



New Education Support Professional Guide

OEA

OHIO EDUCATION ASSOCIATION

EDUCATION POLICY RESEARCH &
MEMBER ADVOCACY DEPARTMENT

Your Advocate. Your Partner. *Your OEA.*

**We're working together
to provide a quality public
education to every student,
regardless of zip code.**

Every student has a basic right to a great public education. That's why your Association is about more than salary and benefits. It's about creating schools and supporting the educators who are growing tomorrow's inventors, thinkers, artists, and leaders.



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Congratulations on your new Education Support Professional position!

As your OEA staff, we would like to welcome you. We hope this booklet provides helpful tips and resources in a variety of areas related to your profession. If you have questions, please contact your Local Association officers, representatives, or OEA Labor Relations Consultant for assistance.



Who We Are

The Ohio Education Association (OEA) represents over 120,000 teachers, faculty members, and support professionals who work in Ohio's schools, colleges, and universities to help improve public education and the lives of Ohio's children. OEA members provide a wide range of professional education services in communities throughout the state.

Our members teach in kindergarten classrooms, high school labs, and university halls. They counsel adolescents and help students carve out career aspirations. They serve hundreds of thousands of students nutritious meals and work on the front lines in school building offices. They coach athletes and transport students to and from the schools and extra-curricular events. Members provide professional services to benefit students, schools, and the public in virtually every position needed to run Ohio's schools.

OEA members are dedicated to students and public education. Since 1847, OEA has been working to make schools better and improve public education. Our Association is dedicated to working in partnership with parents, community leaders, and elected officials to help Ohio's students and improve public education.



OEA Core Values

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Our Core Values represent our Association’s most deeply held beliefs. They are the fundamental forces that drive us. They are what we believe, and they are why we act with passion and steady commitment. Core values give us guiding principles.

DEMOCRACY

The foundation of a strong democracy is high-quality public education, which is essential for an educated citizenry.

COLLECTIVE ACTION

When we unite as one voice, we are strong advocates for learners and our profession.

FAIRNESS

A high-quality education, accessible to all, promotes a fair and just society.

INCLUSION

We respect and embrace the diversity of all communities.

INTEGRITY

By holding ourselves to the highest standards, we promote good citizenship and maintain the public’s trust.

PROFESSIONALISM

Professional judgment and the expertise of educators are critical to student success. Educators deserve the status, compensation, and respect given to all professionals.

Getting Started



Getting a positive start sets the tone for a successful year—and career. All of us have too much to do and far too little time in which to do it. Here are some helpful tips for starting your new job as an Education Support Professional!

Tips for Starting Your New Job as an ESP

- **Know your contract.** We strongly suggest you take the time to read your contract. Remember, the language in this contract are your terms and conditions of employment. It is YOUR RIGHT that has been MUTUALLY AGREED UPON. If you have any questions or concerns, please contact your Association President, Vice President, or OEA Labor Relations Consultant.
- **If you need help, ASK!** Get the help you need.
- **Plan ahead** for daily work and for big events: athletics, plays, PTA meetings.
- **Take advantage of the experience of your colleagues.** Make it a point to get to know one or two experienced ESPs in your building. Listen to their advice, learn from their mistakes, and ask them about some of your more difficult problems. You'll feel less alone and more able to cope.
- **Build relationships.** Take time to say hello to others: the librarians, secretaries, bus drivers, teachers, counselors, school nurses, cafeteria workers, paraprofessionals, and custodians.
- **Face up to common fears** such as observations, evaluations, and supervisors.
- **Ask questions** - No one expects you to know it all the first day.
 - **Gain computer experience** - *What system format does my school district use?*
 - **Keep good records** - *What do I keep?*
 - **Get work materials early** - *What do I need to do my job?*
 - **Share my story** - *What brought me here?*
 - **Create schedules and routines for work and home** - *Where will I find the time?*
 - **Volunteer in the community and in your school district** - *What's out there?*
- **Remember where you are working**
 - There are always students around.
 - You may not know it, but others notice you.
 - You make a difference.
 - Have a friendly disposition.
 - You are in the "People Business" – handle with care.
 - There is always something to learn.
- **And above all...Smile!**

Building Your Professional Profile

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Now is the time to start your professional file and keep records of your professional history. You will need it while employed in your current position and may need it to establish your work experience if you take a future job in another district. Here are a few things to include.

- Copy of your Collective Bargaining Agreement between your local Association and the Board
- Copy of your individual employment contracts
- Copy of all certificates or training licenses
- Copies of all observations and evaluations done by the administration
- Copies of enrollment forms in insurance programs
- Personal record of sick leave and personal leave
- Copies of any personalized correspondence from the administration to you or from you to the administration
- Copies of all documents in your personnel file
- Record of assaults, violence, or theft
- Record of student conflicts or challenges and the actions taken
- Record of dates of all trainings and workshops
- Copy of your school district's policy for the acceptable use of technology for staff and students



Leave Records

Sick Leave Days

	(YEAR)			(YEAR)			(YEAR)		
MONTH	Earned	Used	Date	Earned	Used	Date	Earned	Used	Date
September									
October									
November									
December									
January									
February									
March									
April									
May									
June									
July									
August									
TOTAL									
BALANCE									

Personal Leave Days

(YEAR)			(YEAR)			(YEAR)		
Earned	Used	Date	Earned	Used	Date	Earned	Used	Date

Family Medical Leave Act – FMLA

FMLA is a federal program that provides unpaid leave for up to 12 weeks for those who qualify. Check your contract for specifics. It can be taken to personally recover from an illness or surgery, or take care of anyone in the immediate family, including children or parents. When you return from FMLA leave, you are guaranteed employment with your school district with the same salary, although it may not be the same position. For information about your school district's compliance with FMLA, contact your Local Worksite Representative or Union President.

