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NPA Legal Hotline: free service for member newspapers

The Nebraska Press Association's **LEGAL HOTLINE** is provided **FREE** to newspapers as part of their annual NPA membership dues - providing solid, prompt legal advice aimed at preventing trouble and helping our newspapers do their job.

*If you have questions or concerns about closed meetings or courts, public records denied, Letters to the Editor or employment law issues, to name a few, contact Max Kautsch, NPA's **LEGAL HOTLINE** attorney.*

Two employees partner to purchase Arnold Sentinel

Effective October 1, 2022, Janet Larreau and Debbie Connelly are the new owners/publishers of the Arnold Sentinel, purchasing the newspaper from Lacy McCarthy.

McCarthy owned The Sentinel for the past six years. Larreau has worked at the paper since the 1980's, when she was hired by owners Bill and Helen Crosland. Connelly joined the newspaper staff four years ago.

The newspaper will continue to operate out of the current building, owned by Lacy and Rob McCarthy. Larreau will serve as managing editor and Connelly will serve as office manager. The newspaper will continue to offer design services, large and small print jobs, printed stationery, and office supplies.

"Life is ten percent what happens to you and ninety percent how you respond to it."

-- **Lou Holtz, College Football
Hall of Fame Head Coach**

Longtime York sports reporter, Voice of The Dukes, Jack Vincent dies

John "Jack" R. Vincent, age 79 of York, died unexpectedly October 4, 2022, in York.

24 years ago Vincent was approached by the York News-Times regarding a part-time job as a sports writer/reporter, which he accepted. He covered countless sporting events, interviewed coaches and athletes, and wrote his weekly column, "Vincent's Views." For many years he was The Voice of the Dukes sports and York Legion Cornerstone baseball.

Jack proudly served in the U.S. Army for 22 years, and was active in the York Optimist Club, York American Legion Club Bolton Post #19, the York Chamber of Commerce, York Chamber of Commerce Ambassadors program, York Country Club and TeamMates.

He is survived by his wife, Jean of York; son, David (Jennifer) Vincent of Lincoln; daughter, Carrie (Michael) Babitt of Kansas City, MO; and five grandchildren.

Funeral services with full military honors were held October 8, at First United Methodist Church in York. Private grave side services will be held at Oakland Cemetery, Oakland at a later date. Memorials may be directed to Cornerstone Baseball or the donor's choice. Condolences may be left for the family at www.metzmortuary.com. Metz Mortuary in York was in charge of arrangements.

Percent change versus percentage-point change: What's the difference? 4 tips for avoiding math errors

Many people get 'percent change' and 'percentage-point change' confused. Use this tip sheet, featuring insights from data journalism pioneer Jennifer LaFleur, to get it right.

By Denise-Marie Ordway, *The Journalist's Resource*, October 5, 2022

When you're reporting on changes in numbers such as state funding, crime rates and opinion poll results, it's important to tell audiences how much a number has risen or fallen over time. Before you can do that, though, you need to know the difference between "percent change" and "percentage-point change."

"Percentage change and percentage-point change get mixed up all the time," says Jennifer LaFleur, a senior editor at The Center for Public Integrity who has taught classes and workshops on using statistics in news stories for more than a decade. She also teaches data journalism at American University.

That's why we created this tip sheet, with LaFleur's help. Together, we came up with four tips to help journalists master these key mathematical concepts.

1. Keep in mind the "percent change" is the rate of change. Use "percentage point" to indicate the amount of the change.

We use "percent" to describe how much a number has changed in relation to a previous number.

As an example, let's say state legislators set aside \$30 million to fund a new traffic safety program in 2021. This year, they budgeted \$38 million.

Based on that information, we can say funding for the traffic safety program increased almost 27% from 2021 to 2022.

While you can do the math yourself with these step-by-step instructions, it's easy to find a percentage change calculator online.

When comparing percentages, use "percentage points" to describe the difference between them. For instance, there's a 27 percentage-point difference between 17% and 44%.

It's worth noting that Associated Press style calls for using the symbol for "percent" in news stories but writing out "percentage point."

2. Be extra cautious when comparing percentages because this is where many people make mistakes.

When you add or subtract percentages — for example, when you subtract the percentage of children diagnosed with autism in 1981 from the percentage diagnosed in 2021 — describe the result using percentage points.

"If you're comparing two percentages, it's percentage points," says LaFleur.

If a local county health department reports that its percentage of children diagnosed with autism increased from 1% in 1981 to 5% in 2021, it's accurate to say the diagnosis rate rose 4 percentage points over that period.

The rate did not rise 4%. In this scenario, the diagnosis rate jumped 400%, or five-fold.

Because this type of error is common, LaFleur encourages journalists to double check percentage-change figures in government reports and other documents — including news stories from journalists at the same news outlet.

"Part of the problem is, oftentimes, there's not someone in the newsroom who's spotting [these types of errors]," she explains. "A reporter might have done it for years and not realized what they were saying is wrong."

