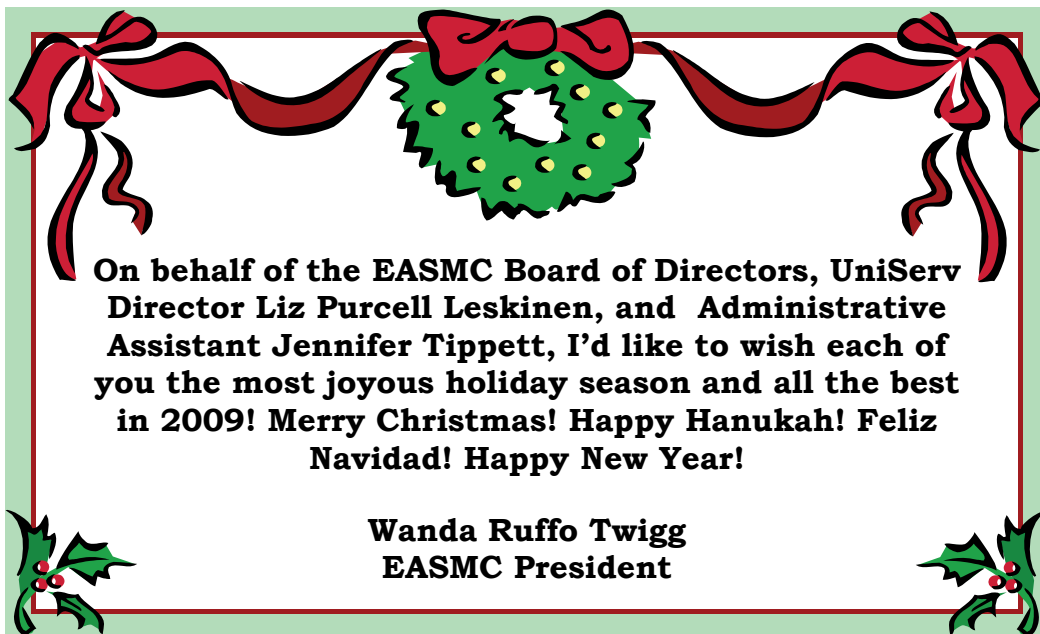


# The EASMC Extra!

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On behalf of the EASMC Board of Directors, UniServ Director Liz Purcell Leskinen, and Administrative Assistant Jennifer Tippett, I'd like to wish each of you the most joyous holiday season and all the best in 2009! Merry Christmas! Happy Hanukah! Feliz Navidad! Happy New Year!

**Wanda Ruffo Twigg**  
EASMC President



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## Inauguration Day 2009 History in the Making!

On January 20, 2009, a historic event will take place just a few miles away. The first president of African descent will be sworn in on the steps of the Capitol Building. Millions of spectators are expected in Washington, DC for this momentous event.

In light of the significance of this day and given our proximity to the Capital, Dr. Martirano is moving the professional day at the end of the first semester from January 16<sup>th</sup> to the 20<sup>th</sup>. This will enable those of us who wish to attend the inauguration to do so without negatively impacting the children or increasing the need for substitutes. Other systems in the immediate area are closed for the day, as well. Thanks to Dr. Martirano and the Board of Education for allowing us this flexibility.

**Mark your calendar now!**

## Negotiations Update

The EASMC Negotiations Team met with the SMCPs Negotiations Team, Thursday, November 20 for our first full day of contract negotiations. Talks began at 7:30am and lasted until 5:00pm. We were able to get through several Articles of the negotiated agreement and will return to some issues for follow-up. The atmosphere was relaxed, open, and cordial. We still have a good bit to cover and we will be meeting again on December 11 for another all day session. Salary proposals will be exchanged on December 19. The date for the salary negotiations has been moved into January due to the magnitude of our language proposals, because of the extended holiday break, and allowing time to get the latest economic information from the state and county.

A multitude of thanks are due to your UniServ Director, Liz Purcell Leskinen for the outstanding work she has done in writing and preparing our proposals and for the expert knowledge and skill she brings to the table. Many thanks to Jennifer Tippett, our Administrative Assistant, for the hours of preparation she brought to the table as well. Our Team Leader this year is Brian Rose (BBES), he is accompanied very ably by Peg Johnson (SRMS), Luanne Ruonavar (GMHS) and Wanda Twigg (EASMC President). Please keep the team in your thoughts as we go forward in this difficult economic climate. If you see any of them, be sure to thank them for the extra hours they are devoting to benefit us all!

