation by the site association representative or his/her designee. The request for the discussions shall take place within twenty (20) duty days after the employee knew, or should have known, of the incident which is

the basis of the potential grievance. The discussion shall take place within six (6) duty days. In the discussion, the employee shall advise the administrator of the particular section(s) of the Contract the employee believes was (were) violated, and how they allegedly were violated. The employee may also present a solution. Verbal dialogue is encouraged and may continue over the next six (6) duty days, a resolution must be presented and agreed upon or the employee shall receive an explanation as to why the administrator believes the contract was not violated. Any resolution shall not violate the contract and shall be reduced to writing by the site association representation and signed by the administration.

2. Step II: Written Grievance Failure to reach an agreement or failure to respond in six (6) duty days will automatically move the grievance to Step III. The grievance form shall be obtained by the employee from the Association office. Changes to the grievance form shall be mutually agreed to by the parties. If the discussion above does not resolve the issue satisfactorily, the employee may file a written grievance within ten (10) duty days following the employee's receipt of the administrator's response. The written grievance shall be presented by the employee during a meeting with the administrator.

The written grievance shall contain:

- Specific date of alleged violation
- Date of Step I meeting
- A concise statement of the facts upon which the grievance is based
- A reference to the specific section(s) of the Contract allegedly violated
- An explanation as to how the employee believes each cited section was violated
- A suggested remedy by the employee.

Copies of the grievance shall be sent to the Employee Relations Department and the Association. A response shall be provided by the administrator, in writing, within six (6) duty days from receipt.

3. Step III: District Level Hearing If the grievant is not satisfied with the disposition of the grievance by the administrator, s/he may appeal the grievance to the Superintendent/designee. Such appeal shall be made within six (6) duty days of the receipt of the administrator's response, and include the scheduling of a meeting in an effort to resolve the dispute. The meeting shall take place within then (10) duty days of filing and shall include the grievant, his/her representative if requested by the grievant and a member of the Employee Relations Department. Dialogue is encouraged to reach resolution prior to the meeting and both parties shall present any evidence to substantiate their positions in the matter. Within ten (10) duty days of the meeting, the Superintendent/designee shall respond to the grievance in writing.

4. Step IV: Mediation If the grievant/Association is not satisfied with the disposition of the grievance from the District level hearing, the grievance may be referred to mediation. The grievant/Association and the District shall mutually agree to submit a grievance to mediation. The grievant/Association shall notify the District in writing within six (6) duty days of the conclusion of Step III of the grievant/Association's desire to refer the grievance to mediation. The District shall respond to the request for mediation within three (3) duty days of the written request.

- a. Within six (6) duty days following the agreement of mediation, the grievant/Association shall notify the selected mediation service. The mediation conference shall be scheduled at a mutually convenient location and time.
- b. There shall be one designated spokesperson from each party at the mediation conference.
- c. The mediator shall have the authority to meet separately with either party, but shall not have the authority to compel the resolution of a grievance.
- d. The presentation of facts and considerations shall not be limited to those presented at Step II of the grievance procedure. However, new information shall be shared between the parties prior to the mediation conference. Proceedings before the

mediator shall be informal in nature. There shall be no formal evidence rules. No transcript or record of the mediation conference shall be made. The mediator shall attempt to assure that all necessary facts and considerations are revealed to him/her.

- e. Written material presented to the mediator shall be returned to the party presenting that material at the termination of the mediation conference, except that the mediator may retain one copy of the written grievance solely for the purpose of statistical analysis.
- f. Fees and expenses shall be shared equally by the parties.
- g. Resolution through such mediation shall be reduced to writing and signed by all parties to the grievance.

5. Step V: Arbitration

If resolution is not reached through mediation or mediation is bypassed, the grievance may be submitted to arbitration. The grievant and his/her representative shall, within twenty (20) duty days after receipt of the decision of the Superintendent/designee, notify the District of the intent to submit the grievance to arbitration.

D. Arbitration Provisions

- 1. Within fifteen (15) duty days of its notice to the Superintendent, the Association shall request the Federal Mediation and Conciliation Service (FMCS) to submit a panel of seven arbitrators who are qualified to hear public sector grievances or may jointly agree to set up a panel of arbitrators from which to make a choice. Upon receipt of the panel, the parties shall select, within twenty-one (21) calendar days, an arbitrator by the alternate striking method or other mutually agreeable method, and shall notify the FMCS of the arbitrator selected. The parties shall not be precluded from mutually agreeing on an arbitrator not on the panel.
- 2. If for some reason the arbitrator will be unable to serve or the parties mutually agree that no person on the panel is suitable, the parties shall jointly request the FMCS to submit a new panel of seven arbitrators from which an arbitrator will be selected in the same manner.
- 3. Arbitration hearings shall be scheduled within sixty (60) calendar days of selection unless the parties agree to extend the timeline or the arbitrator is unavailable within the timeline. All arbitration proceedings shall be conducted under and governed by the rules of the FMCS.
- 4. The parties agree to accept the arbitrator's award as binding upon them.
- 5. The parties shall share equally the cost of arbitration.
- 6. Should either party request a stenographic transcript of the proceedings, then that party will bear the full costs for said transcript. If both parties mutually agree to a stenographic transcript, then the cost of said transcript will be divided equally between the parties.
- 7. The arbitrator's decision shall be in writing and shall set forth his/her findings of fact, reasoning and conclusions on issues submitted.

E. Power of the Arbitrator

- 1. An arbitrator shall not have the power to add to, subtract from, modify, or alter the terms of this Contract.
- 2. S/he shall have no power to rule on the substantive reasons of the Board not to reemploy an annual contract teacher, placement of an annual contract teacher on a fourth year of annual contract, or the decision not to continue any teacher in any extracurricular activity, provided that said reason does not amount to a violation, misinterpretation, or misapplication of this Contract. The arbitrator, however, shall have the power to rule on the procedural violations of the above.
- 3. S/he shall have no power to rule on an alleged violation, misinterpretation, or misapplication of School Board policy, provided that there was no violation, misinterpretation, or misapplication of this Contract.



*Howard Middle School - Week of Action*

## **WEINGARTEN RIGHTS**

If a member feels that a meeting with a principal or administrator could lead to disciplinary action, he/she can evoke Weingarten rights. The member should state:

“If this discussion could in any way lead to my being disciplined or terminated or affect my personal working conditions, I respectfully request that my association representative be present at the meeting. Without representation, I choose not to answer any questions.”

Weingarten Rights allow a member to have representation for an investigatory meeting that is scheduled to review complaints, address allegations of inappropriate behavior, or discuss alleged violation/s of policies. The member is entitled to representation if he/she has a reasonable belief that a meeting could result in discipline. The member is also permitted to know the general topic of the meeting before agreeing to meet.

The member is entitled to consult with his/her representative prior to the meeting and during the meeting, if necessary.

**If the administrator insists on meeting without allowing a representative, the member should attend the meeting, but should not participate until a representative is present.**

Weingarten Rights do not guarantee representation for non-investigatory meetings such as a review of work rules, imposing discipline, giving instructions, providing training, dispensing information or stating needed corrections to work.

The member is entitled to know the purpose of any meeting that is called by an administrator or principal. If the purpose of the meeting is not clear, make a request to the administrator who is calling the meeting. If the member's job is at risk or there are criminal allegations, contact CTA immediately.



## MEETING WITH THE ADMINISTRATOR

**A meeting with a principal or administrator should occur at a reasonable time and place.** The meeting should be scheduled within the contracted work day.

**Remember that the meeting is a meeting of equals.** You are acting as an official representative of the union and not merely as an employee under the administrator's supervision. Be confident and state your concerns and solutions.

**Before you meet with your administrator to represent a member, prepare a statement for the grievant.** Anticipate the administrator and management's possible reactions and positions. Have responses ready in advance. Gather information—specifically, the story and all relevant facts. Who was involved, what happened, when did it happen, where did events take place, why is this a grievance and what is the just remedy. Review applicable contract or policy language. Coach the member to stay focused and to only answer the questions being asked in the meeting.

**Your role in meetings with a member and administrator is to provide an extra pair of eyes and ears.** You should enter, sit, and leave with the member. Ask the administrator to restate the purpose of the meeting. Keep the member from providing information that is not requested. During the meeting the AR may ask for clarification of a question. If management presents any proposals, take them under advisement and do not respond at the meeting. Do not let the employee resign at the meeting.

**You do not need to speak, unless it is necessary.** Take notes and perform necessary follow up. The member may also take notes. If at any time you feel that it is in the member's best interest to have a CTA representative present, stop the meeting. Speak in private to the member and if he/she wants to stop the meeting, tell the administrator that you would like to reschedule the meeting at a time when a Field Representative can be in attendance. Remember the Weingarten Rights.





*Red For Ed Barbeque*

## **RELATIONSHIP WITH ADMINISTRATION**

Building a partnership with the administration is one of the most important jobs of the AR. The AR's relationship with the administration sets the standard for other union members and potential members. Your relationship can determine the administrator's perception of CTA, the school climate and even be a factor in teacher morale at your school or worksite.

You do not need to be combative, loud or rude to get your point across. In fact, the best negotiators are calm, confident and dignified. You should seek to find common ground. Pick your fights. Like you, administrators and principals have limited time, resources and power. Do not waste time on trivial matters that can be solved by asking the secretary or by sending an email request to the principal.

