

ARTICLE V

DISTRICT RIGHTS

1.0 General: The intention of this Article is to provide that the District retains all rights and powers that have not been limited by the other Articles of this Agreement. The provisions of this Article are not intended to expand the rights of the District beyond statutory or constitutional limits, or in any manner to waive or diminish the rights of AALA or the employees as specifically provided in the other Articles of this Agreement. In the event that there is a conflict between the retained rights of the District under this Article and the rights of AALA or employees as set forth elsewhere in this Agreement, the provisions of the other Articles of this Agreement shall prevail.

2.0 Consultation Rights: Certain of the rights of the District set forth in this Article are subject to the consultation rights of AALA under Section 3543.2 of the Government Code. This Article is not intended to limit such consultation rights.

3.0 Retained Rights: It is agreed that all matters which are beyond the scope of negotiations under Government Code Section 3543.2, and also all rights which are not limited by the terms of this Agreement, are retained by the District. Such retained rights include, but are not limited to, the right to determine, establish, change or discontinue, in whole or in part, temporarily or permanently, any of the following matters, subject only to the limitations set forth in the other Articles of this Agreement:

a. The legal, operational, geographical, and organizational structure of the District, including the division of authority, organizational divisions and sub-divisions, and external and internal boundaries of the District;

b. The sources and amounts of financial support, including compliance with any requirements imposed by law or by funding sources;

c. All budgetary matters and procedures, and all budgetary allocations, reserves, and expenditures apart from those expenditures and budget items that are expressly required by the terms of this Agreement;

d. The number and location of any District-owned or controlled properties, buildings, facilities, equipment, and other improvements; the utilization of same, and the functions and services to be performed at each of same;

a. All duties and services to be rendered by District personnel to students and to the public, and the support services to be provided to employees and other District personnel; and the methods, personnel, and materials to be utilized in such services;

Article V – District Rights

- f. Subject to the consultation rights of AALA under Government Code Section 3543.2, determine the educational policies, objectives, standards, and programs, including but not limited to those relating to curriculum, textbook selection, educational equipment and supplies, admissions, attendance, student assignments, grade level advancement, student guidance, student testing, student integration, student conduct and discipline, food services, student transportation, and the type of extracurricular and co-curricular activities;
- g. Subject to limitations in other Articles of this Agreement, to select, hire, grant contracts of employment, classify, assign, promote, demote, discipline, suspend, place on involuntary leave, terminate, and retire any personnel of the District;
- h. Subject to State credentialing requirements, assign personnel to any location and duties;
- i. Determine the number of employees, and whether and where there is a vacant position;
- j. Determine the dates, times and hours of operation of any District facility, function, or activity; and
- k. Determine safety and security measures and rules for students, employees, the public, properties, facilities, and equipment.
- l. Determine all policies, rules, regulations and procedures, subject only to the express limitations of this agreement.