Vital Ways ESPs Keep the School Environment Healthy and Safe

At an Education Support Professionals Conference, ESPs spoke of the ways they are working with teachers and administrators to create a safe and healthy school environment for children and staff.

Here are some ways ESPs make a difference:

PROTECTING STUDENTS AND ENSURING SAFE TRANSPORTATION

- Inspect the bus for safety and cleanliness before each trip. Check after each trip to make sure no child is left on the bus.
- Provide bus safety classes for drivers.
- Use two-way radio to communicate with other drivers and dispatchers.
- Perform evacuation drills.
- Service buses regularly.
- Assign seats to prevent trouble.
- Use video cameras controlled by drivers to deal with rowdy riders.
- Present a safety program to new kindergarten students each school year and make sure older students know the rules.
- Listen to conversations to pick up potential problems.
- Make security guards available at the bus garage to be with drivers coming in from late evening activity runs.

KEEPING BUILDINGS AND GROUPS SAFE AND SECURE

- Check the building before the start and at the end of the work day.
- Install security cameras and metal detectors at entrances, cameras in parking lots to guard against vandals, in-school TV monitors, and motion detectors.
- Require sign-in sheets and visitors' badges.
- Require photo name tags for students and staff, buttons for substitutes and visitors.
- Resource officers can patrol grounds and halls, present safety programs, and check for drugs.
- Lock all exit doors except main door.
- Have teachers and ESP staff members serve as hall monitors.
- Send children on errands in pairs.
- Set up computer software to check attendance. Place a call to the home if a child is absent.
- Keep emergency cards on file for every child, and ensure students do not leave with anyone not listed on their emergency cards.
- Check for criminal backgrounds of anyone working on campus when students are present.
- Send a handbook explaining safety rules and procedures home with each student, and require that it be signed by a parent or guardian and returned.
- Ask neighbors to call in whenever they observe anything suspicious.
- Keep shrubs and bushes cut back.
- Install lights and fences around the playground and inspect playground equipment regularly.
- Provide walkie-talkies for playground aides and teachers in different buildings.
- Set up an advisory council to ask for and respond to employee suggestions.

PREPARING FOR EMERGENCIES

- Practice fire drills every month.
- Train crisis intervention teams to react to emergencies.
- Install intercoms or phones in every classroom for emergencies.
- Set up caller IDs for all lines to the school in case of bomb threats.
- Have an emergency number similar to 911 to summon security, and post in all buildings.
- Prepare course of action guidelines/evacuation plans for bomb threats.
- Have a code phrase that means, "Get all the children into a room and out of the halls, and stay in the room until the clear code is given."
- Take any threats made by students seriously.

ENCOURAGING STUDENTS TO SUCCEED

- Greet everyone with a smile.
- Give needy students positive reinforcement.
- Communicate with "at risk" students.
- Plan out-of-school activities.
- Solicit donations from businesses to buy items or provide scholarships for needy students.
- Mentor a child in reading or writing.
- Be observant, listen carefully.
- Make a concerted effort to reach out to children who are shy or troubled. Compliment them and acknowledge them whenever you see them.
- Allow children to express their feelings about school and home without judging them.
- Encourage children to share their problems. Find help or counseling if necessary.
- Work with families. Educate and inform parents on how to observe changes in their kids. Make positive phone calls to their homes.
- Sponsor a 2-week summer program (camp) for children who never experience the outdoors.
- Provide a role model - lifestyle, values, attitude, hobbies, interests.
- Ask kids how their grades are and if they need help.
- Eat lunch with a student.
- Set up a Big Brother/Big Sister program.
- Set aside time to read daily with a child.
- Follow your instincts and be a friend.

GUARDING AGAINST DRUGS, WEAPONS

- Enforce zero tolerance for weapons, drugs, alcohol, fighting, tobacco, and inappropriate language.
- Check lockers for drugs, with dogs, if necessary.
- Look for suspicious bags and lumps in pockets or coats and pass this information to proper authorities.
- Supervise children on the playground by watching for strangers.
- Provide an in-school drug/alcohol counselor.
- Monitor backpacks in schools.

MAINTAINING SCHOOL BUILDINGS

- Improve sprinkler systems.
- Install handicapped access.
- Abate asbestos.
- Keep offices clean and sanitary.
- Monitor air quality. Upgrade ventilation system, install dust filters, and install clean air vents in buildings without windows.
- Remove old carpeting.
- Make sure the building temperature is in the comfort zone.
- Install fire windows.

PROTECTING WORKERS

- Keep equipment in repair to avoid accidents.
- Provide safety belts for lifting.
- Enforce OSHA* laws.
- Make safety glasses and emergency showers/eye wash stations available.
- Require gloves for all custodians.
- Train food service workers to wash hands, wear gloves, and sanitize tables and food equipment after meals.
- Vaccinate staff at risk for Hepatitis B.