Unfortunately, some administrators take advantage of the fact that many teachers have a fear of the administration and expect retaliation for standing up for their rights. It is important that the ARs break this stereo-type. Remember you are protected by the contract, district policies and directives, and also by state and federal labor laws.

Some principals and administrators will not work collaboratively with you, regardless of your efforts. Thankfully, they are the exception. However, if you are in a school with this type of administrator, document any questionable remarks or actions made by administrators. Contact CTA if you or members are victims of intimidation, retaliation, bullying, threats, or contract violations.

Principals are held to the same School Board Policies and Management Directives as teachers and other district employees are. If an administrator has violated a Management Directive, or School Board Policy, you can ask him/her to correct the practice or you can contact CTA for assistance.

Teachers have received directives for not responding to emails or returning calls within 48 hours, in violation of Management Directive B-13, Office Protocol. Administrators have not been held to the same standard. If your principal or another administrator does not respond to your emails within 48 hours, you may forward the unanswered email to the Professional

Standards Dept. and send a copy to CTA. CTA wants to ensure that all School Board Policies and Management Directives are applied equally to all employees.



*Jackson Middle School – Week of Action*

## **SOME TIPS ON WORKING WITH ADMINISTRATION**

- Ask your principal or administrator to set up a meeting during pre-planning. Introduce yourself and any other ARs or alternates. You can give him/her a card with the names of the AR/s and alternates and invite him to contact you to discuss concerns or ideas.
- Identify a common issue or concern that the principal or administrator shares with teachers so all parties can collectively address it.
- No matter how frustrated you are or how indignant you feel, keep calm. It is better to negotiate and discuss issues respectfully and calmly than to get upset and show your anger.
- Never send an angry email or leave an irate message on your administrator's phone. It can (and probably will) be used against you.
- If an administrator tells you, "I am only doing that because the district told me to", or "the area superintendent told me to" or "the superintendent directed principals to . . ." respond by asking for the memo or a written directive or policy that the administrator is citing. Bring the matter to CTA if it impacts teachers at your school or is a district-wide problem.
- If you are nervous about meeting with management concerning an issue or a problem, bring another AR or teacher with you to the initial meeting for support. Each time you meet with administration it will become easier.
- Establish a relationship of mutual trust. For example, if your principal or administrator tells you one thing and tells another teacher something else, avoid talking about it to the entire faculty. Instead set up an appointment with the administrator to discuss the situation and get the facts. If you discover that it was a misunderstanding that will be corrected –great. If you find that there is unequal treatment, ask for a resolution. After you have exhausted all efforts for a resolution, inform the principal that you will bring the matter to CTA to handle.
- If you successfully resolve a school-wide issue through negotiations with administration be sure you let the teachers know. This can be a great organizing tool.



*West Orange High – Week of Action*

## **THE PRE-DETERMINATION MEETING**

The district conducts ‘investigations’ on alleged misconduct committed by teachers. These investigations are for a wide range of allegations – from leaving students unattended to stealing school property. A teacher scheduled for a pre-determination meeting will typically be called to the administrator’s office to receive and sign a letter stating simply that he/she must report for a meeting at the Labor Relations Department at the Ronald Blocker Educational Leadership Center. The letter will give the date and time of the Pre-Determination Meeting (PDM) and will also inform the teacher that “since discipline can result you are entitled to have representation.”

Do two things immediately – sign the letter and call CTA. Signing the letter just acknowledges that you received it. To do otherwise could be considered insubordination. Call CTA so preparations can be made for the meeting. The letter will be signed by one of the Office of Professional Standards managers. You will need to tell CTA the name of the manager so a records request can be made to that person. Leave a detailed message with your full name, school or worksite, employee ID number, call back number, and time of the appointment

### **Some Other Do’s and Don’ts:**

- Do not discuss the allegation with anyone. Do not speculate about the allegation. Do not attempt to solicit evidence from anyone.
- You may be released from duty with pay during the period of the ‘investigation’, which is not unusual. You will be told to make yourself available in case the Professional Standards Manager calls you for a meeting.
- In some cases, the Department of Child Services will also contact you. Do not speak with them. Request the person’s business card and contact CTA for representation.
- Your CTA representative will not know anything about the allegation. The allegation will be revealed at the meeting. Due process is not a priority in the way these investigations are conducted.

- Anything that you share with any CTA representative is privileged. Anything that you share with your AR or another person is not privileged.
- An administrator or principal will attend the pre-determination meeting. Do not be surprised to see him/her in the Professional Standards Office.
- The purpose of the pre-determination meeting is to gather facts concerning the alleged misconduct. This is not a courtroom and you are not on trial.
- If things seem unclear or something upsets you, ask for a break.
- The CTA representative will ensure that your due process rights are upheld. As your advocate, he or she will not make value judgments as to your situation.
- The pre-determination meeting is not the place to make attacks or accusations on your principal, administrator or another employee, regardless if they are warranted. Keep your focus on the allegations.
- Assuming you suspect what the allegation may be, if you have questions related to the allegation, write them down for your CTA representative before the meeting. If questions come up during the PDM, write them down and give them to your CTA representative after the meeting.
- Sometimes it may be appropriate to engage in a dialogue with the Professional Standards Manager during the PDM. At other times it will be more appropriate to have a follow-up meeting or reply to specific questions in writing. You can discuss this with your CTA representative during a break in the proceedings.
- The Professional Standards Manager will make a recommendation to your principal or administrator at some point following the PDM. However, it is typical to have an extension of timelines to accommodate further investigation. Your administrator or principal will communicate directly to you, not to the CTA representative. Sign and date any paperwork that is given to you. This date is important for timeline purposes. Once you hear immediately call your CTA representative to discuss your options.
- If an attorney is needed as a result of the Pre-Determination Meeting, CTA will assist you in the process. The FEA Office will be contacted to assign an attorney to your case. You will need to communicate with the attorney during this time, rather than the CTA representative, as he or she is not allowed to present legal options to you. When you have completed working with the attorney, make contact with your CTA representative once again to discuss further options.

Contract language related to the Pre-Determination Meeting:

## **ARTICLE XII DISCIPLINE**

### **A. General Provisions**

4. Prior to imposing any form of discipline, a fair and objective investigation will be conducted.
  - a. The employee shall be informed, in a meeting, of the basis upon which discipline is being considered, the witnesses, the results of any preliminary investigation, and the form of discipline being considered. Reasonable advance notice of the formal conference shall be given.
  - b. The employee shall be given an opportunity to explain, within a reasonable time, his/her perception of the matter and name other witnesses or provide additional information. These shall be investigated prior to taking disciplinary action.

- c. The employee shall be provided written notification at the conclusion of the investigation when the decision is to take no disciplinary action.



*AR Council meeting*

## THE TEN MINUTE MEETING

Considering the heavy workload teachers endure each week, members may not have the time or inclination to attend even a thirty-minute CTA meeting at their school or worksite. However, most will stop by your room before or after classes for a short ten-minute meeting. Concise, well-planned meetings with the members keeps them up-to-date on union initiatives and upcoming events, and provides an opportunity to discuss concerns.

You can schedule a ten-minute meeting before an upcoming AR Council meeting to give members a voice in the decision-making process if important business items are on an upcoming meeting's agenda. You should always schedule a ten-minute meeting after the monthly AR Council meeting to keep members informed and updated. In the AR packet that is distributed at the council meetings, there are handouts for ARs to post on the bulletin board and information to share with members. Additionally, ten-minute meetings can also be used to recruit potential members, discuss issues, and inform about upcoming social events or union activities.

The ten-minute meetings are typically scheduled before the work day begins or after the work day has ended. Be sure to ask 'seasoned' members to personally invite a new member to attend the meeting with them.

### **Before the Meeting:**

- Send notice of the meeting via email, on the bulletin board and/or on your school's CTA Facebook page.
- Prepare 10-minute meeting handouts for members and/or potential members that highlight the issues to be discussed.

### **During the Meeting:**

- Have a sign-in sheet, agenda and handouts on the table.
- Welcome attendees and promise that the meeting will be ten minutes.
- Stick to the time schedule; highlight key items from the handouts.

### **After the Meeting:**

- Allow members who want to expand on ideas or discuss issues to stay after the ten minutes is up.

