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**Riverside County
Board of Education**

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DATE: October 4, 2010

TO: Chief Business Officials
Personnel Administrators
K-12 School Districts

FROM: Nancy Sheets, Director
District Fiscal Services *NS*
Division of Administration and Business Services
(951) 826-6442 / FAX [951] 826-6363

SUBJECT: Public Disclosure of Proposed Collective Bargaining Agreements
Required Governing Board Certification

ACTION: **Submit Disclosure Information 10 Days Prior to Board Action**

Prior to entering into a written agreement, Government Code (GC) Section 3547.5 requires a public school employer to publicly disclose the major provisions of a collective bargaining agreement, including, but not limited to, the costs. This requirement ensures that the public is adequately informed of an agreement's impact before its provisions become binding on the district. Therefore, please submit a disclosure for all agreements, including those that result in savings or have minimal or no fiscal impact.

Statute further requires the district superintendent and the chief business official to certify in writing that the district can meet the agreement's costs for the specified term. The certification is to include an itemization of the budget revisions necessary to meet the agreement's costs in each year. Within 45 days of adopting a collective bargaining agreement, Education Code (EC) Section 42142 requires the district superintendent to forward any current year budget revisions to our office for review. If a school district does not adopt the current year revisions necessary to satisfy the agreement's provisions, GC Section 3547.5 requires the county superintendent of schools to issue a qualified or negative certification for the district's next interim financial report.

The criteria and standards adopted by the State Board of Education, as specified in California Code of Regulations, Title V, Sections 15451 and 15464, also require districts to provide the county office of education with an analysis of negotiated costs, and the county superintendent to review and respond to in writing as necessary.

Our office requests that districts allow District Fiscal Services at least ten (10) working days to review the disclosure information prior to the date the governing board plans to act on the agreement. *Additionally, please note that GC Section 3540.2 requires that a district having a qualified or negative certification pursuant to EC Section 42131 allow the county office of education at least ten (10) working days to review and comment on any proposed collective bargaining agreement.*

To comply with current public disclosure requirements, please complete the attached Disclosure of Collective Bargaining Agreement, which is available, along with detailed instructions and a copy of this letter, on our website at:

http://www.rcoe.us/adminBusiness/fiscalOversightBulletins_10-11.html

A complete disclosure includes the following documents:

- Disclosure of Collective Bargaining Agreement (Sections A-G).
- Multi-year financial projections and assumptions (Sections H and H1 or equivalent).
- Impact of Proposed Agreement and Itemized Budget Revisions (Sections I-K).
- Certification No. 1 signed by the Chief Business Official and Superintendent (Section L).
- Certification No. 2 signed by the Superintendent and Governing Board Clerk/President after Final Approval (Section M).

Should you have any questions regarding this information, or how to complete the forms, please contact me at (951) 826-6442.

NS:tk
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Attachments