#### BOD Contacts:

- Wanda Twigg- EASMC President, [wtwigg@mstanea.org](mailto:wtwigg@mstanea.org)
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**"One Voice for Educators"**

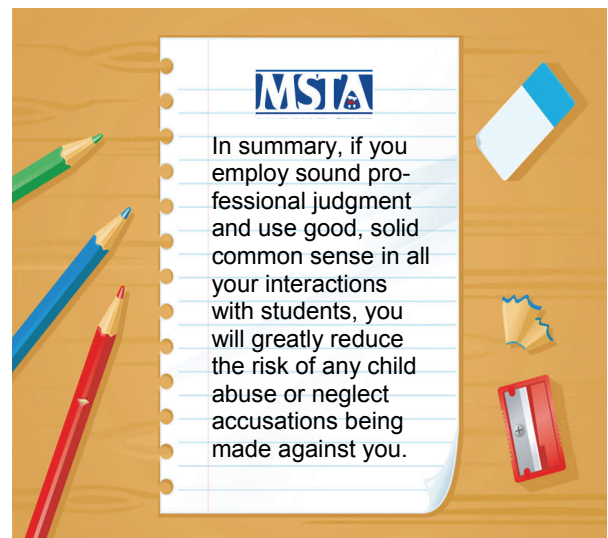
# Child Abuse and Neglect Allegations Series

## Part 14: The Bottom Line

Every employee must decide for themselves what their “risk tolerance” level is. You certainly do not want to become so plagued with fear of a child abuse allegation that you are afraid to hug an eager kindergarten student. Similarly, you do not want children to become so uneasy about being touched by a teacher or aide that they interpret a warm and innocent arm around the shoulder as being abusive.

But you must be conscious of the very real risks inherent in education jobs in today’s litigious society. Therefore, we have set forth below some general guidelines that you might want to consider.

1. Try to limit physical contacts with students who are misbehaving. If at all possible, use oral commands instead of trying to physically redirect the student’s behavior.
2. Recognize that as students mature, the degree of acceptable physical contact is greatly lessened; e.g., while it might be acceptable to hug a kindergarten student, it probably is not a good idea to hug a middle school student and definitely not advisable to hug a high school student (especially one of the opposite sex).
3. There are situations in which physical contact may be necessary to avoid injury to a child (and, therefore, to avoid potential civil litigation for failing to act); e.g., restraining a child who is attacking another child, or who is having a severe physical or emotional episode, or who is about to injure themselves.
4. Don’t tell students off-color jokes or jokes with sexual innuendoes, or participate in conversations around students where such things are being discussed.
5. Don’t discuss students’ dating or sex lives with them unless you are doing so as a part of your regular duties for the school system (such as if you are a school psychologist or guidance counselor).
6. Certainly don’t discuss your dating or sex life with students under any circumstances.
7. Try never to be alone with a student — and, if you must be alone with a student, keep your classroom door open at all times, and ask a colleague to stop by during that time as well.
8. Remember that the children are your students, not your friends; and you are not their older brother or sister whose shoulder they can cry on. While you should certainly be willing to be a caring and considerate adult to whom they can turn to for help, you should not view yourself as their “confidante”. You must remember that at all times you are the authority figure in the relationship with a student. It is expected that you will act at all times as a professional adult, even if the student is only a few years younger than you. Always maintain an arm’s length relationship with students —avoid personal relationships/ friendships with them or their families. For example, it is unwise in today’s world to socialize with a student’s family, or go on vacation with them. Keep it a strictly teacher/ student relationship.
9. Do not send cards, letters or gifts to students for any reason (other than a “get well” card to an ill or injured student), since any of those things can easily be misinterpreted.



## Find Your Membership Number, Now!

MSTA members will be voting this spring on several important statewide offices. EASMC will once again be using the electronic voting system! Please find your membership number now, so you will be able to vote in the spring!! Your number can be found on your MSTA membership card which is mailed to you with your MSTA pocket calendar in September. If you received a new card in 2007, you would not have received a new one in 2008. The number is also located on the mailing label of your MSTA ActionLine magazine. If you cannot locate either of those, you can ask MSTA membership to locate your number for you. You can email Lauren Hughes at [lhughes@mstaneia.org](mailto:lhughes@mstaneia.org). Your building Association Representative will be getting a list of your ID numbers in the spring, as well.

We will be voting for MSTA President, Vice President, NEA Director, and for four (4) seats on the MSTA Board of Directors, as well as for state delegates to the NEA Convention in San Diego. Please find your membership number now, so you can easily vote in the spring!

## SPARKS!

Are you an educator with less than 5 years experience? Do you wonder what the Association is all about? What we do and who we are? Why we exist? Would you like to learn more and perhaps become a leader in the Association? If you answered yes to any of these questions, EASMC wants you to become a SPARK!