- Get back to attendees with answers you promised to provide and follow up with potential members with one-on-one conversations

## Planning the Ten Minute Meeting

TIME	TOPIC	RATIONALE
On Table	<ul style="list-style-type: none"> <li>• <b>Sign-in sheet and agenda on table</b></li> <li>• <b>Handouts on table</b> (AR Council information, recruitment flyer, upcoming event flyer, etc.)</li> </ul>	Be prepared –have handouts and agenda ready
2 minutes (if applicable)	<p><b>Welcome Attendees</b></p> <p><b>Give brief synopsis of major topics discussed at the last AR Council meeting</b> This should be provided in handouts so you are just highlighting. (CBLT updates, legislative news, school board meeting highlights, professional development or trainings, upcoming social events, etc.)</p>	<p>Members are the union!</p> <p>We're keeping members informed and are trying to reduce the perception some have that union business is done behind closed doors. Keeping members informed is not a matter of how much they are told, but it is a matter of their realizing that leaders are working hard to keep them informed</p>
3 minutes	<b>Present and explore a new issue.</b> We need your input before we go to the next AR Council meeting.	The process of getting members' input, reinforces that members' opinions are actively sought and subsequently presented to the voting body. Reviewing issues keeps information flowing and demonstrates a commitment to items raised by members.
3 minutes	<b>A 3-minute review of a current issue or problem.</b> Could be a building issue or a District- wide item. <b>“What is my role?”</b> Discuss what action that teachers can take, such as attend the school board meeting, rally or write to their legislator, invite a potential member to a social event or upcoming training.)	Talking about a problem raises awareness and allows members to get involved in solutions. Reviewing issues keeps information flowing and demonstrates a commitment to items raised by members.
1 minute	<b>End on a positive note.</b> Outline how member involvement has influenced the union's action or a decision by the District. Or simply congratulate a member on a recent achievement. <b>Thank attendees for coming and remind them that they are welcome to stay if they have questions.</b> If you don't have an answer, tell them you'll get the answer and get back to them or refer them to their Field Rep. or President if they are a member.	We must constantly provide our members with the context in which the union operates. We must remind them where we started on an issue and where we are today. While the issue may not be resolved, point out how far the item has come since it was first mentioned.

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## SAMPLE AGENDA

### CTA 10 MINUTE MEETING

(School Name) \_\_\_\_\_ (Room) \_\_\_\_\_ (Date) \_\_\_\_\_

- What was discussed at the last AR Council meeting (2 minutes)
- We need your input on \_\_\_\_\_. Your views will be presented at the next Council meeting. (4 minutes)
- Latest developments on the problem of \_\_\_\_\_. (3 minutes)
- Something that should make you proud! (1 minute)
- Time's up! We told you that we could do it in 10 minutes! Don't forget you can stay to ask questions or leave your questions and suggestions on the issue card.



## ISSUE AND SUGGESTION CARD

Member's Name and Home Address	
OCPS ID #	Home Email:
School or Site:	Cell Phone #

Please write the issue or suggestion on the back of the card.

I would like CTA to: (Circle)

Call me

Set up an appointment

Email a response

Visit my school/site



*Great Beginnings*

## **RECRUITING NEW MEMBERS**

We organize to recruit new members, to rally co-workers around issues and to grow our union. There is strength in numbers. The stronger the union, the stronger our political power at the bargaining table and the stronger our political voice in the community.

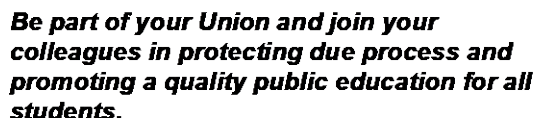
Joining CTA provides the opportunity to join like-minded people who identify problems, then collaborate, take action and find solutions. When members unite to work as a collective whole, we can force positive change!

### **Engage Colleagues – Be a Friend – Build Relationships**

- Introduce yourself as a union leader to all new employees and give them a member packet with an application.
- Follow up after the initial introduction by introducing the potential member to another supportive union member
- Help new teachers to be successful on the job by being a mentor, sharing strategies, or providing resources. Offer to be there if they have questions or need help.
- Stop by their class or office to say hello and engage in a union conversation.
- Invite them to a CTA activity and offer to bring them.
- Invite them to professional development and workshops at the CTA. These are open to all teachers, whether members or not. In fact, the evaluation trainings and student loan trainings have yielded many new members.
- Map your building and keep a database of potential members so CTA leaders at the school can plan visits to potential members. Organize a team to reach potential members in their hallways, through departments or grade levels. Ask you UD for an updated membership list.



- Implement issue-based organizing campaigns and identify members and potential members to have roles in it.
- Use recent accomplishments such as bargaining victories in recruitment campaigns.
- Stress that membership in CTA keeps them connected to their professional community.



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## Union Activists Needed!

**Check if you are interested in working for your union.**

- ▮ Being a part of the school or worksite leadership team
- ▮ FYRE (Florida's Young Remarkable Educators)
- ▮ Membership and Organizing
- ▮ Lobbying, Political Action, and Government Relations
- ▮ Puerto Rican Task Force
- ▮ Minority Affairs
- ▮ Human and Civil Rights

FIRST		LAST		MI
NAME				
ADDRESS				
CITY, STATE				
PERSONAL E-MAIL			ZIP Code	
PHONE # Home	CELL	Opt In for Text Messages Yes No	REGISTERED VOTER YES NO	
WORK SITE	WORK #	WORK EMAIL	PARTY AFFILIATION	

**Choose one method for payment of dues:**

- ☐ **Payroll Deduction:** I authorize and request Orange County School Board to deduct Orange County Classroom Teachers Association dues and assessments from my bi-weekly pay, and to transmit the deducted amounts to the Association office. I understand the School Board will discontinue dues deduction upon 30 days' written notification to both the Association and Board. I understand that dues, assessments, contributions or gifts to the OCCTA are not tax deductible as charitable contributions for federal income tax purposes although a portion of the dues may be tax deductible under other provisions of the Internal Revenue Code.
- ☐ **Check:** I hereby agree to pay to the Association the dues and assessments described above and as may be prescribed by the Association and certified to the School Board for each year thereafter. **Check must be attached to application. It is your responsibility to call each year for possible change in dues amount. Cash payments must be paid the first working day of the new school year.**

**Important note: You must check your paycheck each year to be sure dues are being deducted from each paycheck. A break in service or other situations may cause your deductions to be suspended or stopped. Be proactive and check each paycheck.**

**\*\*Prior issues are not covered; you are a member as of our stamped received date.\*\***  
Fax applications in to the number above, make a personal copy, and send original to CTA by courier or by mail.

**orangecta@gmail.com**

# X

**Applicants Signature Required**

Date \_\_\_\_\_

Print Recruiter Name/CTA Representative

## CTA 22 Payroll Deductions 2018/2019

**Full Time      \$29.19 per pay period**

Form Received from:	(please check one)
AR	Website
Walk In	AFT/NEA
Event	UniServ Director
Staff	Governance
Email	Other



*Dawn Zimmerman –amazing organizer*

## **SUCCESSFUL ORGANIZING TIPS**

*Adopted from FEA*

### **Visibility, Leadership, Relationships**

- Your personality is more important than your persuasion. People are hungry for leaders and will respond to those whose motivations are true.
- Seek people out and take interest in them as colleagues, as people who want to be the best they can be and do the best that they can do.
- Be self-aware of makes you effective and use your strengths.

### **Make It Clear: The Union is YOU and Your Co-workers**

- Language is important—Don't *third party* the union.
- Seek to involve all in the union's work.
- Celebrate success and mourn disappointments as result of collective action and resolve (or lack thereof) vs. attributing these to individuals.

### **Make the Union *First Friend, Best Friend* to New Hires Where You Work**

- The most important time you can spend is the time you spend reaching out to new hires, based on their needs.
- Sustained, personal contact over time is the key.
- Use your membership team to make this do-able.
- Make sure you say the words, "*Your success is a priority of our union and your support is a commitment I make to you as a union leader.*"
- Have a plan to deliver on your promise.

### **Listening is Your Primary Mode of Effective Communication**

- Listen 80 percent of time.
- Listen for: What do people care about? What is their vision for change, for an ideal future?
- Ask: Why are things the way they are? How would we change things for the better? Why don't we take a stand?

## **“Issues-Speak” is Your Best Language**

- Cast all communication through the prism of issues, *what the union cares about, what it stands for, what it is trying to achieve.*
- De-emphasize (but don't discount) organizational attributes and benefits and services of membership.
- Remember: The union is about what we are doing together to build a better future vs. what any one of us “gets” in the here and now.

## **Don't Ask People to Join or Get Involved: Challenge Them to “Take A Stand”**

- Joining and getting involved in the union is about standing up for we need for ourselves and to do our jobs to the best of our abilities.
- Presenting membership and involvement in this way requires us to explain “for what?”

## **Tell Your Story: Speak to Hearts, Not Just Minds**

- The best way to encourage people to join and get involved is to tell your own story.
- Why are you committed to and involved in the union? What have you experienced that makes you a true believer? What inspires you to do this work?
- Why is your activism compatible with your personal values?
- The answers to these questions make for one compelling and credible “rap.”

## **Association Representative's Goals**

- Strengthening the bond with new members.
- Targeting and recruiting to at least 50 percent density and then beyond.
- Involving members in our organizing.
- Building our base of activists.
- Raising union visibility at the worksite.



*MLK Parade*

# BE THE FACE OF CTA

- Introduce yourself as a union leader to all new members.
- Wear your CTA t-shirt or polo to work on the day of the AR meetings. Members at your worksite could also organize to wear something to show unity each Friday, such as red for public education.
- Wear your CTA lanyard and affiliate pins at school.
- Put your CTA window cling on the door of your classroom.
- Join us as we represent CTA in the Orlando parades, including the Come Out with Pride, MLK, Veteran's Day and Puerto Rican parades.
- Wear union shirts to community gatherings, protests and rallies.
- Like CTA on Facebook so you can follow events and keep up to date with what's happening. <https://www.facebook.com/OCCTA7448/> Invite teachers at your school to follow our page. The posts will appear on their pages and their friends' pages, which can reach potential members.
- Keep up to date by following news on the CTA website: <http://orangecta.fea.aft.org/>
- Invite potential members to CTA's professional development trainings, monthly workshops and social events.
- Show up at School Board meetings and district-wide events wearing a CTA shirt or pin.
- Speak union speak. Tell colleagues how the union has benefited you and others. When naysayers put the union down, build it up.