SUPPORTING COWORKERS

- Share a hello and ask if they need any help.
- Lend a listening ear to peers.
- Send notes, flowers, or candy to a co-worker who needs support.

*A Note About OSHA

With the Occupational Safety and Health Act of 1970, Congress created the Occupational Safety and Health Administration (OSHA) to assure safe and healthful working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education, and assistance. More than 4,500 workers lose their lives on the job every year. OSHA's mission is to prevent workplace deaths, injuries, and illnesses.

For more information, go to: <https://www.osha.gov/> and your Local Association President



Quality Public Education - It's Everyone's Job

"As a bus driver, I'm the first person in the education system to have contact with the children. I find that saying, 'Good morning,' 'What a pretty dress,' or 'Nice hat,' can bring a smile and comfort to a weary child." - TRANSPORTATION SERVICES MEMBER

"Our school requires office check-in, visitor and employee badges, an intercom system with a call button in each classroom, video cameras in the buses, and locked outside doors from 8:05 a.m. to 3:00 p.m." - SECURITY SERVICES MEMBER

"Our district has classes for self-defense, first aid, and workplace safety. These classes are on weekends and evenings for professional growth." - HEALTH & STUDENT SERVICES MEMBER

"Bomb threats are taken very seriously in our county. Buildings are evacuated and bomb squads and police are called each time. As secretary, I don't let packages stand unopened or uninspected. I check for P.O. numbers to match my paperwork." - CLERICAL SERVICES MEMBER

"I try to help children respect their school building and themselves." - PARAEDUCATORS MEMBER

"Here's our safety drill: when we hear 'music, art, phys. ed. canceled,' all children everywhere must go to the nearest classroom, close the door, and wait until 'all clear' is announced." - CLERICAL SERVICES MEMBER

"I'm an aide on a bus with special needs students, three of whom are in wheelchairs. Having me there helps the bus driver and reassures the parents." - TRANSPORTATION SERVICES MEMBER

"I've implemented a 'Second Step', a violence prevention program, for the children in my class." - PARAEDUCATORS MEMBER

"Protecting children means more than just their immediate safety. It could be just keeping an eye on them and giving them a little adult attention. It doesn't have to be a big program." - HEALTH & STUDENT SERVICES MEMBER

"We're raising money for a scholarship from ESPs." - TECHNICAL SERVICES MEMBER

"We are working with our district to improve air quality. We've enlisted parents to help with this problem, since districts tend to listen to them." - CUSTODIAL & MAINTENANCE SERVICES MEMBER

"I went to the school board and asked for permission to serve breakfast for needy children on a two-week trial basis. They were apprehensive, but OK'd it. I had teachers survey the student's grades in the first-hour classes before the breakfast program began, and then during the two weeks that breakfast was offered. The results of the survey were so impressive the board made the program permanent. It has been a huge success for the last five years." - FOOD SERVICES MEMBER



Addressing Student Discipline Issues

Education Support Professionals play a critical role in helping the school maintain student conduct and resolve student disciplinary issues. For the efforts of the individual staff member to work, it is essential to have a systematic, district- or school-wide policy of student discipline. It is also essential to have a principal who helps staff maintain a positive, proactive approach by providing a dependable system of support and in-service training for all staff and the opportunity to coordinate their actions.

When individual staff members are confident that parents are aware of the school's discipline policy and that the administration will back them up in their efforts and will follow through on the agreed-upon policy, they are more likely to take necessary action.

How can you, as an ESP, support positive student behavior?

Preventing Student Discipline Problems

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You are a key person in keeping the school's physical environment conducive to learning as well as a safe, supportive environment.

GET THE YEAR OFF TO A GOOD START.

- Learn your school and district policies toward discipline as soon as possible. It is important to know what the school's expectations are for both you and the student.
- Plan your movements throughout the school with student contact in mind. Whether it's on the bus, in the hallway, during class or in the cafeteria, students need to see you as a professional.
- Learn students' names whom you encounter regularly. All bus drivers should devise a seating arrangement to help with this. Referring to students by name lets them know you care about them as individuals and is much more effective when correcting student behavior.

BE FIRM AND FAIR.

Firmness should not be equated with harshness. Being firm means using an emphatic voice, looking directly at the student and, if necessary, moving toward the student.

BE CONSISTENT IN YOUR APPLICATION OF SCHOOL RULES.

Consistency in dealing with disruptive behavior is crucial if students are to view staff members and the system as being fair.

ACKNOWLEDGE THE DIVERSITY AND INDIVIDUALITY OF YOUR STUDENTS.

Be aware of how different cultures and ethnic backgrounds react to different situations. For example, in some cultures, it is disrespectful for a child to look directly at an adult. He/she may look down a lot.

DRAW STUDENTS OUT IN CONVERSATION IF TIME PERMITS.

Let them get to know you.

GIVE EACH STUDENT THE CHANCE TO FEEL IMPORTANT AND USEFUL.

Acknowledge them and take the appropriate time to listen.

LET EACH STUDENT FEEL YOUR GENUINE INTEREST IN HIM OR HER WHENEVER YOU ARE AROUND.

- Recognize situations which can lead to discipline problems.
- Follow school policy for tardiness to class, running in the halls, or roughhousing.
- Pay attention to disorder in the hallway, cafeteria, and outside areas. Take note, and share concerns with colleagues first, then with others as needed.



