

Member Advocacy: A Primer

The Role of Local Association Officers in the Delivery of NSEA Member Advocacy Services

Most Important Role: To Inform Member of Right to Seek NSEA Assistance

Perhaps one of the most important benefits of membership in the NSEA is the professional and legal assistance provided to members in situations involving job security.

Members can be confronted with job security issues in a variety of circumstances including:

- Discipline or job performance matters ranging from warnings or reprimands to recommendations for termination or cancellation of employment;

- Certification matters when complaints are threatened or actually filed against a member with the Commissioner of Education;

- Civil or criminal liability for acts or omissions arising in the performance of professional duties; and

- Grievances.

Local association officers and leaders perform an important function in the delivery of member advocacy services in each of these areas. However, as an appointed

or elected representative of the local association affiliated with the NSEA, it is important to be aware of and understand your role in such situations, and the nature of your professional and legal obligations which exist in the delivery of member services and matters involving job security of members.

THE PRIMARY and most important role of local association leadership in such matters involves **promptly** informing the member at risk of their right to seek professional and/or legal assistance under the NSEA Legal Assistance Policy. This valuable assistance is of no benefit to the member if the member is not promptly made aware of its availability.

On the other hand, a member has a right not to seek such assistance. Therefore, once a matter comes to your attention involving the job security of a member, promptly inform the member of their right to seek assistance from the NSEA and provide the member the information necessary for the member to seek such assistance. This will typically involve simply having the member telephone the NSEA's Director of Advocacy in Lincoln at 1-800-742-0047 for further information and assistance. You may also wish to contact the director

yourself to alert them to the matter or to seek additional guidance as to your proper role from that point forward.

NEVER TAKE it upon yourself to "investigate" the matter. Statements made to you by the member or statements made by you to others in such situations are generally not privileged and could be used as evidence against the member. Information that comes to your attention involving a member's job security should be kept confidential by you, and you should counsel others aware of the matter not to discuss it. To the extent the member requests professional and/or legal assistance from the NSEA, your subsequent role in the matter is limited to providing that assistance specifically requested by the NSEA representative or the attorney retained to assist or represent the member by the NSEA.



MANY TIMES, association officers or leaders are approached by representatives of a school district's administration to discuss a job security matter involving a member. Do not accept such invitations unless you are first authorized to do so by the member. In most cases, such

discussions should only occur with the member present. If you are authorized to visit with the administration without the member present, listen but disclose nothing. You can be assured that the administration has not requested to visit with you for the benefit of the member. Rather, such visits are usually initiated by the administration to secure additional evidence against the member.

Members should be informed of their right to request that an association representative be present with them during any conference requested by the administration with the member.

DO NOT CHASE or repeat rumors. Again, if information comes to your attention involving a member's job security, only advise the member of their right to seek assistance from the NSEA and/or contact the NSEA yourself for further guidance.

Any questions or concerns you may have as to your proper role in the delivery of member advocacy services to association members should be directed to the Director of Advocacy of the NSEA or to your local NSEA Organizational Specialist.

For more details, call NSEA at (800) 742-0047.

NSEA LOCAL ASSOCIATION'S QUICK REFERENCE GUIDE FOR BUILDING REPRESENTATIVES

A quick and helpful guide for the building representatives and faculty representatives of local association affiliates of the Nebraska State Education Association.

Thank you for your service to your members!

As the Building Representative (BR) or Faculty Representative (FR) for your building, you are an important link between members in your building, your local Association leadership and NSEA. Why? Because your Association, from your local right through the NSEA, operates on the belief that the "action" happens closest to where members work every day.

If Association members don't address issues and problems where we work, and if building-level representatives are not involved in resolving issues and assisting members to exercise control over the work-related environment, then we are not the Association we aspire to be.

That's where the BR comes in. You have the official capacity to represent your members. Advocate for members in your building. Know what is going on in your building. Your vigilance will benefit colleagues, your Association, and you!

Best wishes for a successful year!

Building Representative duties include:

- Dissemination of information to members;
- Attendance at monthly meetings;
- Other duties as needed.

Gather These Important Documents:

- Negotiated Agreement
- Local Association Bylaws
- A copy of a current individual teacher contract
- Grievance Policy
- Board Policies
- Current Membership Roster
- Current list of potential members
- Staff Handbook

**Remember: Your NSEA Organizational Specialist
is here to help you succeed as a building leader!**

Questions? Contact NSEA at (800)-742-0047



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NSEA Membership = Support & Protection

Employment Rights

Your membership ensures you that assistance will be provided by NSEA Professional Staff or, where deemed necessary, by an attorney retained by NSEA. Whether it's a contract problem, a grievance, or if you receive a poor evaluation, be sure to get advice early. Don't wait to see what happens! If possible, ask a local association representative to accompany you when called in for an unexpected or potentially negative conference with the administration. Both the member and the representative should listen carefully, take notes, and not make much of a response until you have sought advice from NSEA. Never offer to resign or accept a proposal without consulting NSEA.

