

1 **ARTICLE 3: DISTRICT RIGHTS**

2 **Section 3.1 - District Powers, Rights, and Authority.** It is understood and agreed that, except as limited by the
3 terms of this Agreement, the District retains all of its powers and authority to direct, manage, and control to the
4 extent allowed by the law. Included in, but not limited to, those duties and powers are the right to: determine
5 its organization; direct the work of the unit members, determine the times and hours of operation; determine
6 the kinds and levels of services to be provided, and the methods and means of providing them; establish its
7 educational policies, goals and objectives; insure the rights and educational opportunities of students;
8 determine staffing patterns; determine the number and kinds of personnel required; maintain the efficiency of
9 District operations; determine District curriculum; design, build, move, or modify facilities; establish budget
10 procedures and determine budgetary allocations; determine the methods of raising revenue; contract out work
11 when unit members are not available to perform such work; and take any action on any matter in the event of
12 an emergency as provided in Section 3 therein. In addition, the District retains the right to hire, classify, assign,
13 evaluate, promote, demote, terminate, and discipline employees. This recital in no way limits other District
14 powers as granted by law.

15 **Section 3.2 - Limitation.** The exercise of the foregoing powers, rights, authority, duties, and responsibilities by
16 the District, the adoption of policies, rules, regulations, and practices in furtherance thereof, and the use of
17 judgment and discretion in connection therewith, shall be limited only by the specific and express terms of this
18 Agreement, and then only to the extent such specific and express terms are in conformance with the law.

19 **Section 3.3 - Emergencies.** The District retains its right to suspend this Agreement in cases of emergency for the
20 reasonable period of time required by the emergency. Emergencies shall include, but not be limited to,
21 national, state, or county declared emergencies and natural disasters. Emergencies shall not be declared
22 capriciously, arbitrarily, or in retaliation for the exercise of employee rights.

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