Recognizing Trauma Impact on Student Learning

“Trauma can impact an individual in many ways, and an individual’s response to a traumatic event can vary. Circumstances of the event such as when, how, where, how often, and the responses of others can impact an individual’s response. Children may experience symptoms related to brain development, learning, and behavior — all of which impact academic success.” – Ohio Department of Education

According to 2015-2016 data from the Kids Count Data Center, 27% of Ohio’s children have experienced two or more adverse childhood experiences, or ACEs.

Those adverse experiences are defined as:

- Frequent socioeconomic hardship
- Parental divorce or separation
- Parental death
- Parental incarceration
- Family violence
- Neighborhood violence
- Living with someone who was mentally ill or suicidal
- Living with someone who had a substance abuse problem
- Racial bias

The national average for all children experiencing adverse childhood experiences is 22%. Ohio’s percentage places the states’ children in the top quartile of all states when measuring for adverse childhood experiences; only five states have higher rates of adverse incidences for their children.

According to the National Child Traumatic Stress Network, when children do not have consistent safety, comfort, and protection in their homes and communities they often develop coping mechanisms that help them to survive in stressful and traumatic environments. Should the stress and trauma continue for extended periods of time, these coping mechanisms can inhibit a child’s ability to develop cognitively, socially, and physically. Ohio’s professional educators are reporting that they see more children each year who exhibit stress and behaviors in their school communities. Without adequate training in trauma and its effects on children, these dedicated teachers, and educational aides are seeking support and assistance for their students.

Major symptoms of trauma include:

Cognitive delays

A delay in normal brain development process

Inability to predict and make inferences

Difficulty understanding cause and effect

Inability to process relationships and emotions

Difficulty forming or maintaining relationships

Wariness of the future

The future feels unpredictable and out of control

Trauma-Informed Support for Students

We believe that all schools can benefit from a trauma informed model of education, and that all schools should have state and local funding to support this school reform effort. Safe and supportive schools are healthy learning and working environments, and educators must be empowered to create and implement dynamic trauma informed schools where all students, including those who have been affected by traumatic events can learn and thrive.

Educator objectives to support students who have/may be experiencing trauma include:

- Creating a safe space and nurturing healthy relationships for students
- Helping kids identify their emotions as a first step toward getting calm and centered
- Using exercises that help mind-body connections to help kids manage their emotions
- Helping students learn self-regulation strategies to help them calm down during a trigger experience
- Noticing changes in student behavior and working with a guidance counselor or school social worker to bring in additional support
- Championing healthy, trusting relationships by connecting each student with at least two other caring adults
- Helping students understand how their brains work so they can be aware of how they learn
- Helping students build a vocabulary for the emotions they feel themselves and observe in others

Fortunately, there are resources available in Ohio for our educators. The Ohio Mental Health and Addiction Services Trauma-Informed Care Initiative is working state-wide to deliver professional development for those who are in contact with children who have experienced trauma. The Ohio Department of Education website references the effects of trauma and offers resources that describe Trauma Informed Schools as places where students and staff feel safe, welcome, and supported, and where the impact of trauma is at the center of the mission of delivering education content and policy development for the functioning of the school.

Resources

Adversity in Childhood and Childhood Trauma

<http://www.tinyurl.com/adversity-in-childhood>

The Impact of Trauma on Students

<http://www.tinyurl.com/impact-of-trauma>

Ohio's Trauma-Informed Care Initiative

<http://www.tinyurl.com/care-initiative>

Understanding the Traumatized Child - OSU Opioid Overdose Family Support Toolkit

<http://www.tinyurl.com/overdose-toolkit>

Dealing with Disruptive Behavior

No matter how good your rapport is with students, you can't prevent all disruptive behavior. Kids will talk, swear, fight, push, and carry weapons in spite of the rules. The question is, "What do you do about it?" Again, you must be aware of the discipline policies of your school building and your district before a discipline problem arises.

Here are a few general guidelines for dealing with school building disruptions:

- **Don't take it personally.** Likewise, avoid making reprimands personal.
- **Avoid sarcastic remarks.**
- **Don't threaten actions with which you will not or cannot follow through.** If you state a consequence for a specific behavior, enforce it.
- **Be specific.** Refer to the disruptive student(s) by name and specify the misbehavior and the preferred behavior.
- **Be careful approaching the student.** Do not touch the student unless it is a matter of safety. When a situation threatens to get out of hand, immediately remove the student(s) from the situation, if possible. Removing the audience from the picture will often diffuse the situation.
- **Don't hesitate to ask for the help** of other professionals in your building when dealing with serious student problems. These could include fellow staff members, teachers, counselors, psychologists, or your building principal.
- **As soon as possible, write up a description of the incident.** Be sure to include the student name(s), adult observers, time, date, and circumstances of the environment (i.e. wet floor, trash, lighting).
- **Ask the disruptive students to leave the area immediately,** but be clear as to whether they are to wait outside the door for you or report to the principal.
- **Maintain your poise and continue with your work.** Do not permit a student to break up your workday by quarreling with him or her or by forcing an issue.
- **Never argue with a student.** Correction of a problem must be completed by you and/or supervisor/principal as soon as possible.