Evaluations & Reprimands

You may be directed to sign an evaluation, observation form, or reprimand, even if you disagree with its contents. Always carefully read any document you are asked to sign. If the meaning of the wording is unclear, do not sign the document until you've sought clarification. If the form does not indicate the following, then add this sentence next to your signature: "My signature indicates only that I have received this document and does not necessarily indicate that I agree with its contents." Seek immediate assistance from NSEA if you wish to prepare a written response.

Personnel File

Nebraska law gives any teacher, administrator, or full-time employee of any public school district the right to review the contents of his/her personnel file and to attach a written response to any item in such file. It is recommended that employees review their file annually and be certain to request examination of all personnel files the district maintains on you.

Employment Status

Contact NSEA at once if you receive a written notice of suspension, non-renewal, contract amendment, termination, cancellation, or reduction-in-force. Certificated employees have only 7 calendar days (5 days for Community Colleges) in which to respond – so seek advice at once!

Liability Insurance

If a student is injured or an incident occurs which could result in a lawsuit against you, the NEA provides all members with \$1 million in liability coverage. All potential cases should be reported at once to NSEA's Director of Advocacy.

Contracts

Failure to return a contract on the specified date may constitute a resignation – so be certain to return the contract on time. Nebraska law provides that a school district may **not** require certificated employees to sign a contract for the following year prior to March 15. Once you have entered into a contract for a given year, you must perform the duties unless released from the contract through action by the Board of Education. Breaking a contract may result in a one-year suspension of your teaching certificate, thus making you ineligible to teach.

Certification

A certificated employee may face the possibility that a complaint will be filed against them with the Commissioner of the Nebraska Department of Education (NDE) alleging that there has been a violation of the profession's Code of Ethics. Should this happen, your teaching certificate could be in jeopardy. As an NSEA member, you have the opportunity to request the services of an attorney to defend you in such matters.

Call NSEA at (800) 742-0047



Free and open to all, NEA edCommunities is the place online where educators, school support professionals, and community members join forces to improve student success. A variety of groups exist to address diverse education issues.

What does NEA edCommunities do?

- Connects educators to virtual groups by interest topics
- Provides a safe means to collaborate with colleagues through discussion and file sharing
- Facilitates national, state and local collaboration
- Provides access to online events, webinars and meet-ups

How do I use it?

- Go to mynea360.org and click the "Sign Up" link
- Complete your profile
- Join a group/Search for colleagues/Engage in the discussion

Your NSEA Organizational Specialist will have more details about how to stay connected with NSEA to better engage your members. Call (800) 742-0047.

Building Representative Duties

Building Representatives a Vital Communications Link to Members

Building Representatives Keep Information Flowing, Assist with Association Business

Because Building Representatives are a vital link to the members of the Association, additions or modifications of these duties may occur, but there are general guidelines of what to expect.

Dissemination of Information

Members in each building need to be informed of what is going on with the Association.

Information will usually be sent to Building Representatives by the local association president or other designee of the Association — an executive committee member, committee chairperson, or member of the negotiations team.

BRs are often asked to post signs in mailrooms and lounges announcing upcoming events — meetings, special presentations, upcoming elections and voting, or social events.

Minutes of each month's Association meeting should be posted.

Some information, such as Association candidate statements, negotiations updates or details and newsletters can be put into members' school mailboxes. Nothing related to local civic political elections should be distributed or stored using school time, electronic devices or physical mailboxes.

Association information may be transmitted electronically to members using school computers, if allowed per the negotiated agreement, but not on scheduled duty time.

Building Relationships

Building Representatives should contact new and potential members about membership. BRs should support members seeking assistance and information from the Association and NSEA staff.

Your one-on-one conversations with colleagues are vital to establishing and maintaining positive relationships, esprit de corps, and collegiality.

Attendance at Monthly Meetings

It is very important that the BR or alternate from your building attend the monthly Association meeting and any other special meeting called by

Association leadership. This is the best opportunity for members to be apprised of Association activities and to communicate with other members from other buildings.

Keep a copy of the Association meeting schedule in this folder.

Building Representatives can bring specific concerns to the Association meeting. If requested, that concern can be shared with the Administration by your Association leaders.

Building Representatives should hold brief, 10-minute meetings with members in their respective buildings to update members on new and important information from the local Association and from the NSEA.

Other Duties as Needed

From time to time, BRs will be asked to arrange meetings in their buildings for communications with association officers and their NSEA Organizational Specialist; to assist with voting and elections for local, district, state or national officers and

amendments to Association Bylaws. Assistance may also be needed for elections on the ratification of the negotiated agreement or for election of delegates to attend the NSEA Delegate Assembly and NEA Representative Assembly. More

specific instructions will be provided for each type of activity.

From time to time, you will be asked to volunteer on other committees in need of assistance or representation or to find other members in your building who would be willing to volunteer for a specific Association activity.



Questions? Call NSEA

In all cases, should you have questions or need assistance, call your NSEA organizational specialist.

Your state association has 18 organizational specialists across Nebraska, each of them assigned to a specific region. One of those 18 is assigned to your school district, and to your school building. Your organizational specialist knows your contract, your school district and your local association.

Contact your NSEA Organizational Specialist at (800) 742-0047 or via email.