



Tip, Rules & Laws. OH, MY!

Do your best to market yourself by building a good image and maintaining a favorable reputation

If there comes a day when a student or parent accuses you of some improper action, your reputation will be one of the most important things you have to protect yourself. If the accusation does not match the reputation you have among others, they may be slow to believe the accusation, and might give you the benefit of the doubt whenever there is uncertainty or ambiguity in the facts.

On the other hand, if your reputation is not secure, allegations of improper conduct will be much easier for others to believe. And even the mere appearance of impropriety or the appearance of an opportunity for impropriety is enough to open your reputation up to doubts.

Remember, if it's work related, it's probably NOT private

- What is considered written documentation?
- Anything and everything written about a student on school grounds can be subpoenaed for use in court. Anything in writing with a student's name in it is part of the official student record. It is not necessarily true that if teachers keep it at home that it is not considered a student record.
- Email
- All emails sent using district administered

email addresses are district property. The belief has been that web mail such as Yahoo, hotmail and gmail, etc, were safe, but even web-based email is forensically accessible. Web-based email history may still be on the school server. Schools are not necessarily monitoring emails, but they can and will retrieve emails if they would like to do so. Everything digital lives forever.

- Phone and text messages

Phone messages and text messages can be overheard, read and forwarded so you must be very careful about what you send out. Many courts have consistently held that emails, voicemail and text messages are not private and that they may be subject to discovery in litigation.

Free Speech

A teacher's right to free speech is limited in the employment context, as it relates to their personal grievances. A teacher does not have a free speech right and it is not constitutionally protected if they are expressing a personal wrong. For instance, if teachers protest publicly at a board meeting or speak derogatorily about an administrator, the courts say they do not have the rights to free speech. Comments are only held up by courts if it is a matter of public concern. Otherwise, the courts say teachers do not have the right to free speech (in the employment context). A public concern is a grievance that affects the public: the teacher's students, the school community, the public. Personal grievances that only affect the teacher are not protected under free speech.



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Verbal Conversations

In school: Although teachers may feel that it is alright to vent in the faculty room, hall or office, they need to realize that school cannot be considered safe territory and one cannot be sure if they are in the presence of trustworthy company. Everything you say could be overheard, misconstrued and shared.

In the community: one must be aware of their surroundings outside of school, too. If you speak publicly about a work-related issue, there is a high possibility that it will be shared with others.

At home: Educators frequently talk about personal information when venting, and it can, and often does, come back to haunt them. If teachers need to vent, vent at home without mentioning specifics about, or identifying, the student with whom they are having issues.

Your “Friends” May Be Everyone

Remember to think very carefully about what you do and say on the internet. Social networking sites make keeping in touch with friends and family a fun and easy experience, but you might as well be standing on a stage in front of all the TV networks at once with a microphone expecting the whole world to follow your every move.

When you talk to groups of people on social sites, you should expect that everyone, including your mother, spouse and your boss can see what you say. There is little to no boundary between public and private on those sites. And if you are not tech savvy enough to understand the privacy settings, then act as if you have no privacy at all.

Remember, say only what you would say if you knew that everyone in the world were listening.

Signing a document that you are not sure about or that you do not agree with:

You may be presented with a document to sign that you do not agree with. You might be inclined not to sign it. However, you must note that your signature DOES NOT indicate that you are agreeing with its contents. Your signature merely means that you have received a copy of the document. If you do not sign it, you may be given another written reprimand for failure to follow an administrator’s directive.

If you do not agree with a document’s context, you should still sign it. You may write next to your signature, “My signature indicates that I have received a copy but does NOT indicate that I agree with its content”.

What do you do when you get a written reprimand?

Whenever you are given a written reprimand, you have 10 (ten) business days to respond with a rebuttal. If you are ever faced with the need to write a rebuttal, you should contact us for advice before proceeding. Since time is of the essence, do not wait until the last minute. If you choose to write a rebuttal on your own, be sure not to write it out of emotion. It is better to let another person who is not involved in the situation proof read it for mistakes. As with any work-related situation, it is best to let us advise you before you proceed.