*Membership 365 Conference Tampa*

# RELATIONSHIPS WITH UNION COLLEAGUES:

## TEAM - Team-up, Empower, Act, Mentor

Think **TEAM** when you think about union relationships. Team-up, Empower, Act, Mentor.

**Team-up** Unions are facing difficult times. We saw the attempt of the Florida Legislature to dismantle teacher unions with H.B 7069 and H.B. 7055.. We need to support each other, stand up in unity and ignore any petty disagreements.

Be a problem solver, not a problem maker. Avoid the complainers and whiners. Be able to distinguish between members who have a different point of view and members with a divisive or self-serving agenda. Seek to find common ground or respectfully agree to disagree with those whose opinions differ from yours.

Build up rather than tear down. CTA's goal is to always improve; always move forward. We welcome and value constructive criticism, ideas and solutions to problems. Unfortunately, some of the loudest union members can be the ones who relentlessly criticize or make unfounded accusations about CTA, leadership or other members – often not to leadership, but to others. Members can get turned away after hearing negative messages that offer no solutions. If you hear a criticism or a rumor that you suspect is not accurate, you can always ask the President for clarification. Repeating rumors without facts is destructive and weakens the union. Be a positive force.

As a union leader you can strengthen your building leadership team by finding a role or task for members to keep them active and involved. Do not be disappointed if they say they are “too busy” or decline your offer. Keep asking so they know you see them as part of the team.

**Empower** Inspire members to believe that we can win! We can grow our numbers. We can improve our working conditions. We can help others to see teachers as professionals who deserve respect, rather than as replaceable labor units. We can reach goals that we set.

Share resources and information with members and leaders at your school. CTA, AFT and NEA put out valuable information through websites, newsletters and social media. Share articles and links to professional development resources. Help members to understand the contract. You can post information about contract language on the CTA bulletin board or have handouts at your site's CTA meetings. Keep members up-to-date on bargaining victories, ULP and arbitration victories and legislative victories.

Invite members and potential members to professional development trainings, meetings, social gatherings and community events.

**Act** Act as a role model. Be an active leader to inspire new leaders. You cannot expect members to be active if you are not. You cannot expect members to push on if you give up. Attend the AR Council meetings. Be present at CTA events. Wear your CTA shirt or button. Be a strong advocate for members. Make plans to increase visibility and strengthen your team. Map your building. Sponsor a coffee and donut day. Invite the President, other CTA Officers, Directors or Field Representatives to fire up your members.

**Mentor** Be a mentor to members and building leaders. Help out with the Faculty Advisory Committee and other school-based committees. Answer questions or find the answers to questions for your members. Teach members how to find answers on their own. Give members CTA materials such as the *Surviving the OCPS Evaluation System* booklet so they can find answers to their own questions and become empowered to share that information with others. Post the links to the CTA Contract, MOUs and TAs on the CTA bulletin board so members can learn the contract and help themselves and other members.

### **Complaints About Other Members**

CTA does not represent members in complaints against other members. You may face a situation where a member comes to you with a problem that they are having with another member. Such situations could involve hurt feelings, jealousy, ego trips, gossip or other situations that are not regulated by the contract. Things like - "Sally got summer school and I've been teaching longer than her"; "Tim invited everyone to the restaurant after school and left me out"; or "Sue told the principal I was late to school!"

If you think you can help mediate or diffuse a situation, by all means try. However, it may be best to remind the member that CTA does not represent members against members. You may also advise a member to accept that a situation may be considered unjust, but is not a union matter. You can also talk to the members as a union brother or sister asking them to work out disagreements or problems for the sake of solidarity.

Some member-to-member situations may not be regulated by contract language, but they fall under Management Directives or School Board Policies. You can deal with the situation or tell the member to consult with a CTA representative. For instance, a member may complain that another member screamed, swore or disparaged him/her in front of other co-workers, students or administration; or a member may complain that another member sent an email or posted a threat or disparaging remark to another member. This would fall under Management Directive B-12, Code of Civility and a violation may result in discipline. Finally, if you are approached about a member violating a contract provision, it is best to refer the matter to the CTA.



*Protest at the ELC – Week of Action 2018*

# AFFILIATES

## **The Florida Education Association**

The Florida Education Association (FEA) represents 140,000 members who work in Florida's public schools, colleges and universities. The membership consists of teachers, bus drivers, faculty members, school secretaries, custodians, cafeteria workers, educational aides, librarians, painters, media technicians and bus mechanics. The association's members work with Florida's public school children and college students in their pursuit of quality education.

### **Benefits Provided:**

- Legal Defense Fund
- Legislative Agendas
- Professional Development
- Leadership and Organizing Training

## **American Federation of Teachers**

American Federation of Teachers (AFT), works to improve the lives of our more than one million members and their families, to give voice to their legitimate professional, economic and social aspirations, to strengthen the institutions in which we work, to improve the quality of the services we provide, to bring together all members to assist and support one another and to promote democracy, human rights and freedom in our union, in our nation and throughout the world.

### **Benefits Provided:**

- Education Research and Dissemination
- Legal Defense Fund
- Leadership Training
- Share My Lesson
- Civil and Human Rights
- Professional Issues

## **National Education Association**

The National Education Association (NEA) is America's oldest and largest organization committed to advancing the cause of public education. Founded in 1857 in Philadelphia and now headquartered in Washington, D.C., NEA proudly claims more than 3.2 million members who work at every level of education, from pre-school to university graduate programs. NEA has affiliates in every state as well as in over 13,000 local communities across the United States.

### **Benefits Provided:**

- Professional Issues Watch
- Community Development
- National Teacher Standards Board
- Legal Defense Fund
- Liability Insurance
- Advocates for School Reform



## AFL-CIO

The American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) is a voluntary federation of 66 national and international labor unions. The unions represent 13 million working women and men of every race and ethnicity and from every walk of life. We are teachers and teamsters, musicians and miners, firefighters and farm workers, bakers and bottlers, engineers and editors, pilots and public employees, doctors and nurses, painters and laborers - and more.

CTA belongs to the AFL-CIO Central Labor Council made up of AFL-CIO unions from across Central Florida. President Doromal serves on the executive board of the CLC.

### Benefits Provided:

- Social and Economic Justice
- Leadership and Organizing Training
- Local, State and National Legislative Agendas
- Political Office Screenings
- Advocates for Working Families

*A comprehensive listing of benefits provided by our affiliates is available through the affiliate's websites and is distributed to all members.*



*Lake Gem twin teachers*



*Teacher Appreciation Week AR Council meeting*

## **SOCIAL MEDIA AND USE OF TECHNOLOGY**

Take advantage of social media to connect with your members. Set up a private Facebook page that is exclusive to the teachers at your school or worksite. Pineloch Elementary, Brookshire Elementary, Dr. Phillips High School and Avalon Elementary are some schools that successfully use private Facebook pages to inform members of activities and issues and provide a forum for suggestions and discussion. Contact one of the ARs at these schools, if you need help in setting up a page for your school.

Social media is a great organizing tool to connect you to family, colleagues and friends, but take some precautions to protect yourself and your job. You can share the following tips and Management Directive A-9 that addresses use of technology and social media use in a 10-minute meeting.

### **SOCIAL MEDIA TIPS:**

- Familiarize yourself with the district and state rules that address the issue of social media and use of technology. OCPS Management Directive A-9, Employee Use of Technology outlines employees' use of technology and social media. The state policy, Florida Principles of Professional Conduct for the Education Profession for Florida, addresses teacher ethics.
- Do not visit or post on social media websites during student contact time or during the work day.

- Do not “friend” or “follow” students on your personal social media accounts, including Twitter, Facebook, and Instagram. Do not give a student access to any of your personal social media networking accounts.
- Do not give a student your personal cell phone number or send texts to students from your personal cell phone. Only use OCPS-approved apps made to contact students and only contact them concerning school-related assignments or extra-curricular activities.
- Do not post photographs that can put you in a bad light on Facebook or similar sites. Your profile photo should not show you drinking, using drugs or in any other compromising position. Even if you have your profile locked for privacy, your profile picture can still be accessible on search engines.
- Keep the language on your social media accounts clean and respectful. Do not use profanity, make threats or disparage co-workers, administrators, students or parents. Never make comments such as, “I wanted to kill them”, even in jest. Abide by Management Directive B-12, the OCPS Code of Civility.
- Be careful of what you say in any online blog comments.
- It is best not to affiliate yourself with your school or work site on a personal profile. List your employment as “Teacher at Orange County Public Schools” or not at all.
- Remember, it is possible to take a screen shot on Snapchat. Such “snaps” or Snapchat posts can last forever.
- Never complain about your job online, especially if your followers are co-workers or administrators.
- Never post photos of your students on social media.

## **MANAGEMENT DIRECTIVE A-9 Employee Use of Technology**

### **2. Employee Responsibilities**

- A. An employee of the Orange County Public Schools may communicate with a student via e-mail provided the topic is restricted to a classroom assignment or school approved extracurricular activity.
  - The e-mail used by the OCPS employee must be the employee’s OCPS e-mail account.
  - All conduct of any employee of OCPS toward an OCPS student shall remain strictly professional and comply with the District Code of Ethics.
- B. All OCPS employees are reminded that private use of the internet and social networking is not private. Employees should remain professional in using those forms of communication at all times so as not to interfere with their ability to perform their OCPS assigned duties. The physical location or time of access of a computer related incident cannot be raised as a defense in any disciplinary action initiated under this section.
- C. Any receipt of social networking content from a student unrelated to a school assignment or school extracurricular activities shall be immediately reported to the employee’s supervisor.

