

ARTICLE XVI DISTRICT RIGHTS

Section 1

The District shall have within its complete discretion, in compliance with the Rodda Act Article X Layoff and Reemployment, except as explicitly described in this Agreement, all of the rights normally possessed by a public school District in the State of California. Said rights, powers, and authorities include but are not limited to the rights to determine its organization; hire, classify, assign transfer, evaluate, promote, layoff, discipline, suspend and terminate unit members; direct the work of its unit members; determine the duties (including extracurricular) to be performed and the standards of performance; determine date, times, and hours of operation, functions, and activities; determine the kinds and levels of service to be provided, and the methods and means of providing them; establish its educational policies, goals, and objectives; insure the rights and educational opportunities of students; determine staffing patterns; determine the numbers and kinds of personnel required; maintain the efficiency of District operations; determine the curriculum; build, move, or modify facilities; establish budgets and determine budgetary procedures and allocations; determine the methods of raising revenues; and contract out work.

Section 2

The exercise of the foregoing rights, powers, authority, duties and responsibilities by the District, the adoption of policies, rules, regulations and practices in furtherance thereof, and the use of judgment and discretion in connection therewith, shall be limited only by the specific and expressed terms of this Agreement and negotiated policies stated in Article XII Grievance Procedure Section 1, definition of a “grievance”, and then only to the extent such specific and expressed terms are in conformance with the law.

Section.3

The exercise of any right in a particular manner, or the non-exercise of any such right, shall not be deemed a waiver or limitation of the District’s right or preclude the District from exercising such right in a different manner.

Section 4

The District retains the right to amend, modify or rescind policies and provisions in this Agreement in cases of emergency for the duration of the emergency. An “emergency” is defined as an act of God, epidemic, natural disaster, or other calamity or threat thereof affecting the District or the community. Whether an emergency exists within the definitions listed in this Section is within the discretion of the District or other authorized Government agency and is not subject to the grievance and arbitration procedures of this Agreement.