



# SPALC AND TALC CONTRACT NEGOTIATIONS FY20 (2019-2020 SCHOOL YEAR) JOINT COMMUNICATION

**March 31, 2020 – 4:00 p.m. – Joint Communication #9**

SPALC, TALC, and District leadership teams met to discuss implementation of contingency plans for the District's response to the Coronavirus (COVID-19) pandemic. Plan development is ongoing and rapidly changing. Your patience is appreciated.

As stated in the SPALC and TALC Contracts, the District uses multiple means of communication to ensure that all employees are provided up to date information on emergency situations. Employees are encouraged to ensure they have updated their personal contact information in [PeopleSoft](#). Employees may contact the Help Desk for assistance by visiting [help.leeschools.net](http://help.leeschools.net) or by calling (239) 337-8221.

The Florida Department of Education (FL DOE) has informed that their goal at this time is to complete the school year on time, as scheduled. Health, safety, and welfare of students and employees are of paramount importance. Campus closures are in place until *at least May 1, 2020*, however learning will continue as scheduled due to the development of the Academic Continuity Plan.

In response to concerns about Disciplinary Procedures, the following clarification and guidance is being provided:

## **Procedure**

Luckily, most District employees will go their entire career without being subject to the disciplinary procedures outlined in the SPALC and TALC Contracts. For the less than one-percent of employees who are accused of misconduct, fair and equitable procedures have been developed to ensure that all employees receive due process under the law.

Standard procedures for employee discipline still apply. As mentioned in [Joint Communication #6](#), all employees are responsible for modeling appropriate behaviors for students and encouraging good digital citizenship. Prohibitions on harassment and discrimination of individuals based on protected status exist and must be adhered to by all employees.



# SPALC AND TALC CONTRACT NEGOTIATIONS FY20 (2019-2020 SCHOOL YEAR) JOINT COMMUNICATION

[School Board Policy 5.26](#) addresses professional standards in place for District employees and incorporates the [Principles of Professional Conduct for the Education Profession in Florida](#). The TALC and SPALC Contracts contain language about workplace civility, which applies to all interactions with students and colleagues.

Acceptable Use Policies (AUPs) governing internet and technology access still apply and guidelines for working remote have been developed and sent to all employees via District email; see also [School Board Policy 2.20](#), [School Board Policy 2.201](#), and [School Board Policy 2.202](#).

Email, audio and video recordings, cell phones, and other forms of technology are common in the workplace and may be reviewed in the course of an investigation into employee misconduct. This does not mean that the District will be closely or covertly monitoring employee's use of technology. Investigations into employee misconduct are typically not initiated unless there is an allegation of misconduct or some other precipitating factor.

All records relied upon for disciplinary purposes will be provided to the employee as soon as technologically feasible and in accordance with Florida Statute. Some records are subject to public records exemptions, in which case the employee is entitled to an "in-camera", or in-person, viewing of these records. In other words, the employee may inspect the records, but the records will not be reproduced for the employee to keep.

Immediate supervisors are encouraged to contact [Professional Standards](#) for assistance with any site-based investigation into allegations of misconduct.

## **Outcome**

Any disciplinary action taken while performing assigned duties shall be only for just cause, as defined by Florida Statute and the Florida Administrative Code. Discipline shall be progressive in nature, when appropriate, and shall be rendered only after an employee has been provided a pre-determination hearing, at which the employee is entitled to representation by: the employee's attorney, a union representative, or a co-worker who is a member of the same bargaining unit.



## SPALC AND TALC CONTRACT NEGOTIATIONS FY20 (2019-2020 SCHOOL YEAR) JOINT COMMUNICATION

Due to remote work arrangements, immediate supervisors are encouraged to contact Professional Standards for assistance scheduling or conducting site-based pre-investigatory meetings. Immediate supervisors are encouraged to contact [Island Coast FEA \(SPALC and TALC\)](#) to arrange for representation in advance of any site-based pre-determination hearings. Every effort will be made for pre-determination hearings to be conducted remotely.

### Next Steps

Due to the unprecedented nature of this situation, SPALC, TALC, and the District, are taking active measures to address employee concerns as they arise.

Additional Joint Communications are being developed to address concerns related to Compensation, Benefits, Leave, and other areas addressed by the SPALC and TALC Contracts. Joint Communications will be released in concert with other updates by the District.

Additional Memorandums of Understanding (MOUs) will be executed, if necessary, in order to ensure that the interests of all parties are met.

The District continues to act upon the guidance of FL DOE and emergency and health officials, including the Centers for Diseases Control (CDC), and will continue to share information as available. Additional updates will be made available on [www.leeschools.net](http://www.leeschools.net) and [www.islandcoastfea.org](http://www.islandcoastfea.org).

**Thank you again for everything that you do to support the students of Lee County!**