- D. Employees shall not provide their personal e-mail or other social networking account to a student.
- E. No employee of the Orange County Public Schools should engage in any texting or other social media with any OCPS student with the following two (2) exceptions.
- The student is their child.
  - An employee may group text or post information that is related to a class, athletic or extracurricular activity
4. Network Security and Acceptable Use
- F. Employees shall not use any district technology to view or download obscene or inappropriate material. Employees using district computers who discover they have connected with a web site that contains sexually explicit, racist, violent, or other potentially offensive material must immediately disconnect from that site.
- G. The ability to connect with a specific web site does not in itself imply that permission is granted to visit that site. The improper site should then be reported immediately to the ICTS Helpdesk.
- H. Access to social networking sites shall be limited to district approved business activities.
- I. Internet resources and e-mail shall be used by employees for district business and shall not be used to send abusive, threatening or harassing messages.
- J. Employees shall refrain from communications where the meaning of the message, or its transmission or distribution, would be illegal, unethical or irresponsible. Examples include but are not limited to passwords belonging to others, social security numbers, credit card numbers, and inappropriate written or graphic material. Personally identifiable information must be transmitted securely if sending outside the District.
- K. District users will not use Internet providers other than OCPS. All Internet activity must pass through the District firewall and web filter so that access controls and related security mechanisms can be applied.
- L. All electronic information, including but not limited to, e-mail, electronic data, documents, audio and video media, and voicemail, is subject to all rules governing public information and Chapter 119, Florida Statutes. Any business correspondence must be transmitted using district resources for public record.
- M. Outside personal accounts shall not be used for district business. Notwithstanding the preceding sentence, all electronic information.



*Howard Fenner Scholarship Celebration*

# SELF-REPORTING AN ARREST

Employees must self-report within 48 hours if they are arrested with the exception of minor traffic violations. Read these guidelines that clearly state the procedure and contact information.

## **MANAGEMENT DIRECTIVE A-10**

### **GUIDELINES ON SELF-REPORTING OF ARRESTS AND CONVICTIONS BY EMPLOYEES**

1. The security and safety of our employees, students and guests is of paramount importance. To this end, all employees shall adhere to the following directives. All arrests and convictions (with the exception of minor traffic offenses) of all employees shall be self-reported within 48 hours to the district. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial. The appropriate authority to self-report arrests and convictions is the Office of Professional Standards. A phone message can be left 24 hours a day at (407) 317-3239, and the employee must provide a written follow-up statement within five business days of leaving the message. Failure to self-report may result in discipline, up to and including, dismissal.
2. Arrests shall include cases in which the employee was taken into custody, as well as charges of criminal misconduct for which the employee was not taken into custody. Convictions shall include any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea or Nolo Contendere for any criminal offense other than a minor traffic offense.
3. A common definition to allow for a uniform interpretation and reporting of a minor traffic violation shall be defined according to Florida Statute 318.13 (3) as follows: Infraction means a non-criminal violation that may require community service hours under Section 316.027 (4), but is not punishable by incarceration and for which there is no right to a trial by jury or right to a court-approved counsel. Criminal traffic violations are not minor and must be reported.
4. An educator is defined as any individual who holds certification and any administrator required to hold a teaching certificate. School districts are required to file legally sufficient complaints of violations of the Educator's Code of Conduct with the Department of Education. The Department of Education may also take action against an educator who fails to report a violation.
5. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of Sections 943.0585 (4) and 943.059 (4), Florida Statutes.



*Rep. Amy Mercado and CTA delegates at the COPE Convention*

## **KNOW YOUR CONTRACT**

Knowing your contract is empowering. When you increase your knowledge of contract language, you increase the strength of the union at your worksite. The following are some common contract questions that come up every year.

The best way to review the contract is online so you can put in key 'find' words and easily go to the provision. The contract is located at the OCPS Labor Relations website ([https://www.ocps.net/departments/human\\_resources/labor\\_relations/](https://www.ocps.net/departments/human_resources/labor_relations/)) That site also has all of the CBLT minutes and the updated Tentative Agreements (TAs and Memorandums of Understanding (MOUs).

Before you call CTA with a question, look for the related contract language to see if you can answer the question yourself.

**After AR Council meeting there will be training on the contract. You will be given handouts that you can add to this section. The following are some contract provisions that are often the subject of members' questions:**

### **Reporting Suspected Student Abuse**

Teachers should report any suspected student abuse to DCF immediately as is required by Management Directive A-4 and contract language. The phone number to report abuse is 1-800-96-ABUSE. Personal information of the individual reporting abuse will always remain confidential, and individuals can remain confidential. You can be given a directive or reprimand and even be reported to professional services if you do not report incidents of suspected abuse in a timely manner. For more information go to the Florida Department of Children and Families website: <http://www.myflfamilies.com/service-programs/abuse-hotline/howtoreport>

## **ARTICLE VI WORKING CONDITIONS**

B. Any employee who receives a complaint or suspects that a student has been physically, emotionally, or sexually abused by an employee shall be required to report immediately all such suspected cases of abuse or neglect. These employees shall have immunity from liability for such reporting in good faith, and shall be required to comply with follow-up investigations. For each calendar year beginning January 1, 1994, the District shall compile information on the number of investigations of abuse that have resulted in employees being put on relief of duty for that period and shall submit a report to the Association by February 15 of the following year. Such report shall include data relating to the date(s) of the incident(s), the length of the relief of duty, and the disposition of the case.

## **Damage to Personal Property**

## **ARTICLE VI WORKING CONDITIONS**

J. The Board will repair or reimburse an employee the current value of any clothing or other personal property damaged or destroyed as a result of assault and/or battery or the quelling of a disturbance suffered in the course of the legal performance of his/her assigned duties unless such loss covered by insurance or reimbursement is attained from other sources not in excess \$400. If it is determined that coverage for verified cases of vandalism to personal property on school premises is permitted by Florida Statutes, such coverage shall be in the amount and under the conditions specified above.

## **Air Quality**

You are not expected or required to work in conditions where there is poor air quality, mold, or chemical fumes. Report all suspected air quality issues to your administration by email so you have documentation of the correspondence. You can also include any photos of mold on the walls, ceiling or materials in the class, any water stains or other damage. If you are suffering from allergies, asthma, headaches, breathing problems, etc. and suspect that your work environment is the cause, you may request an air quality test. Verify your illness with medical records.

## **ARTICLE VI WORKING CONDITIONS**

K. The Board agrees to maintain safe and healthful working conditions, including the provision of safety equipment. The District shall investigate complaints of harmful indoor air quality and take measures to reasonably accommodate employees if necessary. No employee shall be disciplined for refusal to work in an unsafe or hazardous situation where there is an eminent danger to the employee's health, safety or well-being, provided that this shall not be applicable in any circumstances where the health and safety of students otherwise clearly require employee intervention.

## **Teachers Are Not Required to Perform Certain Duties**

You are not required to be bus proctors, clean instructional or work areas, move furniture or materials not belonging to you to and from rooms, transport students in your personal vehicle, accept gate duty or work in a school clinic. Teachers also are not required to perform bomb searches.

## **ARTICLE VI WORKING CONDITIONS**

Q. An employee shall not be required to perform the following duties:



1. Ride buses except for field trips during the duty day or extracurricular activities.
2. Clean instructional or work areas, such as bathrooms, floors, windows, or sinks on a daily or periodic basis.
3. Move furniture and/or materials not personally belonging to the employee in and out of rooms or from one room to another.
4. Transport students in a personal automobile.
5. Accept gate duty
6. Work in the school clinic

R. No employee shall be requested to search for bombs.

## **Teacher Work Days**

You should not be directed to attend meetings of more than one hour in duration during a teacher workday. These days are to complete grades and plan.

### **ARTICLE XIV DUTY DAY**

- S. Workdays shall be used primarily for grading and planning, and other requirements shall not exceed approximately one hour. Grades shall not be required more than one hour prior to the close of the day.

## **Restroom Breaks**

Teachers have been given written directives for leaving their class to use the restroom. Teachers' restroom needs vary and some medical conditions require employees to make more frequent restroom visits.

Your school should have a plan to relieve teachers for restroom breaks, which includes who to call if you need to use the restroom during class or student contact time. If your school does not have a restroom break plan, ask your administrator to create one. You can also bring this up with the Faculty Advisory Committee and ask them to come up with a plan.

### **ARTICLE VI WORKING CONDITIONS**

V. each school shall provide

4. Restroom facilities at each school for exclusive use by non-students.

## **Dress**

The contract allows for you to dress "appropriately" which means within the school dress code. You are allowed to wear jeans and sandals. Teachers should not wear any clothing that is prohibited under student codes.

### **ARTICLE VII TEACHER RIGHTS AND RESPONSIBILITIES**

- L. Teachers shall be expected to dress in a manner which is professional and appropriate to their work assignments.



