

Public Notice – Personnel Negotiations

~~In compliance with Government Code 3547, which sets forth the public notice ("Sunshine") requirements of public school collective bargaining, the district shall:~~

~~Make material available to the public in the following manner:~~

~~1. Copies of all proposals made by both employee organizations and the Governing Board shall be available for review:~~

~~a. In the office of each public school within district boundaries.~~

~~b. In public libraries within district boundaries.~~

~~c. On a check-out basis from the central administrative offices of the district.~~

~~2. Notices giving the approximate timeline and the location of materials for public review shall be provided to the press.~~

~~Conform with the following timeline with respect to the public notice provisions:~~

~~1. — Public presentation of the employee organization's initial proposal at a regular or special meeting of the Board.~~

~~2. — Opportunity for public response to the employee organization's initial proposal at the next regular or special meeting of the Board not less than 10 days following the public presentation of the employee organization's proposal.~~

~~Note: Opportunity for public response to the employee organization's initial proposal will be provided at each succeeding regular meeting of the Board until such time as the Board's initial proposal is presented.~~

~~3. — Public presentation of the initial proposal of the Board at a regular or special meeting of the Board not less than 10 days following the public presentation of the employee organization's proposal.~~

~~4. — Opportunity for public response to the initial proposal of the Board will be provided at a regular meeting not less than seven days following the public presentation of the Board's proposal.~~

~~5. — Negotiating sessions involving the Board's representatives and employee organizations may begin at any time following public response of the Board's initial proposal.~~

~~In compliance with the requirement for 24-hour notice to the public of any new subject of negotiations arising after the initial proposals, as well as the requirement for notification of votes taken on such subject by the Board, such notice shall be provided to the press.~~

~~The final agreement shall be available for public review as above.~~

~~Legal Reference:~~

~~GOVERNMENT CODE~~

~~3547 Proposals relating to representation; informing public, adoption of proposals; new subjects; regulations~~

~~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

Policy MT. DIABLO UNIFIED SCHOOL DISTRICT

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 about issues being negotiated, providing members of the public an opportunity to express their views, and disclosing the position of each Board member in accordance with law.

Public Notice/Sunshining of Initial Proposals

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 Board meeting and shall thereafter be public records. (Government Code 3547)

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 Board 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 Board member's vote also shall be made public within 24 hours. (Government Code 3547)

Public Disclosure of Proposed Agreement

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)

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 and shall submit the certification to the Board prior to the Board's approval 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)

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.

adopted: September 9, 2003 Concord, California

Revised:

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<u>State</u>	<u>Description</u>
<u>8 CCR 32075</u>	<u>PERB regional office defined</u>
<u>Ed. Code 42130-42134</u>	<u>Financial reports and certifications</u>
<u>Gov. Code 3540.2</u>	<u>Meeting and negotiating in public educational employment</u>
<u>Gov. Code 3547</u>	<u>Proposals relating to representation; informing public</u>
<u>Gov. Code 3547.5</u>	<u>Major provisions of agreement with exclusive representation</u>

Management Resources

<u>Website</u>	<u>Description</u>
<u>Website</u>	<u>California Public Employment Relations Board</u>
<u>Website</u>	<u>CSBA</u>
<u>Website</u>	<u>Fiscal Crisis and Management Assistance Team</u>
<u>Website</u>	<u>School Services of California, Inc.</u>
<u>Website</u>	<u>California Department of Education</u>

Cross References

<u>Code</u>	<u>Description</u>
<u>1112</u>	<u>Media Relations</u>
<u>1340</u>	<u>Access To District Records</u>
<u>1340</u>	<u>Access To District Records</u>
<u>3460</u>	<u>Financial Reports And Accountability</u>
<u>3460</u>	<u>Financial Reports And Accountability</u>
<u>4141</u>	<u>Collective Bargaining Agreement</u>
<u>4141.6</u>	<u>Concerted Action/Work Stoppage</u>
<u>4141.6</u>	<u>Concerted Action/Work Stoppage</u>
<u>4143</u>	<u>Negotiations/Consultation</u>
<u>4241</u>	<u>Collective Bargaining Agreement</u>
<u>4241.6</u>	<u>Concerted Action/Work Stoppage</u>
<u>4241.6</u>	<u>Concerted Action/Work Stoppage</u>
<u>4243</u>	<u>Negotiations/Consultation</u>
<u>9000</u>	<u>Role Of The Board</u>
<u>9010</u>	<u>Public Statements</u>
<u>9011</u>	<u>Disclosure Of Confidential/Privileged Information</u>
<u>9321-E(1)</u>	<u>Closed Session</u>
<u>9321-E(2)</u>	<u>Closed Session</u>
<u>9321</u>	<u>Closed Session</u>