Responding to Hallway Disruptions

- **Leave things alone** when a brief and minor disturbance occurs with no danger of its continuing or interrupting the flow of student traffic.
- **End the action indirectly when it looks as though someone may get hurt.** Let the student or students involved know you're aware of what's going on through expression or quiet action.
- **Give the matter closer attention when a high level of emotion is evident.** Ask the disruptive student(s) what's going on and respond appropriately. Again, providing a one-to-one exchange by immediately removing the student(s) from the situation will allow you to determine more quickly what the problem is before a full-blown altercation occurs.
- **Give clear directions.** When a situation threatens to get out of hand, or risk harm to someone, spell out directions clearly. Explain to the student(s) involved the consequences of his or her actions and let him or her know you will follow through.
- **Return to your work** when the situation has resolved itself or another authority figure has taken charge of the student.
- **Give positive feedback.**
 - When you've noticed an improvement in a student's behavior or attitude, let him or her know you're aware of it. Even a quick smile or friendly hello in the hallway can work wonders.
 - Call attention to positive behavior. All of us need to hear what we're doing "right" and this can serve as a powerful reinforcement of the behavior everyone wants to see in your school.
- **Keep good records.** Keep a log of serious discipline problems, including actions taken.
- **Maintain a consistent, calm, and friendly manner when returning to your duties.** If needed, ask for a short break to regain your composure.



Identifying and Reporting Suspected Child Abuse

Recognizing the fears and sensitivities of our children is very important for today's education employees. Children who have been or are currently being subjected to abuse outside of school will be more likely to misinterpret actions that other students would not. A child who shows no outward signs of abuse may still be living in terror of being touched or may have an emotionally devastating reaction to a simple verbal reprimand.

Being aware of some of the signs of abuse may save you and the child from unnecessary turmoil resulting from an innocent action or statement.

There are several behavioral clues that may lead you to suspect that a student is being abused. Of course, one sign or symptom does not necessarily indicate child abuse, but there are some clues that may lead you to suspect it.

Watch for a Child Who

- appears nervous, disruptive, or hyperactive;
- has a pattern of unexplained injuries or an inordinate number of “explained” ones;
- comes to school inappropriately dressed for the season;
- is habitually late or often absent from school;
- arrives early or leaves late because he/she is reluctant to go home;
- is unusually fearful of adults and other children;
- is unusually shy, withdrawn, or passive;
- goes to the bathroom with difficulty;
- is constantly tired, thin, or shows evidence of malnutrition

Teachers, counselors, school administrators, and school nurses have a mandatory duty to report child abuse and may be found guilty of a misdemeanor if they knowingly fail to make an immediate report by telephone or other method to the proper authorities. Check your school district policy on child abuse reporting. If you are not absolutely sure what the policy requires of you, get your questions answered right away. *The Ohio abuse reporting law (ORC: 2151.421)*

For more information, go to: <http://codes.ohio.gov/orc/2151.421>



Planning for a Successful Supervisor Meeting

There are several ways in which a supervisor meeting can help you succeed:

- It demonstrates your poise and professional demeanor
- It shows that you and the supervisor are on the same team
- It encourages working together to find approaches that best meet the district's and your needs

If you believe the meeting is disciplinary in nature, please see Weingarten Rights (page 30).



Tips for a Successful Supervisor Meeting

- **Don't wait too long to schedule a meeting with your supervisor.** Let him or her know that you know your job. If needed, ask clarifying questions. Make an effort to periodically communicate with your supervisor throughout the school year.
- **Schedule adequate time.** Remember to allow yourself enough time to write notes and to discuss mutual concerns.
- **Try scheduling your meeting at a convenient time and place for your supervisor.**
- **If a job description has not been provided for your position, consider making up a fact sheet about your job description.** Sharing this with your supervisor will clarify everyone's expectations.
- **Relax, smile, speak slowly, and don't be afraid to ask questions of your supervisor.** If your supervisor is not able to answer a question, ask for help in getting an answer.
- **Set a positive tone.** Open with a positive statement about your work and abilities. Wherever possible during the conference, include good news about your job experiences. Focus on your strengths and frame any difficulties as "areas of need."
- **Be specific.** When commenting on positive or negative aspects of your position, use specific examples of what you know or have experienced. Don't refer to any rumors.
- **Ask for your supervisor's opinions.** He or she may have ideas about your job. He or she may have worked in your position at one time. Ask if there is anything he or she wants to know about you and/or additional job expectations.
- **Stress cooperation.** Let your supervisor know that you want to work together to help the district. Listen to his or her concerns and try to design approaches that meet your supervisor's needs, your needs and, most importantly, the district's needs.
- **End on a positive note.** Be sure to end the conference on a positive note, summarizing the actions that you will take. Offer to meet again. Be sure to thank your supervisor for his/her time.
- **Keep a record of the meeting. Keep notes that summarize your conversations.** Include specific suggestions for improvement that were discussed during the conference. You might also consider making copies of notes made and actions agreed upon during the conference so that your supervisor also has a clear record of your activity.



Preparing for a Substitute Worker

Preparing for a substitute worker can be challenging. But, if preparing for a substitute is difficult, being one is even more challenging since substitute workers are expected to step directly into your job.