## **Discipline of Students**

The discipline of students has increasingly become more permissive. Discipline is regulated not just by the contract but by State Statute and the OCPS Code of Conduct. State Statute 1003.32 Authority of teacher; responsibility for control of students; district school board and principal duties clearly states the disciplinary procedures and rights of students and teachers. The student discipline referral form is now available online at this link: <http://aelformatta1.ocps.k12.fl.us:8080/iFiller/iFiller.jsp?fref=c4e83d15acca8a14bd9fa93710565fbf#>

The OCPS Student Code of Conduct also lists the offenses, recommended discipline and procedures. Additionally, the CTA Contract outlines teachers' rights concerning student discipline. Take the time to familiarize yourself with these documents so you know your rights.

Teachers have reported that Level IV offenses, including physically attacking a teacher, have been reduced to Level II or Level III offenses and the violating student was not suspended or expelled. The Student Code of Conduct states: "Level IV acts of misconduct are the most serious. Any Level IV act is grounds for expulsion and may result in a 10-day suspension with consideration for a recommendation for expulsion. Major acts of misconduct must be reported right away to the school administrator and may result in immediate removal of the student from the school." Listed in the Level IV category are:

- "Intimidation and Threats: Any direct threat, by word or act, to do violence or harm to an OCPS employee, contracted personnel, volunteer, authorized adult or student which creates a fear that the threat could be carried out."
- "Battery: An actual or intentional touching or striking of an OCPS employee, contracted personnel, volunteer, authorized adult, or OCPS student against his/her will or intentionally causing more serious bodily harm to an individual. The attack must be serious enough to warrant consulting law enforcement. In severe cases, the battery of a student may be the basis for expulsion."

Teachers who are victims of student assault and battery stated that they reported the incident to their administration and School Resource Officer, only to find out that it was not referred to or processed by law enforcement agencies. Every teacher has the right to report a crime and press charges. F.S.1003.32 states:

(1) In accordance with this section and within the framework of the district school board's code of student conduct, teachers and other instructional personnel shall have the authority to undertake any of the following actions in managing student behavior and ensuring the safety of all students in their classes and school and their opportunity to learn in an orderly and disciplined classroom:

(i) Press charges if there is a reason to believe that a crime has been committed on school property, during school-sponsored transportation, or during school-sponsored activities."

Do not let your administrator try to talk you out of pressing charges if you have been physically attacked or injured by a student or if your personal possessions were stolen. If your School Resource Officer will not allow you to file a police report, then file the report with an outside law enforcement agency. This is important not just to uphold your rights, but to ensure a safe school environment for every student, teacher and staff member.

Teachers have also reported that students who have been repeatedly referred to the principal's office for discipline problems have been routinely referred back to the teacher and placed back in the classroom with no disciplinary consequences. You have the right to have a disruptive student removed from your class.

Additionally, teachers have reported that students who have committed some Level III and Level IV offenses were given after school detention or in-school suspension, rather than being suspended from school. Teachers across the district stated that this year principals must get permission from the Area Superintendent to suspend a student. It has been suggested that this is a way to minimize the number of suspensions, perhaps for reporting reasons.

F.S.1003.32 states:

(3) A teacher may send a student to the principal's office to maintain effective discipline in the classroom and may recommend an appropriate consequence consistent with the student code of conduct under s. [1006.07](#). The principal shall respond by employing the teacher's recommended consequence or a more serious disciplinary action if the student's history of disruptive behavior warrants it. If the principal determines that a lesser disciplinary action is appropriate, the principal should consult with the teacher prior to taking disciplinary action.

(4) A teacher may remove from class a student whose behavior the teacher determines interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn. Each district school board, each district school superintendent, and each school principal shall support the authority of teachers to remove disobedient, violent, abusive, uncontrollable, or disruptive students from the classroom.

(5) If a teacher removes a student from class under subsection (4), the principal may place the student in another appropriate classroom, in in-school suspension, or in a dropout prevention and academic intervention program as provided by s. [1003.53](#); or the principal may recommend the student for out-of-school suspension or expulsion, as appropriate. The student may be prohibited from attending or participating in school-sponsored or school-related activities. The principal may not return the student to that teacher's class without the teacher's consent unless the committee established under subsection (6) determines that such placement is the best or only available alternative. The teacher and the placement review committee must render decisions within 5 days of the removal of the student from the classroom.

(6) (a) Each school shall establish a placement review committee to determine placement of a student when a teacher withholds consent to the return of a student to the teacher's

class. A school principal must notify each teacher in that school about the availability, the procedures, and the criteria for the placement review committee as outlined in this section.

In many schools, teachers have reported that the in-school suspension program or P.A.S.S. (Positive Alternative to School Suspension) Program is not a place where students are taught how to modify behavior or where any restorative justice techniques are applied, but a class with an untrained facilitator who allows students to sleep or work on assignments if teachers send them. One teacher said that the person who oversees P.A.S.S. at her school has not been trained to help referred students “Develop more effective coping skills, character development principles, or pro-social behaviors” as the program is described on the OCPS website.

Teachers have stated that discipline forms are no longer provided to teachers at some schools. You have the legal right to complete a discipline referral form for any level offense. From the Contract:

## **ARTICLE VII TEACHER RIGHTS AND RESPONSIBILITIES**

E. Each teacher shall assume such authority for the control of students assigned to him/her by the administrator, and shall keep order in the classroom and in other places in which s/he is assigned to be in charge of students.

**2. Teachers may refer disruptive students to the office from the classroom with a referral slip provided by their administrator** describing the behavioral problem when, in the judgment of the teacher, normal corrective measures have been ineffective in bringing about satisfactory improvement in the student’s behavior.

If your administration is not providing referral slips, show them this Contract language and request one.

Teachers have also reported that they do not hear back as to what consequence, if any, was given for violation of student code of conduct. You have the right to request this information and to receive a response in a timely manner.

F.S.1003.32 states:

(1) (f) Request and receive information as to the disposition of any referrals to the administration for violation of classroom or school rules.

If you are experiencing difficulty with referrals or any irregularities regarding disciplinary procedures, please contact OCCTA.

**CTA Contract language which addresses discipline procedures:**

## **ARTICLE VII TEACHER RIGHTS AND RESPONSIBILITIES**

E. Each teacher shall assume such authority for the control of students assigned to him/her by the administrator, and shall keep order in the classroom and in other places in which s/he is assigned to be in charge of students.

1. Within the first ten duty days of each school year, each teacher shall be provided with an online copy of the Orange County Code of Student Conduct and current Student Referral form and any additional disciplinary plan which may have been developed for his/her school.
2. Teachers may refer disruptive students to the office from the classroom with a referral slip provided by their administrator describing the behavioral problem when, in the judgment of the teacher, normal corrective measures have been ineffective in bringing about satisfactory improvement in the student's behavior. In emergency situations, the student may be sent to the office immediately with a written report to follow. Information on the disposition of the referral shall be provided to the teacher in a timely manner, and the status of the referral shall be provided upon request.
3. If a student is referred to the office because of continuing disruption, the administrator shall advise the teacher of the action taken in accordance with the Code of Student Conduct prior to the student's return to the classroom on that day. If a student demonstrates a pattern of continued disruption, the teacher shall be granted a review of the matter with the administrator and/or a discipline intervention team.
4. In Accordance with F.S. 1003.32 (4) a teacher may suspend a student from class. Under no circumstances shall a teacher suspend a student from school. A teacher may recommend a consequence to the principal when a disruptive student is sent to the principal's office and the principal must consult with that teacher prior to enacting lesser disciplinary action.
5. A Placement Review Committee shall be formed for the purpose of determining placement of a student who has been suspended from a class in accordance with F.S. 1003.32 (4), (5), (6). The Placement Review Committee shall include the following: Two one elected by the faculty and one appointed by the teacher referring the student to the Committee and one member from the school's staff who is selected by the principal. A teacher may appeal the decision of the Placement Review Committee to the District Superintendent.
6. Upon re-entry to school, an expelled student whose conflict was with a teacher shall not be returned to that teacher's class, except under unusual circumstances.

## **ARTICLE XIX FACULTY ADVISORY COMMITTEE**

C. In addition to duties outlined in Article XIV, the Faculty Advisory Committee may meet to discuss and make recommendations concerning the following:

1. Student discipline plans, which may include guidelines for referral of students into alternative education settings.
2. The disposition of discipline referrals in a timely manner.
3. Additional safeguards to deal with acts of violence, including those involving weapons, and procedures for notification of teachers when their students have been found to have carried a weapon on campus

## **Breaks**

You are entitled to breaks during the day. The contract states that teachers should not be assigned responsibility for students for more than three continuous hours.

#### **ARTICLE XIV DUTY DAY**

B. 3. In the absence of mutual agreement, the following provisions shall apply to those areas where such agreement cannot be reached:

- d. No teacher shall be assigned responsibility for students for more than three continuous hours.
- g. Administrators will cooperate with employees in making arrangements for a break in either the morning or afternoon.

#### **Days or Times You May Leave Early or Arrive Late**

You should not have to rush to attend scheduled CTA AR Council meetings or Board of Directors meetings. **If you are an Association Representative, or a director, you may leave at the end of the student day for up to three (3) scheduled meetings per month.**

#### **ARTICLE IV ASSOCIATION RIGHTS**

##### **E. Association Leave**

3. Site Association representatives and members of the Association's Board of Directors shall be allowed to leave school at the end of the student day for up to three (3) regularly scheduled meetings per month. CBLT members and CBLT Committee members shall be allowed to leave school at the end of the day for one (1) regularly scheduled meeting per month.