Watch for information in future newsletters or get information from your building association representative. EASMC is planning a SPARKS training in Annapolis for the early part of the New Year!

## State Legislative Session to Start

Every January, the Maryland General Assembly is called to order for a 90-day session. This year's session begins on Wednesday, January 14, 2009. MSTA will have two main areas of focus this legislative session. The first will be working to insure that education funding is not cut, including resistance to sending our pension costs back to the counties. Our second focus will be the passage of a labor bill that will provide for a neutral third party to hear arbitrations that may occur as a result of contract negotiations that end up at impasse. A third challenge relating to funding is...we have to be mindful of a bill that would give tax credits to businesses for offering vouchers to private schools. This would defer money from our public schools and it had a great deal of support from our local leaders last year. In this fiscal climate, we cannot afford to lose money to private schools. That equates to turning back the clock on the progress we have made in improving student achievement in our public schools. EASMC and MSTA will be contacting you throughout the session asking you to lobby our local legislators on these issues. EASMC will also be making a bus trip to Annapolis during the session to visit our legislators and speak with them in person about our issues. Please plan to attend our bus trip/lobby night to Annapolis, probably March 9! Details will follow in the next newsletter.

## Presidential Election 2008

Through the hard work and determination of our voters, all of our national, state, and local recommended candidates for public office won their seats, except for one. EASMC would like to congratulate Marilyn Crosby on her victory in the contested Board of Education race against Gary Kessler. It was a hard-fought race and came down to a count of the absentee ballots to determine the winner. Fewer than 600 votes separated the two candidates. Who says one vote doesn't count? We look forward to working with Mrs. Crosby as we work to create great public schools for every child!

EASMC will miss Mr. Kessler at the Board table. Gary was an advocate for all of us. He asked logical, reasonable questions and was always open to what we had to say. His thoughtfulness and preparation was evident at every meeting. Mr. Kessler had no personal agenda. He simply wanted SMCPS to be the best school system it could be. Even though he did miss meetings because of his work schedule (he is the only Board member with a full time job), we always knew he understood what was important to our success and to that of our students. Heartfelt thanks to Gary for four (4) years of service to the citizens of St. Mary's County. Our staff and students will miss your leadership. We wish you well.

## FrontLine

Want to get the latest news from MSTA? Sign up for FrontLine! It's MSTA's online weekly newsletter which includes news on the latest events at MSTA and across the state. Access to FrontLine makes it easy to become a cyber-lobbyist, too. To sign up for FrontLine, check out the MSTA website at [www.mstanea.org](http://www.mstanea.org) and find the FrontLine spot on the left side of the home page. All you will need is your membership number and your name. It's fast, easy, and convenient!

## Thank You For Being an NEA Member

As a token of our appreciation for your membership, NEA Member Benefits and the NEA Magazine Service are pleased to provide you with two FREE magazine subscriptions for one year.

To view a complete list of free subscriptions and to order, surf to:  
[www.neamag.com/thanks](http://www.neamag.com/thanks)



**Please note:** This offer expires June 30, 2009. Limit one order per member from this promotion. Call 1-800-968-7624 with questions. Quantities are limited and free titles and number of issues is subject to change. No additional purchase required.



## A Holiday Party For You!

Ever wonder what EASMC does for you or what you can do for EASMC? Come find out at our holiday party! The annual EASMC Holiday Party will be held on Tuesday, December 9<sup>th</sup> beginning at 4:30pm at the Southern Maryland Higher Education Center. The festivities coincide with the December Representative Assembly which will begin at 5:00pm. EASMC will provide the main course and beverages. A covered dish is optional, so if you are planning to bring a dish, please inform Jen Tippett of your choice when you RSVP to her at [jtippett@mstanea.org](mailto:jtippett@mstanea.org). Come learn what your Association is all about, share some good food, and celebrate the holidays with your colleagues!

We hope to see you there!

Winter is the time for comfort, for good food and warmth, for the touch of a friendly hand and for a talk beside the fire...it is the time for home.

~Edith Sitwell

## Welcome New Members

- ◆ Cleo Tiede, Leonardtown Middle School

## NBCT Candidates receive Certification!

### Congratulations to the following members who have achieved National Board Certification:

Jessica Cotugno, PPES  
Eva Donahue, GMHS  
Deb Lewis, GMHS  
Diana Kraft, FCTC  
Susan Taylor, FCTC  
Jessica Tomcsik, PPES  
Janet Varner, GWCES  
Colleen Gill, LHS 2004

Under our negotiated agreement, these hard working teachers will receive an additional \$3,000 per year for the duration of their certification period. In addition, they receive \$2,000 from the state annually for attaining this national certification level.

