

Q. As a teacher, am I protected if I take action to enforce the school's discipline policies when a student is breaking school rules?

A. Yes. If a parent sues you for something you've done while enforcing the school's discipline policies, the attorney general will defend you in that lawsuit. You also have the right to decline the attorney general's services and hire an attorney at your own expense. In addition, the school may also have a duty to defend you if the actions you took were within the scope of your duties as a teacher.

Q. As a teacher, do I have the right to remove a student from my classroom and send the student to administration for further discipline?

A. Yes, although local school policies may require that other interventions be attempted before removing the student.

Q. If a parent sues me alleging that I did or failed to do something that caused injury to their child, will the school defend me in the lawsuit?

A. Yes, if your actions were within the scope of your responsibilities as a teacher, the school will defend you and cover the costs of your defense. Schools maintain liability insurance to cover employees acting within the scope of their employment with the school corporation.

Q. As a teacher, may I provide input to the administration about the plan for evaluating teachers?

A. Yes. Individual teachers may provide input to the administration. The school is also required to discuss the evaluation plan with the exclusive representative/union.

Q. Who decides how much student test results count in a teacher performance evaluation?

A. The school administration and the exclusive representative/union must discuss the evaluation plan before it is implemented. However, after discussing and obtaining input from the exclusive representative, the school is ultimately responsible for determining what is included in the evaluation plan. (See previous question/answer for additional information).

Q. Who has access to or the right to see the results of my performance evaluation?

A. A teacher's evaluation is part of his or her personnel file and is accessible to the teacher and school administrators. Individual evaluation results cannot be disclosed to a member of the public.

Q. Are schools required to use a specific rubric or model to evaluate an individual teacher's performance?

A. No. A school may use existing IDOE approved evaluation rubrics/models such as RISE, TAP, or PAR, or it may develop its own teacher performance evaluation. Any locally developed teacher performance evaluation rubric/model must include specific components.

Q. Does a teacher have to join the local teacher union?

A. No. A teacher is not required to join the local union.

Q. What can I do if I feel I am being pressured to join the union?

A. It is an unfair practice for the union or its representatives to interfere with or coerce a teacher in exercising his/her right not to join a union. A teacher may file an unfair practice complaint with the Indiana Education Employment Relations Board if s/he feels the union is pressuring them to join the union. Information on unfair practice complaints can be found at <http://www.in.gov/ieerb/2329.htm>.

Q. Can a school administrator take action against me if I join the union?

A. No. The school cannot interfere with a teacher's right to join a union. It is also an unfair practice for a school to discriminate against a teacher in order to discourage the teacher from joining the union.

Q. Do teachers have the right to change the union that currently represents them (either bring in a new union or eliminate union representation altogether)?

A. Yes. Teachers have the right to challenge whether current union should continue to be the exclusive representative. The process starts with a petition by 20% of the school employees in a unit stating that the current exclusive representative is no longer the representative of a majority of the school employees in the unit. The petition is filed with the Indiana Education Employment Relations Board. The Board investigates the petition and provides for a hearing and election as applicable.

Q. Does a teacher have to have a representative of the union with them when talking with the school administration?

A. No. In certain situations, a teacher is entitled to have a union representative present when talking to a school administrator, and it is up to the individual teacher to decide whether or not to have the union representative present.

Q. Does a teacher have to be a member of the local union in order to serve on a school committee?

A. No. While there may be a limit on the number of teachers the union or the school may appoint to serve on a committee, there is no requirement that a teacher must be a union member to be appointed. The percentage of teacher positions the union may appoint to a district wide committee is limited to the percentage of teachers in the corporation who are members of the union; for a school wide committee, it is limited to the percentage of teachers in the school who are members of the union.

Q. How do I get a salary increase?

A. Salary increases are bargained through a compensation plan and must be based on a combination of the following factors:

- Education and Experience
- Performance evaluation results
- Assignment of instructional leadership roles
- Academic needs of the students in the school corporation

A teacher who is rated as ineffective or needs improvement is not eligible for a salary increase.

Q. What subjects can the union bargain with the school?

A. The subjects of bargaining are limited to:

- Salary
- Wages
- Salary and wage related fringe benefits (including accident, sickness, health, dental, vision, life, disability, retirement benefits, and paid time off).

Q. What must the school administration discuss with the exclusive representative?

A. The parties must discuss the following items:

- Curriculum development and revision
- Selection of curricular materials
- Teaching methods
- Hiring, evaluation, promotion, demotion, transfer, assignment, and retention of certificated employees
- Student discipline
- Expulsion or supervision of students
- Pupil/teacher ratio
- Class size or budget appropriations

- Safety issues for students and employees in the workplace, except those items required to be kept confidential by state or federal law
- Hours
- Funding a plan for a remediation program for any subset of students enrolled in K-12
- Performance grants
- Individual performance stipends to teachers
- Additions to base salary based on performance stipends
- The pre-evaluation planning session
- The Superintendent's report to the governing body on the aggregate results of the staff performance evaluations.

Q. When does collective bargaining occur?

A. Formal collective bargaining may begin on August 1, although informal bargaining may occur prior to that time. Bargaining must be concluded by September 30.

Q. Can teachers strike against the school corporation?

A. No. The law prohibits teachers and teacher unions from striking against a school employer or school corporation.

Q. How long is an instructional day?

A. The minimum instructional day for grades one through six is five hours. For grades seven through twelve, the minimum instructional day is six hours. Instructional time does not include lunch or recess, but may include a reasonable amount of passing time between classes.

Q. How many instructional days must be in a school year?

A. A school must conduct at least 180 student instructional days each year.