

The Sentinel

MAY 2009

VOLUME 1, ISSUE 9

Release from Contracts

UPCOMING EVENTS

Written contracts between teachers and school districts are a two-way street. Teachers sign them for the security of ensured employment the following year. Districts issue them to ensure that their staffing needs for the following year are met.

Once a contract has been signed nothing requires a district to release a teacher. If a district chooses to consider releasing a teacher, it can attach conditions to the release. The most common condition of release is to offer release pending securement of a "suitable replacement." Whether or not applicants for the position are "suitable" is a determination made entirely by the district. If

no candidate is deemed suitable or no candidate accepts the position, there is no available recourse for the teacher seeking contract release.

Another common condition for release is payment of search costs and/or a fee. Contract release fees, which usually increase as the summer progresses, are frequently enumerated in local board policy.

Districts are under no legal obligation to search for replacements for teachers who wish to resign after signing contracts. (This contrasts with resignations from athletic coaching contracts which do require a good faith effort to secure replacements.)



Teachers who sign their continuing contracts and then interview for positions with other districts should also be aware that they cannot be under contract simultaneously with two school districts. It is ILLEGAL to sign a contract with a new district until you have obtained release from your current employer!

Possible consequences for signing a second contract prior to obtaining release from your current

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"Student Effort & Responsibility" Course

State Unit Nine will host the ISEA Professional Development Academy course entitled "Increasing Student Effort and Responsibility" June 15-17 in the Indian

Hills Community College Arts and Sciences Building (Ottumwa campus). The class will meet from 8 a.m. through noon on Monday and Wednesday and from 8 a.m. through

4 p.m. on Tuesday.

The course examines motivational theory and practical ideas, as well as providing the opportunity

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May 5

- National Teacher Day

May 25

- HOLIDAY, All ISEA Offices Closed

July 1-6

- NEA Representative Assembly, San Diego, CA

July 28

- SC8 Membership Training, Indianola

July 29

- SUN Membership Training, Ottumwa

August 4-6

- ISEA Summer Conference, Storm Lake

SPECIAL POINTS OF INTEREST:

- Moving From Anger to Action
- COBRA Premium Reduction
- Ounce of Prevention

ISEA

Great Education.
It's An Iowa Basic.

Moving From Anger to Action

When an employee receives a staff reduction notice, s/he experiences a wide range of emotions. It is important to channel those emotions into a positive, productive set of actions as quickly as possible. Here are some suggestions that might help an employee to prepare for a hearing and for the next step of his/her life.

Start a folder to collect documents related to the staff reduction. Include such items as the no-

tice of termination, the request for hearing letter, copies of all individual contracts with the district, a copy of your teaching license/endorsements, a copy of all your evaluations, copies of any/all supplemental contracts, a list of your job assignments, a list of parents, teachers, and other community members willing to testify on



your behalf, any documents or other evidence that would support reasons why eliminating your program/position would be bad for students.

Update your portfolio.

Request letters of recommendation from your building principal or immediate supervisor, the superintendent, and/or other school representatives, reactivate your college/university placement

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Contract Release

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contract include the filing of Board of Educational Examiners (BoEE) complaints against your teaching license, BoEE reprimands, suspension or revocation of your teaching license, and your current district could sue you for damages.

SPECIAL NOTE: Standard

V of the BoEE Code of Professional Conduct and Ethics specifically addresses contractual obligations.

A teacher will not be found to have breached a contract if the teacher submits a resignation no later than the **latest** of the following dates: your

last work day of the school year, the date set for return of your individual contract, or June 30. This, however, does not take away the right of the local school board to sue you for breach of contract. It simply means that the BoEE will not sanction your license.

BOTTOM LINE: If you sign a contract, expect to honor it—especially after June 30!

“Possible consequences ...include BoEE reprimands, suspension or revocation of your teaching license...”

COBRA Subsidy

If you are a participant in your district’s group health insurance and you are involuntarily terminated from your job this spring, you should be aware that the ARRA (American Recovery and Reinvestment Act of 2009) provides a temporary COBRA subsidy.

COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985) allows a terminated employee to

continue participation in employer-sponsored group health insurance coverage for up to 18 months after termination of employment. The employee is typically required to pay 100% of the premiums for the continued coverage.

The ARRA subsidy will pay 65% of the COBRA premiums for up to 9 months for any em-



ployee who qualifies for COBRA continuation coverage by virtue of the employee’s involuntary termination of employment between September 1, 2008, and December 31, 2009. The employee will be responsible

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Action

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file, prepare a letter to be used for job applications, add information to your resume that reflects your job experience in your current district, and add samples of personal and student work products.