Congratulations ladies! We are so proud of you!



### EASMC Educator's Discount Program

Show appropriate EASMC membership card and receive **10% OFF** auto repair services at Laser Lube.

- Inspections
- Tune-Ups
- A/C Service
- Clutch Service
- Brake Service
- Radiator Flush & Fill
- CV Axles, Boots & Joints
- Timing Belt Replacement
- Transmission Fluid & Filter Change
- Factory Scheduled Maintenance
- Factory Exhaust Replacement
- Complete Fuel Injection Cleaning
- Belt & Hose Replacement
- PCV Replacement
- 4x4 Service
- Tires



**\$5.00 OFF 40 Point Oil Change**

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### Mark Your Calendars!

- ◆ December 2- EASMC BOD
- ◆ December 3- End of Interim
- ◆ December 9- EASMC RA and Holiday Party
- ◆ December 10- SMCPS BOE & EACC Legislative Reception
- ◆ December 11- EASMC Negotiations
- ◆ December 22 to January 4- Holiday Break
- ◆ December 25- Merry Christmas!
- ◆ January 1- Happy New Year!
- ◆ January 6- EASMC BOD
- ◆ January 10- EASMC/CEASMC Legislative Breakfast
- ◆ January 13- EASMC RA
- ◆ January 14- Opening of MD Legislative Session



## SAVE THE DATE

### 5th Annual Legislative Breakfast

Date: Saturday, January 10, 2009

Time: 8:30am-10:30am

Where: J.T. Daugherty Center in Lexington Park

We are looking forward to sharing our legislative priorities with you. Please mark your calendars and email Jen Tippett at [jtippett@mstanea.org](mailto:jtippett@mstanea.org) by December 19th, if you wish to attend.

## New IRS Regulations Cause Changes to 403(b) Vendors

Many of you have heard that SMCPs is changing the way they do payroll deduction for 403(b) vendors. This is due to new regulations that were put in place by the Internal Revenue Service that cause school systems, hospitals, and other not-for-profit organizations to act as overseer of the plans for the personnel who are participating. The regulations state that each not-for-profit must have a plan in place by January 1, 2009 that describes how the process will work in each organization.

EASMC had conversations with the CFO of SMCPs about this early last spring. We were assured that we would be contacted when anything was happening. The CFO is now retired and EASMC wasn't made aware of any possible changes until October 31, 2008. We are now up to speed on what has transpired without our input and have been included in the ongoing discussions and planning since that time.

What we all need to know is that as of January 1, 2009, none of us will have any 403(b) deductions taken from our pay until we get a new vendor(s) in place. When deductions can resume will depend on how fast a decision is reached and how quickly the new company(s) can get people into the schools to sign people up for payroll deduction. To those of you who regularly have these deductions, please plan now for adjusting your budgets next year to adjust to these changes. Also, please call your current vendors and talk with them about your options relative to the money you currently have in accounts. The more you plan ahead now, hopefully, the less impact this will have on you in the New Year.

Four vendors were selected by the Wachovia consultants to give presentations to representatives of the school system and EASMC. They were Met Life, Mass Mutual/Raley, Watts and O'Neill, ING, and The Hartford/Edward Jones. The discussion following those presentations narrowed the focus to two vendors. Multiple criteria were discussed with customer service and availability, fee structures, and choices within the plan, being some of our main concerns. After hearing the discussion at our Representative Assembly in November and at the open meeting with the consultant on the 17<sup>th</sup>, the EASMC Board of Directors voted in favor of a single vendor option with the understanding that there will be a minimum of three options per asset class. The Board of Education will decide on a vendor or vendors at the December 10 meeting. If you have strong feelings on the issue one way or the other, please contact them with your thoughts.

School-based informational meetings are to occur upon the selection of the vendor or vendors in January to allow unit members to sign up for payroll deduction with the new vendor. The goal is to have the new system in place and fully implemented by the first payday in February, when payroll deduction for 403(b) plans will hopefully resume.

Please let us know how we can assist you through this process.

### Upcoming EASMC RA Meetings

- ◆ Tuesday, December 9, 2008 (Christmas Potluck Dinner)
- ◆ Tuesday, January 13, 2009
- ◆ Tuesday, February 10, 2009
- ◆ Tuesday, March 10, 2009 (Possibly March 9 in Annapolis)
- ◆ Tuesday, April 14, 2009
- ◆ Tuesday, May 12, 2009 (Annual Meeting, Potluck Dinner)



### EASMC Representative Assembly:

#### Do you know what's really happening in EASMC & SMCPs?

Is your school or site represented at the monthly RA? Is your building getting all the latest information and updates about what's happening across the system and within the Association? Would 3 or 4 of you be willing to share the responsibility of attending the RA on the second Tuesday of the month? It's work to get representation at every meeting, but the benefits are well worth the effort! Let us know how we can assist you in getting representation for your site!

