

PERSONNELPublic Notice - Personnel Negotiations

Because the Governing Board has a responsibility to represent the public's interest in negotiations with employee organizations, the Board is committed to keeping the public informed and encouraging public comment throughout the negotiations process. The Board shall inform the public about contract proposals and shall disclose the major provisions of the proposed agreement as required by law.

(cf. 1100 - Communication with the Public)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)

(cf. 4143/4243 - Negotiations/Consultation)

Public Notice

All initial contract proposals of the Board and an employee organization which relate to matters within the scope of representation shall be presented at a public meeting and shall thereafter be public records. (Government Code 3547)

(cf. 1340 - Access to District Records)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

Meeting and negotiating between district and employee organization representatives shall not take place on these initial proposals until a reasonable time has elapsed after the submission of these proposals to enable the public to become informed and to express itself regarding the proposals at a public meeting. (Government Code 3547)

After the public has had an opportunity to provide input, the Board shall adopt its initial proposal at a public meeting. (Government Code 3547)

New subjects of meeting and negotiating arising after the presentation of initial proposals shall be made public within 24 hours. If a vote is taken on any such subject by the Board, each member's vote also shall be made public within 24 hours. (Government Code 3547)

Public Disclosure

Before entering into a written agreement covering matters within the scope of representation, the Board shall disclose, at a public meeting, the major provisions of the agreement, including but not limited to the costs that would be incurred by the district under the agreement for the current and subsequent fiscal years. (Government Code 3547.5)

A copy of the proposed agreement shall be made available to the public prior to the day of the Board meeting.

The Superintendent or designee shall prepare a summary of the major provisions and changes in the proposed agreement.

Certification of Agreement

Before the Board approves any agreement, the Superintendent and chief business official shall certify in writing that any costs incurred by the district under the agreement can be met by the district during the term of the agreement. The certification shall itemize any budget revision necessary to meet the costs of the agreement in each year of its term. (Government Code 3547.5)

(cf. 3460 - Financial Reports and Accountability)

Legal Reference:

EDUCATION CODE

42130-41234 Financial reports and certifications

GOVERNMENT CODE

3540.2 Meeting and negotiating in public educational employment

3547 Proposals relating to representation; informing public

3547.5 Major provisions of agreement with exclusive representative

CODE OF REGULATIONS, TITLE 8

32075 PERB regional office defined

32900 EERA and HEERA public notice: requirements for governing boards to adopt policy

32910 Filing of EERA or HEERA complaint

Management Resources:

CDE MANAGEMENT ADVISORIES

0515.92 Public Disclosure of Collective Bargaining Agreements, 92-01

CSBA PUBLICATIONS

Public Notice and Disclosure, Resource Guide for Employment Relations, December 1996

Maximizing School Board Leadership: Collective Bargaining, 1996

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

Public Employment Relations Board: <http://www.perb.ca.gov>

Policy adopted: 4/10/84

Policy revised: 10/13/87; 5/14/02; 10/11/05