3. When covering a story based heavily on numbers, look for ways to eliminate some numbers without sacrificing meaning or context. For instance, instead of reporting that tuition at a local college increased 100%, say it doubled.

Because number-heavy stories can confuse and overwhelm audiences — and some people avoid them — choose carefully which numbers you want to highlight. Both the Poynter Institute and the Donald W. Reynolds Center for Business Journalism recommend no more than three numbers per paragraph.

LaFleur suggests replacing some numbers with words to help audiences grasp information quickly. Many people will immediately know what you mean when you say a number doubled, tripled or grew four-fold.

cont. pg. 3



Percent - from 2

Because it's less common to say a number rose by 100%, 200% or more, some people may need to stop and do some math to figure out what that means.

"I always just advise people to keep it in as simple terms as possible," LaFleur says.

4. If your math skills need sharpening, get training. A firm understanding of key math concepts helps journalists spot misinformation and math errors.

Journalism and higher education organizations offer a variety of online courses, in-person trainings and other resources to help reporters and editors brush up on their math skills and build new ones. Here are some:

- The Poynter Institute offers the "Math for Journalists Certificate," a four-hour, online course that costs \$29.95. Participants earn a certificate upon completion.
- Journalists can sign up for free courses in data and numerical literacy on the online learning platforms Coursera and edX.
- Investigate Reporters and Editors typically hosts workshops focusing on statistical literacy during its annual conferences. At IRE's annual data journalism conference in 2021, LaFleur and colleague Jaimi Dowdell of Reuters led the session, "How to Approach Stats In Your Story."

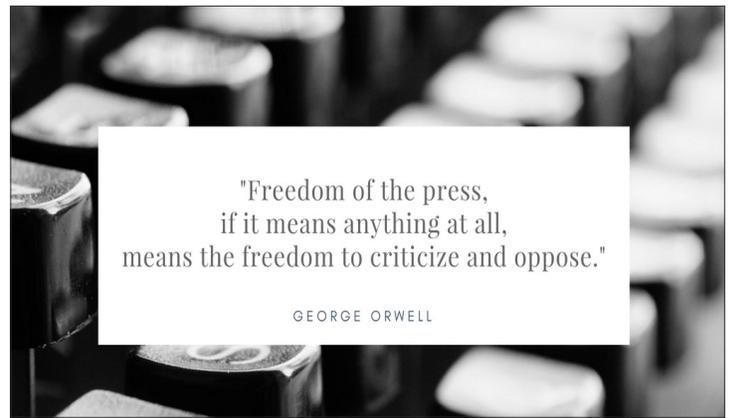
Temple University mathematician John Allen Paulos underscores the importance of mathematical literacy in a column he wrote for ABC News in 2004. He explains how a mathematical error in news coverage about a plan to partially privatize Social Security minimized the plan's impact.

"Usually in print and almost always on television, the proposal is said to call for 2% of Social Security taxes to be diverted into private accounts," he writes. "Looking a little further, however, one can find a few stories noting that the 6.2% of the average American's taxable income that goes to Social Security taxes will be cut to 4.2%. That's a 2 percentage point cut — not a 2% cut, but a 32% cut! This will leave a huge hole in Social Security revenues for present retirees."

Paulos later wrote the book, "A Mathematician Reads the Newspaper," published in 2013. In it, he examines news coverage, pointing out logical fallacies and other ways numbers can mislead.

Other books worth checking out:

- *Numbers in the Newsroom: Using Math and Statistics in News*, by longtime investigative journalist Sarah Cohen, now a professor and Knight chair of the Walter Cronkite School of Journalism and Mass Communication at Arizona State University.
- *How Not to Be Wrong: The Power of Mathematical Thinking*, by Jordan Ellenberg, the John D. MacArthur Professor of Mathematics at the University of Wisconsin-Madison.
- *Damned Lies and Statistics: Untangling Numbers from the Media, Politicians, and Activists*, by Joel Best, a professor of sociology and criminal justice at the University of Delaware.



Dept of Labor issues independent contractor redo proposal

By Camille Olson, Attorney, Seyfarth Shaw, America's Newspapers, Oct. 11, 2022
Today the U.S. Department of Labor issued its draft new rule (or NPRM) on defining independent contractor status under the Fair Labor Standards Act, seeking to replace the Trump Administration's Rule which was modernized and provided clarity to businesses and workers in this NPRM. The NPRM is 184 pages. The NPRM rejects the framework of the rule published under the Trump Administration which is currently in effect. It returns to the totality of the circumstances test which it describes as the test applicable for decades to determine whether the worker is free from economic dependence on their employer for work and instead in business for themselves. View the NPRM PDF here: <https://cdn4.creativecirclemedia.com/newspapers/files/20221011-130050-2022-21454.pdf>

While under the FLSA distributors of newspapers and shopping news are excluded from coverage as statutory non-employees, regardless of the independent contractor analysis of the worker relationship, the independent contractor test (and the analysis contained in the NPRM) applies to other non-distribution workers such as freelancers.