#### Was your site represented at the RA on November 12th?

<b>BBES</b>	Brian Rose	<b>MES</b>	Omega Taylor
<b>CHS</b>	Nancy Lewis, Alice Willingham	<b>OES</b>	Mary McNey, Kelly Dobson
<b>DES</b>	Melinda Kearns	<b>PHES</b>	Mary Albee-Tullberg
<b>EMS</b>	Karen Maloney	<b>RES</b>	Sheila Coon
<b>FCTC</b>	Bonnie Skinner	<b>SRMS</b>	Peg Johnson
<b>GKES</b>	Melissa Chappell	<b>TCES</b>	Lisa Cointot
<b>LHS</b>	Melissa Lawrey	<b>Retiree</b>	Don O'Neal
<b>LMS</b>	Rick Condle		





Liz Purcell Leskinen  
UniServ Director



**Question:**

I have some questions and concerns about the fact that SMCPs is closing down all sites over the over the upcoming Christmas holiday break. How is it fair that 12-month employees get extra days off?

**Answer:**

Here are some points that may help clarify.

- This isn't a gift nor is it intended to be. Nobody is being given anything that somebody else doesn't already have.
- Ten- and 11-month employees are already off, as you know, so they are not affected. If they were, they would have the same result (whether considered an advantage or disadvantage).
- There is no violation of the negotiated agreement which states, "The number of duty days for 12-month employees shall be determined by subtracting Saturdays, Sundays, and holidays from the total days in the calendar year." The superintendent can declare those days as holidays and school calendar is one of the two areas that we actually agree is an illegal topic of bargaining.
- The buildings are being shut down as an energy conservation effort that saved over \$200,000 last year, which ultimately benefits all employees and students.
- We cannot allow SMCPs to require employees to take leave if the buildings are being shut down and employees are forced out, which is the case. These are our members and we are always collectively thrilled when any one of us benefits!
- Some employees are equally frustrated that they are being banned from their sites since they typically use this time to perform essential requirements that cannot otherwise be met.
- The result is a compromise in our position (as an Association paid to advocate for members). Employees who are prevented from having access to their work site will not have to take their own leave for five of the days (December 26, 29, 30, and 31, and January 2), but will have to take their own leave or work in the cold for three of the days (December 22, 23, and 24).
- Only emergency employees will be in occasionally to ensure the safety of sites and they will be paid double time, as negotiated by CEASMC.

The bottom line is that we are a union. We are in the business of protecting and advocating for members. The end result of this decision, which

the superintendent made for financial reasons, is that many of our members had a nice thing happen to them. I hope this helps answer some of your questions. Please let me know if you have any additional questions and I'll be glad to see what I can find out.

**Question:**

I am a non-tenured teacher and understand that my school is likely to be affected by redistricting decisions. Will I be the first to go since I do not have tenure?

**Answer:**

Actually, if these types of assignment changes are dictated by the school system, they are called "involuntary transfers" and fall under Article XVI, Involuntary Transfers and Reassignments, in the negotiated agreement. In such cases, the site administrator must first seek volunteers. If no volunteers are identified, factors such as certification, experience, and subject matter expertise will be considered. While you being relatively new may be a factor in assessing your experience level, tenure itself is not a specified factor.

In any case, an involuntary transfer or reassignment can be made only after a meeting between the professional employee involved and the appropriate administrator, at which time the employee will be orally notified of the reason for the transfer and reassignment. Following the meeting, the reasons for selection must be provided in writing. If you object to the transfer or reassignment, you have the right to meet with the superintendent. While Dr. Martirano is always very understanding, I find that such meetings rarely change the final outcome.

When a principal or supervisor is even considering an involuntary transfer or reassignment, he/she should discuss the possibility with you. This gives you the option of applying for a voluntary transfer to schools of your choice on your Declaration of Intent submission. If you think that you are at risk for an involuntary transfer that will not suit your needs or preferences, then I highly recommend that you indicate your interests in being transferred to others schools of your choice. This step does not obligate you to accept a transfer offer should you get one, but it does give you more control and more options should you be faced with a personally undesirable involuntary transfer.

And don't forget that professional employees involuntarily transferred have the right to request to return to the school from which they were transferred should a position for which they are qualified open prior to the first duty day for employees!