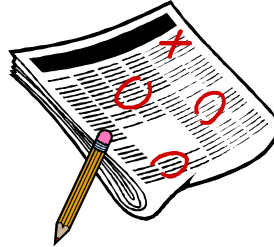
Inventory your personal belongings at the worksite. Create a list of items purchased with personal funds during your tenure with the district and, if possible, begin to gather the items prior to the end of the school year and start taking them home. Provide a copy of the

inventory to your supervisor to avoid a claim that the items are district property.

Begin searching the want ads. Use major newspaper Websites. A valu-

able Website for teachers is the Iowa REAP site—America’s largest online educator recruitment resource for school districts. You can search and apply for positions at www.iareap.net.

Inventory your job skills. Identify



skills that will transfer to other professions. Begin thinking about alternative career options.

Contact Workforce Development. Initial contact with Workforce Development may be made online at www.iowaworkforce.org.

Terminated employees may apply for unemployment the day after the last work day of the school year. You can draw unemployment compensation during the summer months even if/though you are still receiving pay checks from the district.

COBRA

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for paying the remaining 35% of the COBRA premiums.

Employees who continue COBRA coverage after the premium subsidy period ends will be responsible to pay the full amount of the premium for their remaining 9 months of COBRA eligibility.

“A federal subsidy will pay 65% of the COBRA premiums for up to 9 months...”

resignations (i.e., “quit or be fired” situations) will be considered involuntary terminations for purposes of the COBRA subsidy.

Terminated employees who are eligible or become eligible for other

According to IRS-issued guidance, forced

group health coverage (such as through a new employer’s plan or a spouse’s plan), or for Medicare, will not be eligible for the COBRA premium subsidy. Individuals paying reduced COBRA premiums must notify their plans if they become eligible for coverage under another group health plan or Medicare. Failure to do so will result in a tax penalty.

Effort & Responsibility

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for participants to discuss elements of this seemingly easy, but complicated issue. Participants will acquire knowledge and skills that



will have a positive impact on student effort and responsibility.

The class can be audited, taken for re-licensure credit, or taken for one hour of graduate credit from Morningside College or Viterbo University. Member and non-member fees are included on the registration form.

The course registration form is available online at the [ISEA Website](http://www.isea.org) or you may contact Shelley at the ISEA Ottumwa office (sbettis@isea.org) to obtain a registration form.

Enrollment will be limited to 25 participants. **Registration deadline is June 4, 2009.**

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ISEA

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An Ounce of Prevention

If you would like your 2009-2010 school year to begin without unnecessary stress and conflict, complete these three small projects prior to the end of the current school year.

☑ Check your individual contract salary to ensure that its listed salary reflects

proper lane and step placement and is in accord with the 2009-2010 Master Contract salary schedule.

☑ Review the days credited to your sick leave accumulation—and any other leaves wherein accumulation is permitted.

☑ Review your person-

nel file. Make a list of its contents and/or initial, date, and consecutively number the back side of each document—beginning at the back of the file. If you discover inappropriate items in the file, immediately notify your Rights chairperson or local president.

SC8/SUN Snippets

◆◆◆ ISEA will host its annual **Summer Conference August 4-6** at Buena Vista University in Storm Lake. Both SC8 and SUN will reimburse the full (\$150) registration fee for all members who attend. Both Units will also pay mileage for one vehicle per local. Detailed information about Summer Conference and online registration are available at the [ISEA Website](http://www.isea.org).

◆◆◆ Individuals whose **contracts** have been **reduced or terminated** for next year should check out the “Jobs” tab at the top of the ISEA Website. They can search for jobs in their area and even apply online!

◆◆◆ Kudos to local

associations represented at the **SC8 Staff Reduction Training** held April 2: Knoxville (4), Melcher-Dallas (1), Twin Cedars (1), and Wayne (1).

◆◆◆ The 2009 **Journey To Excellence Training for Trainers of Mentors** is scheduled for **June 22-26** at Stoney Creek Inn in Johnston. A \$900 expense stipend is available for participants who complete the full training. A limit of three employees per district and AEA will be accepted through the registration deadline. Visit the [ISEA Website](http://www.isea.org) to register.

◆◆◆ The sixth annual **Iowa Mentoring and Induction Institute** is scheduled for **June 17-18** in Cedar Falls. Registration is available online at



www.vpaf.uni.edu/events.

◆◆◆ **ISEA school counselors** are invited to attend an **all expense paid symposium** on closing student achievement gaps on **June 15-16** in Johnston. Program and registration information is available at the [ISEA Website](http://www.isea.org). (Scroll down to the PD section of the home page.)

◆◆◆ **Save the dates!** **SC8** will hold its 2009-10 Membership Workshop on **Tuesday, July 28**. **SUN** will hold its workshop on **Wednesday, July 29**.

AN ORIGINAL THOUGHT from Mother Teresa:

Kind words can be short and easy to speak, but their echoes are truly endless.