**Teachers may leave with students on days before a scheduled holiday.** If the day before Winter and Spring break is a non-student contact day, the day is 6.5 hours.

#### **ARTICLE XIV DUTY DAY**

G. On the day before a scheduled holiday, the employee duty day shall end at the close of the student day. Non-school based personnel may leave 30 minutes before the end of their regular day. If the day before the Winter and/or Spring Holiday period for school based teachers is a non-student contact day, it shall be 6.5 hours in length.

**You may leave early if you have or a family member has an appointment that can only be scheduled after school or you have professional development or classes that requires commuting time you may leave with the students.**

#### **ARTICLE XIV DUTY DAY**

3. In the absence of mutual agreement, the following provisions shall apply to those areas where such agreement cannot be reached:

- b. When a medical or legal appointment involving the employee or a member of his/her immediate family, or a school-related conference involving the employee's dependent, is required that cannot be scheduled outside the employee duty day, or when an employee attending in-service or college classes needs reasonable commuting time, an employee may be allowed to leave at the end of the regular student day, provided acceptable arrangements to accommodate duty or other school activities have been made and are communicated.

**You may leave early or arrive late on an election day.**

#### **ARTICLE XIV DUTY DAY**

I. On election days, employees whose duty day usually begins 45 minutes or more before the student day who wish to vote before the duty day begins, may opt for reporting to work 15

minutes before the student day. In the alternative, employees may leave at the end of the student day for purposes of voting.

**You may leave your school or worksite during lunches or planning time.**

**ARTICLE XIV DUTY DAY**

N. An employee may leave the work site, upon receiving permission, during his /her planning time and duty-free lunch. No reasonable request shall be denied.

**Leave**

You do not have to find a substitute if you are sick or take leave. You do have to follow school policies for calling in and/or entering leave into the Kelly Services site, if required. You do not have to take a full day of leave if you only require a half day, for an appointment or other reason.

If you are absent more than 6 days you are not required to write lessons or perform other duties.

If you have used up all of your sick leave pay, you are allowed to take up to 20 days without pay. You may also use sick days for bereavement.

You do not have to explain why you are requesting personal leave and no unreasonable request shall be denied.

**ARTICLE XVIII LEAVES OF ABSENCE**

**A. General Provisions**

1. Applications for leave, except short-term sick leave with or without pay, shall be submitted to the administrator on a request for leave of absence form.

2. When an employee finds it necessary to be absent, s/he shall notify the administrator or designee with as much advance notice as possible, preferably the night before but no later than an hour before the time s/he is scheduled to be on duty, except in cases of emergency, so arrangements can be made to secure a substitute if necessary.

3. Leaves of absence shall be reported in increments of full or half days.

4. An employee shall not be responsible for finding a substitute in the event of his/her absence.

5. During leaves of six (6) or more duty days, an employee shall not be required to keep records, prepare lessons, or perform any of the duties required while in attendance.

6. An employee on long-term leave shall be considered as if s/he were part of the staff of the school from which s/he took leave. In special circumstances such as cases of extended worker's compensation or relief of duty, this provision may be waived.

7. If at any time the reasons given for requesting leave have changed, the employee shall promptly notify the administrator and shall either be directed to return to duty or continue on leave.

8. Upon return from leave, the employee shall complete a certificate of absence.

You are also entitled to take leave through the **Family and Medical Leave Act (FMLA)** if you qualify. Employees can take up to 12 weeks of leave for qualifying reasons:

- A serious health condition that makes the employee unable to perform the employee's job.
- To care for a child after birth, adoption, or foster care of a child.
- To care for a spouse, child, or parent who has a serious health condition.
- Relating to a family member on active military duty or called to active duty

While on leave the employee maintains his/her insurance benefits and is guaranteed job security and ability to return to the position held or a comparable position. To qualify an employee must have been employed for 12 months and must have worked for a minimum of 1,250 hours during the last 12 months.

There is additional information on Family and Medical Leave Act at the following link: [https://portal2010.ocps.net/es/hr/employ/Documents/FMLA\\_for\\_web\\_05202013.pdf](https://portal2010.ocps.net/es/hr/employ/Documents/FMLA_for_web_05202013.pdf)

### **American Disability Act (ADA) Compliance**

If you suffered an injury or have developed a medical condition that requires a light duty or a reasonable accommodation, you will need to complete a two-part form to receive appropriate accommodations. Parts of the form are to be completed by the employee and other parts of the form are to be completed by his/her doctor. The form is available online.

Instead of completing the form, the employee's treating physician may state in writing the following information:

- (1) the employee's diagnosis and/or medical condition,
- (2) what restrictions or limitations the employee has that impedes his/her ability to perform the job, and
- (3) the duration or length of time that the restrictions should be in place (ie; weeks, months, or permanent).

### **Use of Mailbox, Email and Courier**

There is specific contract language regarding use of OCPS email, mail boxes and the courier.

#### **The following are some facts you should know:**

1. CTA has the right to maintain lists of union members and nonmembers for each work site and for all OCPS employees. Each Association Representative has access to his/her site's list for the purpose of organizing and inviting employees to join the union. An AR may hold one-on-one conversations, CTA socials, or smaller meetings within departments, hallways or buildings to recruit new members.
2. The CTA bulletin board belongs to CTA. No employee, administrator, PTSA member, or any other person should be posting any information on that board without the authorization of the Association Representative of his/her designee. Anything posted without CTA authorization will be removed.

3. CTA has the right to distribute union literature to members and nonmembers during nonworking hours. Do **not** use the OCPS mailboxes or OCPS email to distribute CTA information without **first** showing the administrator what you will be putting in the mailboxes or sending through the OCPS email. The contract does not state the administrator gets to *approve* what you are distributing, just that they *receive notice* prior to the distribution. Of course, CTA flyers, posters, must always be dignified, friendly, inviting, and non-controversial in nature.

4. If you are want to use the CTA logo on any materials that you make, you must get approval from the CTA President who is the spokesperson for CTA. You are free to post any recruitment posters, flyers promoting CTA events, or notices of workshops that you receive in the CTA newsletter on the CTA bulletin board. You are also free to make and post your own literature without using the CTA logo.

### **From the Contract:**

### **Article IV Association Rights**

#### **D. Communications**

2. The Association shall be permitted to use the courier service for maintenance of this Contract, subject to the following:

b. The Association shall not use the courier for distribution of materials/communications derogatory to the Board, publications advocating legislative positions, (other than mutually agreed upon positions), or campaign literature for candidates for public office. The Association may send out flyers on behalf of each candidate for the Association office.

d. The Association shall indemnify and save the Board harmless against and from any and all claims, demands, suits, or other forms of liability that may arise out of or by the Association's use of the courier. If the Board is notified officially of any such potential liability, the courier service shall be suspended until such time the matter may be resolved.

e. If the Association fails to comply with these provisions, the use of the courier may be suspended upon written notification. Any request for reinstatement of the courier shall be presented by the Association to the Board at a regularly scheduled meeting of the Board.

3. The Association will be permitted to use employee worksite and electronic mailboxes (email). However, the District may deny permission for the Association to use the District's email system if it fails to comply with the provisions of this Section or Section D.4. of Article IV.

4. The Superintendent or designee shall receive a copy of all materials/communications to be distributed district-wide, either through the courier or through email, at least one business day prior to distribution. This shall include Association approved email messages distributed through site association representative(s). The administrator shall receive a copy of all materials/communications to be distributed in the school. When the Association disseminates information without utilizing any District resources such as mailbox, email or courier, the Association is not required to produce a copy to any administrator. Emails that



are notices for Association meetings at the Association's office do not have to be sent to the District.

From Florida Statute [Chapter 447](#) Part II Labor Organizations

**447.301 Public employees' rights; organization and representation.—**

(1) Public employees shall have the right to form, join, and participate in, or to refrain from forming, joining, or participating in, any employee organization of their own choosing.

(2) Public employees shall have the right to be represented by any employee organization of their own choosing and to negotiate collectively, through a certified bargaining agent, with their public employer in the determination of the terms and conditions of their employment. Public employees shall have the right to be represented in the determination of grievances on all terms and conditions of their employment. Public employees shall have the right to refrain from exercising the right to be represented.

(3) Public employees shall have the right to engage in concerted activities not prohibited by law, for the purpose of collective bargaining or other mutual aid or protection. Public employees shall also have the right to refrain from engaging in such activities.

**447.501 Unfair labor practices.—**

(1) Public employers or their agents or representatives are prohibited from:

(a) Interfering with, restraining, or coercing public employees in the exercise of any rights guaranteed them under this part.

(b) Encouraging or discouraging membership in any employee organization by discrimination in regard to hiring, tenure, or other conditions of employment.

(2) A public employee organization or anyone acting in its behalf or its officers, representatives, agents, or members are prohibited from:

(a) Interfering with, restraining, or coercing public employees in the exercise of any rights guaranteed them under this part or interfering with, restraining, or coercing managerial employees by reason of their performance of job duties or other activities undertaken in the interests of the public employer.

(b) Causing or attempting to cause a public employer to discriminate against an employee because of the employee's membership or non-membership in an employee organization or attempting to cause the public employer to violate any of the provisions of this part.

