

ORGANIZATIONS/UNITS

For additional information on this subject see the current employee agreement(s) with

TRACY TEACHERS ASSOCIATION
TRACY SECONDARY EDUCATORS ASSOCIATION
THE TRACY SUBSTITUTE TEACHER ORGANIZATION

ORGANIZATIONS/UNITS (continued)

Teacher-Administrator-Governing Board Relationships

The Governing Board recognizes the right of public school employees to join organizations of their own choice, to be represented by such organizations in their professional and employment relationships with the District, to select one employee organization as the exclusive representative of the employees in an appropriate unit, and to afford certificated employees a voice in the formulation of educational policy. The Governing Board also recognizes the following roles and responsibilities that are clearly established by law.

1. The Governing Board has the final responsibility for establishing policies of the school system. (Education Code 35160)
2. The Superintendent and staff have the responsibility of carrying out the policies established. (Education code 44805)
3. The certificated teaching personnel have the ultimate responsibility of providing the best possible education in the classroom. (Administrative Code, Title 5 80130-80132)

Attainment of Goals

Attainment of the goals and objectives of the educational program conducted in the schools of the district requires mutual understanding and cooperation among the Governing Board, the Superintendent and administrative staff, the certificated personnel, the classified personnel and other citizens of the community. to this end, free and open exchange of views is desirable, proper and necessary.

Teachers and Teachers' Organization

It is recognized by the Governing Board that teaching is a profession requiring the possession of specialized educational qualifications, and that success of the educational programs conducted in the district schools depends in large part upon effective services of well qualified teachers. It is further recognized that teachers have the right to join, or to refrain from joining, any organization for their professional or economic improvement and for the advancement of public education, but that membership in any organization shall not be required as a condition of employment of a teacher in this district. (Government Code 3543 - Rights of public school employees)

ORGANIZATIONS/UNITS (continued)

Employee Organizations

All employees are free to join or not to join employee organizations. Decisions affecting the individual employee are made without regard to membership or non-membership in such organizations. Each employee is entitled to his/her individual legal and/or ethical rights and privileges. (Government Code 3543)

Employees shall not be interfered with, intimidated, restrained, coerced or discriminated against -- either by the school district or by employee organizations -- because of their membership or non-membership in employee organizations. They shall have the right to participate through representatives of their own choosing in the presentation of their views to the governing Board. (Government Code 3543.5)

Employee organizations which meet the provisions of the law shall have the right to represent their members in matters within the scope of representation provided by law and rulings of the Public Employees Review Board. (Government Code 3543.1 - Rights of employee organizations)

Policy and Regulation Development and Review

The Superintendent is directed to consult with appropriate personnel and employee organizations in developing district policies and regulations which come within the "consultation" area described in Government Code Section 3543.2 - Scope of Representation, and to put all desired changes in policies and regulations which lie within scope of representation into the negotiation process.

The Governing Board reserves to itself its unlimited right to consult with any employee group, any employee, any student, and any members of the community in developing policies and regulations which do not fall within the two areas mentioned above. The Superintendent is directed to gather appropriate input from anyone who will be affected by a proposed policy or regulation in order to assure fairness, completeness and effectiveness for such proposal.

The Governing Board will review the policies manual annually, and will consider revisions or additions whenever they are proposed, in order to improve Board-teacher-administrator relationships and to promote the educational welfare of the children attending the schools of the district.

Human Resources - Certificated

BP 4140 (c)

ORGANIZATIONS/UNITS (continued)

Units

The Governing Board shall meet and negotiate with the exclusive representative of appropriate employee units on request on matters within the scope of representation (Government code 3543.3 - Negotiations).

Legal Reference:

EDUCATION CODE

35014	Adoption of rules by Governing Board
35160	Authority of Governing Board after January 1, 1976
35161	Powers and duties generally
44805	Enforcement of course of studies; use of textbooks, rules and regulations

GOVERNMENT CODE

3502.5	Agency shop vote to rescind agency shop requirement for financial accounting to the public agency; right of employee not to join or pay dues to exclusive representative for religious reasons
3540-3549.3	Meeting and negotiating in public educational employment

ADMINISTRATIVE CODE, TITLE 5

80132	Code of Ethics of the Teaching Profession
35010	Control of district prescription and enforcement of rules

Policy Adopted:

HS BD: 11/20/85

EL BD: 7/6/82

Policy Revised:

Joint Board: 3/25/97