Some pointers to help you prepare for your substitute:

- **Find out the district policy regarding substitute workers.** What are you expected to leave for them? What are they expected to do? What are they not allowed or not expected to do?
- **Establish a substitute folder** that contains your job description and a complete schedule of your work day.
- **Leave the following information for the substitute:** up-to-date work schedule, list of school staff (principal, secretary, and other staff members) who can help.
- **Leave word with your colleagues** asking them to check in on your substitute occasionally throughout the day to see if he/she needs anything or has any questions.



Dealing with Workplace Assaults

With any job, there is a risk for injury and assault while being at work. Working in public education is no different, and in this case there can be a risk of assault or harm from students. If you are the victim of an assault on school property or at a school-related function, the following procedures are recommended:

- Contact the proper school authorities.
- Contact your Local Association President.
- Contact your OEA Labor Relations Consultant.
- File all appropriate police reports. Press charges against the assaulting student(s) or others.
- Go to a doctor. Get a doctor's statement if there is even a remote possibility of personal injury.
- Take pictures, if relevant, and possible, of injuries or property damage.
- Determine your rights to Assault Leave under the collective bargaining contract.
- Do not talk to anyone representing the student or others without prior counsel.
- Inquire from your human relations or personnel department which papers and forms are necessary for possible Workers Compensation Claim.
- Write down all particulars of the situation as soon as possible after the assault incident, including names, witnesses, date, times, location, and general conditions.
- After consulting with your Labor Relations Consultant contact an attorney to consider a civil claim. Any person who has been willfully and maliciously assaulted by a minor may recover up to \$10,000 in compensatory damages from the parents having custody of an unmarried child under the age of 18.
- Remember: OEA members are covered by the OEA/NEA Legal Services Program if charges are filed against you (*details can be found in the Member Resource Guide of OEA's Ohio Schools Magazine*).

Recognizing and Reporting Sexual Harassment

Federal law and a series of court decisions require that all work places and schools be free of sexual harassment.

In the workplace

Title VII of the 1964 Civil Rights Act protects all public employees from discrimination in employment (including hiring, promotions, salaries, benefits, training, and on-the-job treatment). Title IX of the 1972 Education Amendments protects employees and students by prohibiting discrimination on the basis of sex in educational institutions, educational programs, or other institutions that receive federal funds.

Federal regulations define sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature when:

- *submission to such conduct is made whether explicitly or implicitly a term or condition of an individual's employment,*
- *submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or*
- *such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.*

Involving students

In working with young people, there is sometimes a tendency to dismiss inappropriate behavior as "just being kids" or "teenage flirting." In general, if an individual feels harassed, it is likely that a violation of policy and law has occurred.

All school districts must have written policies that address student-student, staff-student, staff-staff, and student-staff sexual harassment. They designate individuals to be consulted with or reported to and establish appropriate processes. Such policies are generally distributed annually (possibly in your orientation materials) and should be read carefully. Teachers are expected not only to exercise good judgment over their own actions, but to protect students from being victimized.

If you have any doubts about a situation, consult the district's designated person or your Local Association Representative.

What should a target of sexual harassment **DO**?

- **Do tell the harasser that you dislike the behavior and that you expect it to stop.**
- **Do keep a written record of all harassing acts.**
- **Do tell others about the problem** so they can observe and, if necessary, corroborate your claims.
- **Do make sure that school, college, or university officials are aware** that you have been sexually harassed.
- **Do report the problem** to your Labor Relations Consultant for assistance.

What should a target of sexual harassment **NOT DO**?

- **Don't ignore the harassment.** Ignoring it will only encourage the harasser. Tell the harasser to stop.
- **Don't delay addressing the problem.**
- **Don't blame yourself.** Harassment is unwanted and can make you feel trapped, confused, helpless, embarrassed, or scared. You certainly didn't ask for any of those feelings.
- **Don't be embarrassed to share the problem.** Tell someone you can trust, and ask her or him to help you take the necessary action.

Using Social Networking Sites

As social networking sites continue to be used by OEA members, the Ohio Education Association (OEA) has monitored and evolved our initial guidance on the use of such sites. Facebook, Twitter, Instagram, Snapchat, and other social sites when used appropriately, can be powerful tools for sharing information and building community around important issues, including public education.

Nonetheless, the use of social networking sites may expose members to unintended consequences which could impact jobs and careers. The following tips can help minimize the possibility of any adverse consequence on members' employment and teaching licenses.

- **Members should not post, do, say, or write anything on a social network that they would not want to see on the front page of the local newspaper** or would not say or do in front of students, parents, or the Board of Education.
- **Members should not post material to their sites that may be considered inappropriate or unprofessional**, including pictures and links. Members should monitor the content of their "pages" and remove anything inappropriate or questionable immediately. Members should not join and should end affiliations with sites that are unprofessional or inappropriate.
- **Members should never post any information that would identify a student, and members should refrain from posting critical comments about students and school officials.** Unfortunately, school employees do not have the same free speech rights as the general public, and the content and impact of some speech may subject members to discipline, including termination.
- **Members should educate themselves and take all appropriate precautions available on the social networking sites they are using.** For example, "pages" should be marked private, and all requests to become "friends" should be approved by the member. A member should never grant access to his or her "page" without knowing who the person making the request is.

If a member is threatened with discipline by his or her local Board of Education or the Ohio Department of Education (ODE) because of the use of a social networking site, he or she should contact his or her Labor Relations Consultant (LRC) immediately. The member may be eligible for legal services to assist with the issue.