(3) Notwithstanding the provisions of subsections (1) and (2), the parties' rights of free speech shall not be infringed, and the expression of any arguments or opinions shall not constitute, or be evidence of, an unfair employment practice or of any other violation of this part, if such expression contains no promise of benefits or threat of reprisal or force.

**447.509 Other unlawful acts.—**

(1) Employee organizations, their members, agents, or representatives, or any persons acting on their behalf are hereby prohibited from:

(a) Soliciting public employees during working hours of any employee who is involved in the solicitation.

(b) Distributing literature during working hours in areas where the actual work of public employees is performed, such as offices, warehouses, schools, police stations, fire stations, and any similar public installations. **This section shall not be construed to prohibit the distribution of literature during the employee's lunch hour or in such areas not specifically devoted to the performance of the employee's official duties.**

(c) Instigating or advocating support, in any positive manner, for an employee organization's activities from high school or grade school students during classroom time.

### **Rights to Representation at Meetings with Administration**

If you are called to a meeting with your principal or administrator remember your Weingarten Rights. You have the right to refuse a meeting without union representation if the meeting may lead to discipline. Ask, "Will this meeting lead to discipline?" If the answer is anything but "no" you can, and should, ask for a union representative to be present (your site's Association Representative (AR) or a CTA office representative).

At the meeting be respectful and take good notes. If at any time during a meeting you feel that discipline could result, stop the meeting and say, "I would like to reschedule this meeting when my union representative can be present."

Do not sign or agree to anything. Do not make or write statements. Do not talk to DCF. Always call CTA for direction. Never write or sign a statement before you contact CTA!

### **ARTICLE VI WORKING CONDITIONS**

F. No employee shall be required to make a statement upon being questioned relative to a school incident prior to seeking Association and/or legal counsel when the statement may, in the mind of the employee, be used against him/her in a civil or criminal action or state agency investigation. An employee who then refuses to provide such statements shall waive his/her right to legal protection provided by the Board, as set forth elsewhere in this Article. When an employee has requested the presence of the CTA Representative, administration shall provide coverage or schedule the meeting at a mutually agreeable time in order to ensure that the CTA Representative may attend a meeting with the requesting employee.

### **Full-Time Equivalent (FTE) Student Survey Information**

You will be asked to sign your FTE rosters and ensure accuracy. When you receive them, please look them over carefully.

If you notice that the roster states that there is a co-teacher (a coach or someone else) who is not actively in the classroom, put a line through their name.

If you have students on your roster that are not enrolled in your class or have withdrawn, put a line through their name. If you have students on your rolls that are not on the list, add their names. Your student growth score is based on these rosters. Accuracy is essential.

Once you have made all these corrections make a copy of the signed document for your files.

## **ARTICLE X. EVALUATION**

C. 1. g. Teachers shall be provided a signed copy of their Survey 2 and 3 class roster within ten (10) duty days of signing.

### **Changing Assignments or Transfers**

During September, classes are being leveled in many schools and teachers may find themselves assigned to another grade or class within their school or even told they must locate to another school. The following contract language applies to these situations.

**Being moved within a school** – Administrators do not need to look at seniority or any other factors to determine, which teachers move within their own school. The only factor they must look at is area(s) of certification, except in the case of Association Representatives, which are given special consideration.

## **ARTICLE IX ASSIGNMENT AND TRANSFERS**

C. Teachers shall receive notice of their tentative teaching assignments on or before the first day of traditional calendar post-planning. It is expressly understood that such assignments are only tentative and may be changed for reasons relating to changes in school-wide or class enrollment, the addition or reduction of educational services at the school, changes in staffing, or vacancies.

1. If changes are required, the teacher shall be notified of the new assignment, and the reason for the change, as soon as feasible. An opportunity shall be provided for the teacher to discuss the change.

2. The teacher may request an alternate assignment.

3. Involuntary changes in assignment at the work-site shall not be made in a punitive manner.

## **ARTICLE IV ASSOCIATION RIGHTS**

B. 3. When the site Association Representatives are either involuntary transferred, or have grade/subject assignment changes and room changes on the work location's campus, the transfer or changes, shall be reviewed by the CTA President and the Superintendent or their designee. The site Association representative must request such a review in writing, and submit the request to the Association within ten (10) days of the transfer or change.

**Being Transferred to Another School** It may be necessary for teaches to be moved to another school. This addresses the involuntary process which applies to annual and PSC/CC teachers who may be displaced. This only occurs after probationary teachers are cut and additional reductions are necessary at the school. Again, Association Representatives are given special consideration.

## **ARTICLE IX ASSIGNMENT AND TRANSFERS**

G. The following provisions shall apply to the transfer of teachers:

6. An employee may be involuntarily transferred to another school at any time provided written notice is given to the employee at least five duty days prior to the effective date of

the transfer. If at least 14 days remain prior to the start of the work year, the employee shall be provided a minimum 14-day notice. Such transfer shall be for the following reasons:

- a. District-wide changes in the organization of the school system.
- b. Decreasing enrollment in the employee's school.
- c. Reduction of educational services at the employee's school.
- d. Maintenance of court required ratios.

7. When involuntary transfers become necessary, the administrator shall meet with the affected department(s)/program(s) to seek volunteers. Volunteers will be selected, based upon greatest seniority. If there is an insufficient number of volunteers, the selection shall be by seniority. In computing seniority for half-time employees, the salary credit formula shall be used. If two or more employees have the same seniority, the involuntary transfer shall be determined using the following sequence: contract type, degree, selection by lot.

8. If a teacher who has been identified for transfer has certification in two or more areas, s/he may designate which instructional area will be the determiner of certification, provided s/he has taught within the designated subject area(s) within the past ten years and there are district vacancies within the designated area(s). These provisions shall not apply beyond the 15th day of student attendance.

#### **ARTICLE IV ASSOCIATION RIGHTS**

B. 3. When the site Association Representatives are either involuntary transferred, or have grade/subject assignment changes and room changes on the work location's campus, the transfer or changes, shall be reviewed by the CTA President and the Superintendent or their designee. The site Association representative must request such a review in writing, and submit the request to the Association within ten (10) days of the transfer or change.

#### **Lesson Plans**

The contract contains no specific language concerning the responsibility of teachers in preparing lesson plans, except for language that releases teachers from that duty for periods of extended absence.

- By grievance settlement agreement with the District, no teacher has to follow a District-mandated template or modifications of the District's template for their lesson plans.
- Requiring teachers to plan lessons together and/or to implement them in unison on specific days and times for specific subject areas, are likely violations of contract, Florida law, and/or past practice. Teachers are professionals and experts who know their particular students' instructional needs.
- Teachers are not required to use CRMs for their lesson plans. These are guides. By contract, teachers have the freedom to select their own materials and create their own lessons.
- A lesson plan should be made so a teacher can best facilitate the lesson for their students. It is best to keep a copy on your desk and note any student accommodations.
- The requirement or directive to post lesson plans on a school share site, submit a lesson plan checklist, turn lessons into administrators by a certain date, or post them

online on a “shared drive” at a certain times or at the end of the school year are likely violations of contract, Florida law, and/or past practice.

- By contract any lesson plans created during your planning time belong equally to you and to the District.
- By contract any lesson plans that are created past the contracted duty day belong to you.

## **ARTICLE VII TEACHER RIGHTS AND RESPONSIBILITIES**

A. Teachers shall have freedom in the implementation of the adopted curriculum, including the right to select materials and engage in classroom discussions as they relate to the subject matter being taught and the level of the student. The administrator has the right and obligation to question, consult, and direct whenever necessary.

## **ARTICLE XVIII LEAVES OF ABSENCE**

A.5. During leaves of six (6) or more duty days, an employee shall not be required to keep records, prepare lessons, or perform any of the duties required while in attendance.

## **ARTICLE VI WORKING CONDITIONS**

T.1. Title to patents and copyrights of materials or equipment developed on school time or utilizing school supplies are equally the property of the Board and the employee. Clear title shall vest in the Board if the employee, for any reason, terminates his/her employment. An employee changing work locations within the county may retain physical possession of such materials, with the approval of the employee’s current administrator.

### **Fifth Wednesdays**

If there are five Wednesdays in a month, the fifth one should be completely free of any meetings.

## **ARTICLE XIV DUTY DAY**

V. During the contract year, whenever a fifth Wednesday of the month falls on a duty day, teachers will receive an uninterrupted planning period after student contact time. No meetings, workshops or professional development will be scheduled during this time.

### **Holidays and Teacher Workdays**

You have a longer lunch and often a shorter day on teacher workdays and especially those before a holiday.

## **ARTICLE XIV DUTY DAY**

G. . . . If the day before the Winter and/or Spring Holiday period for school based teachers is a non-student contact day, it shall be 6.5 hours in length.

M. . . . On any non-student contact day, employees shall have a lunch period of one hour, which may be off site.

S. Workdays shall be used primarily for grading and planning, and other requirements shall not exceed approximately one hour. Grades shall not be required more than one hour prior to the close of the day.

*New Language* (2018)

B. 5. 5. Instructional personnel shall be permitted to work up to three (3) days prior to preplanning to prepare their classroom. They shall check (√) in and out upon arrival and departure from their work site. Instructional personnel may be excused for an equivalent number of workdays as identified at the end of each grading period providing they have fulfilled all requirements for submitting grades.