Specifically, the NPRM:

- Eliminates the existing two core factors as most probative of the relationship and entitled to more weight than other factors set forth in the current regulations.
- Eliminates the current regulation's focus of its analysis on five core and non-core factors.
- Interprets the integration factor differently than the 2021 Regulation that focuses on whether the work is part of an "integrated unit of production." The NPRM defines integration as whether the work is integral, or important, to the business, similar to Prong B of California's ABC test that includes a focus on whether the worker is engaged in performing work outside the usual course of the business.
- Investment is defined as a stand-alone factor (that also considers scheduling, supervision, price setting, and the ability to work for others). Interpretation of what investment by an independent worker is considered as consistent with their independence is narrowly construed to not recognize investment in a motor vehicle that the worker owns or leases.

Camille Olson is a partner with Seyfarth Shaw and a member of the America's Newspapers board of directors.

Classified Advertising Exchange

Oct. 17, 2022

EDUCATION REPORTER: The Norfolk Daily News has an immediate, full-time newsroom opening that involves reporting, writing and editing, with opportunities for page design if desired.

The current opening is for an education reporter whose job it would be to investigate stories, attend events and research happenings within the field of education. Topics may include local matters such as school board meetings or broader issues, such as legislation changes and how they affect schools.

Applicants should have a degree in journalism or demonstrated experience with newspaper or other media outlets.

The Daily News is a family-owned news organization with a six-day-a-week newspaper and comprehensive online, mobile and social media presence.

Applicants looking for a competitive salary, strong fringe benefits package and a great working environment are encouraged to email editor@norfolkdailynews.com or call 1-877-371-1020.

MANAGING EDITOR - IMMEDIATE OPENING: High Plains News, is seeking a managing editor to oversee editorial departments of three rural newspapers in Imperial and Grant, Nebraska, and Holyoke, Colorado. Located just three hours from Denver, the successful candidate will take on the role of editing one of the newspapers, while overseeing editors at the other two. Responsible for planning, directing, and editing stories for the three weekly newspapers, and specialty publications.

Whether online or in print, our commitment is to engage readership with 100% local content that is relevant, informative, and entertaining. Great opportunity for an experienced editor or section editor/reporter with management experience seeking to grow their skill set. This is a full-time position with a 4-day, 36-hr work week, healthcare insurance, a Simple IRA retirement plan, generous paid time off, scheduling flexibility, company discounts, and more.

Veteran and new journalists are encouraged to apply. Experience with pagination and design, and knowledge of all AP styles are desired but we will train the right candidate. Mullen Newspaper Company believes in the future of print and a successful candidate will too. Please send brief cover letter and resume to High Plains News Publisher: frank@mullennewspapers.com

GENERAL ASSIGNMENT REPORTER: CherryRoad Media is seeking a general assignment reporter for its three papers in southeast Nebraska with those papers being the Nebraska City News-Press, the Syracuse Journal-Democrat and the Hamburg Reporter. Kirt Manion, Editor, Nebraska City News-Press, kmanion@cherryroad.com.

SPORTS REPORTER: Syndicate is looking for a talented writer with an affinity for sports to fulfill the open position of sports reporter. Duties include:

- Covering sports events as needed for Gothenburg, Cozad, Brady and Callaway areas.
- Corresponding with coaches and athletic directors for comments, schedules, and photos.
- Sports event photography
- Writing to include recaps of games, statistics, feature stories, and columns as required.

The ideal candidate will be skilled in communication & organization, have a positive attitude, and be comfortable working to a deadline. Flexible schedule with some evenings and weekends required. Experience with writing or photography preferred, but willing to train the right person! Send resume to: Publisher, Terrie Baker, cell: 308-325-4521, terrie@syndicatepub.com.

WEEKLY EDITOR: County Publications, located in Southeast Nebraska, is seeking an editor for the Nemaha Co. Herald publication. This position would be responsible for local news content in the Nemaha Co. Nebraska region. Individual will be working in an Adobe environment on Apple computers. Experience with InDesign and PhotoShop a must.

Salary will be commensurate with experience. Small town community journalism is the flavor of this publication. Email: kendall@anewspaper.net for more information or to apply.

Advertising in the Classified Advertising Exchange is no charge for NPA members and \$10 per week for non-members (approximately 25 words). It's a great way to sell or find equipment, hire a new employee, advertise a service you provide, sell or buy a newspaper. Only Nebraska member newspapers may advertise for help wanted for Nebraska newspapers. No out-of-state help wanted advertisements accepted.

Mail, email or fax us your ad copy by noon Friday for the following weeks' Bulletin. Contact Susan Watson in the NPA office: (402)476-2851/NE: 800-369-2850, or email: nebpress@nebpress.com.