This document is not meant to be comprehensive or a substitute for common sense when using social networking sites, and it is not intended to provide legal advice. For additional information, members should contact their Labor Relations Consultant (LRC).



Code of Conduct for Ohio Educators

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In fulfilling their obligations to the profession, educators shall act as follows:

1. Educators behave in a professional manner realizing that one's actions reflect directly on the status and substance of the profession.
2. Educators maintain a professional relationship with all students at all times, both in and outside the classroom.
3. Educators accurately report information required by the local Board of Education or governing board, state education agency, federal agency, or state or federal law.
4. Educators adhere to federal, state, and local laws and statutes regarding criminal activity.
5. Educators comply with state and federal laws related to maintaining confidential information.
6. Educators serve as positive role models and do not use, possess, or unlawfully distribute illegal or unauthorized drugs.
7. Educators ensure that school property, public funds, or fees paid by students or the community are used in the best interest of students and not for personal gain.
8. Educators fulfill all of the terms and obligations in their employment contract.

www.education.ohio.gov/Topics/Teaching/Educator-Conduct/Licensure-Code-of-Professional-Conduct-for-Ohio-Ed



Representation - “Weingarten” Rights

Union employees have the right to Union representation during an investigatory interview—if the employee reasonably believes the investigation at the interview will result in discipline. The employee must CLEARLY REQUEST representation to claim this right.

1. An employee’s right to representation in an interview applies to situations where the employee reasonably believes the investigation at the interview will result in discipline. In this kind of situation, the employee is entitled to Union representation.
2. The employee **MUST CLEARLY REQUEST** representation to claim this right (there is no right to representation unless an employee requests it. The employer has no duty to inform the worker of this right).
3. An employer does not have to grant a “Weingarten” request; once an employee makes a request for Union representation, an employer has three options:
 - a. *The employer may grant the request.*
 - b. *The employer may deny the request and stop the investigatory interview immediately.*
 - c. *The employer may give the employee the option of continuing the interview without a representative or discontinuing the interview.*
4. There are limits on Weingarten rights, the most important being that these rights only apply to “investigatory interviews.” If an employer has already made a decision to discipline and the interview is only for the purpose of informing the employee of that decision, then the meeting is a “disciplinary meeting,” not an “investigatory interview” and there is no legal right to Union representation. However, even though there is no legal right to have Union representation at the time discipline is imposed, many local Unions have negotiated this right in their contracts.

Due Process - “Loudermill” Rights

The employer may not take the employees’ property without due process of law. The contract gives the employees property interest in their jobs.

In a decision announcing a Constitutional right for public employees not possessed by private employees, the United States Supreme Court in *Cleveland Board of Education v. Loudermill* held that most public employees are entitled to a hearing before they are discharged. However, the “hearing” is not a full evidentiary hearing and need not include the opportunity to cross-examine your accusers.

All that is required is:

1. Oral or written notice of the charges and time for hearing;
2. An explanation of the employer’s evidence; and
3. An opportunity to present “his/her side of the story.”

Since the issuance of the *Loudermill* decision, the lower courts have strictly limited the remedy for *Loudermill* violations. Specifically, an employee deprived of his *Loudermill* rights is not entitled to reinstatement if the employer can prove that there was just cause for the discharge in any case.

The Value of Membership

Reach, teach, and inspire.

You're never on your own. Your membership gives you access to some of education's most sought-after authorities who provide new and innovative programs you can use in your work. With resources that cover classroom management and support, to more in-depth professional development provided by your local, state, and national affiliates—you have a team supporting you.

Make your voice heard.

As trusted professionals, educators are best equipped to make school and classroom decisions to ensure student success. It's our mission to ensure educators have a seat at the table when education policies are made. As members of the Association, educators have a powerful voice in creating the policies that affect our students and our work sites.

Grow your network.

We're a community of experienced professionals. Through a variety of online and offline tools, you enjoy access to valuable resources important to ESPs. Plus, you'll make connections with the educators at your work site, in your state, and among our over 120,000 members.

Enjoy what matters most.

Membership means less worrying for you and more action from us. With representation at the bargaining table, liability insurance, and so much more. OEA provides advice and professional advocacy on the range of issues you face as an ESP: salary, working conditions, evaluation support, contract compliance and enforcement, and retirement.

Belong to OEA: www.ohea.org/join



Membership Benefits

Legal Representation and Protection

OEA/NEA Legal Services Plan

Educators Employment Liability Insurance provides you with:

- \$1 million in coverage for civil claims brought against you, representation, or reimbursement for the defense of criminal charges*
- OEA/NEA Legal Services Program for the defense of your employment rights, including retirement interests*
- OEA/NEA Attorney Referral Program, which provides you quality legal services for personal matters at reduced rates*

**Note: Terms and conditions of coverage are set forth in program documents. Contact your OEA Labor Relations Consultant to obtain additional information.*

Professional Development

- Information about your profession and the activities of your Local Association through publications such as *Ohio Schools* magazine and *NEA Today*, as well as OEA, and NEA websites at www.ohea.org and www.nea.org/index.html.
- Leadership in dealing with major state and national education issues.
- 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. www.nea.org/home/edcommunities.html
- The NEA ESP Quality Departmental goal is to provide NEA's ESP members with resources that assist them in elevating their careers. www.nea.org/home/education-support-professionals-esp-resources.html

Economic Benefits

OEA has a proven track record of achieving higher pay, improved benefits, better working conditions, and protection of retirement interests. Such gains have been made possible through years of skillful negotiations with school boards and lobbying efforts by OEA.

Through NEA Member Benefits (www.neamb.com), members are also eligible for:

- Life Insurance
- Casualty Insurance
- Savings, Deposit, and Investment Services
- Credit Programs
- Mortgage and Personal Loans
- Special Discounts

By taking advantage of just one or two NEA Member Benefit programs, you can often recover the entire cost of your annual dues.

Become a Member

When you become a member of OEA/NEA, you automatically become a member of four separate but united organizations—your local, district, state, and national Associations.

These organizations work together to give members the comprehensive protections for which OEA is known. OEA/NEA membership pays for itself the first year, the second year, and over a lifetime of employment.

For information about how you can get the most out of your membership in Ohio's premier education Association talk to your Association Officers, Worksite Representatives, or Association Membership Chair.

For more info, please visit: www.ohea.org/resources/professional-resources/esp-issues/



ESP Job Classifications

National Education Association ESP classifications, descriptions, and resources may be found at: www.nea.org/home/education-support-professionals-esp-resources.html.

Clerical Services (C)

ESPs serving in Clerical Service roles interact daily with students, parents/guardians, staff, visitors, and community. They often are the first and last impression one has about a school and district. Clerical Services staff are on the front lines of all office operations; working in settings from schools to administrative offices. The daily workload of ESPs in this position often includes answering phones, processing important paperwork, scheduling, and maintaining records and files. **Positions include, but are not limited to: school secretaries, administrative and office assistants; data entry, payroll, and general office workers; bookkeepers, accounting and financial assistants; registration, records, and attendance technicians; and receptionists.**

Custodial and Maintenance Services (CM)

ESPs serving in Custodial and Maintenance roles keep schools safe and clean for students, parents/guardians, staff, visitors, and community. In this position, ESPs often perform heavy cleaning and groundskeeping duties such as clearing snow, electrical repairs, cleaning up spills, waste disposal and recycling, painting, and maintaining uniform temperatures. **Positions include, but are not limited to: building and grounds maintenance staff, custodians, mechanical and electrical repairers, and laborers.**

Food Services (F)

ESPs providing Food Services ensure that students have access to safe and nutritious meals, influencing student behavior, energy levels, thinking, physical health, and overall well-being. Some of the more important aspects of Food Services include meeting recommended dietary guidelines, meal planning and inventory control, proper food handling, adapting recipes for children with special dietary needs, nutrition education, and guided practice for healthy eating habits. **Positions include, but are not limited to: cooks and food preparation workers, dietitians and dietary technicians, food service workers, and cashiers.**

Health and Student Services (HS)

ESPs providing Health and Student Services perform a wide variety of duties that improve and protect student health and welfare. Typical tasks include providing first aid, monitoring immunizations, conducting health screenings, supporting children with chronic health conditions, and assisting sick and injured children/staff. **Positions include, but are not limited to: licensed practical nurses, nurses' and health aides, and community welfare service workers.**

Paraeducators (P)

ESPs serving as Paraeducators assist with classroom instruction and intervention, support students with special needs, and perform a variety of other duties such as preparing materials, recordkeeping, and monitoring students in non-classroom settings. **Positions include, but are not limited to: instructional and non-instructional assistants, teachers and program aides, library aides and assistants, preschool caregivers, bus and playground monitors, and crossing guards.**

Security Services (S)

ESPs serving in Security Service roles keep students and staff safe. Security Service staff have expertise in security techniques, policy development, investigating bullying issues, drugs and substance abuse prevention and intervention, and emergency response planning. **Positions include, but are not limited to: security workers, guards, and school resource officers.**

Skilled Trades (ST)

ESPs providing Skilled Trades services maintain and improve the physical quality of buildings and offices, and repair and maintain machinery that is essential to the functioning of a school. NEA Skilled Trades staff perform a wide variety of jobs that require specialized expertise and often licenses or certifications in certain areas. **Positions include, but are not limited to: electricians; carpenters; painters; heating ventilation, and air conditioning technicians; mechanics; machine operators, assemblers, and inspectors; and printing service staff.**

Technical Services (T)

ESPs providing Technical Services are continually learning about current trends and innovations of the field in order to maintain high standards of technology and efficient communications. Duties involve: installation, repair, and upgrade of computers and networks; teaching students and staff the proper use of the latest computing and internet technologies; and development of policies and safeguards to protect students, parents/guardians, staff, visitors, and community searching for/sharing information. **Positions include, but are not limited to: audiovisual, language, science, mechanical, and electrical technicians; programmers; systems analysts; graphic artists; and data processing specialists.**

Transportation Services (TR)

ESPs serving in Transportation Service roles are the first people to greet students on their way to school and the last to say goodbye as they return home. Duties involve: operation and maintenance of district vehicles; safe transportation of students with special needs; student code of conduct and supporting positive discipline protocols; and executing first aid and emergency evacuation procedures. **Positions include, but are not limited to: bus or van drivers, vehicle mechanics, garage workers, transportation maintenance workers, and delivery persons.**



OEA

OHIO EDUCATION ASSOCIATION

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