

ITEM NUMBER: 8(d)

To: KPPCSD Board of Directors
From: Ann Danforth, General Counsel
Date: May 25, 2019
Subject: Resolution Repealing current Policy 4000 and 5000, renumbering current Policy 3000 and Adopting New Policy 3000 and 4000

I. BACKGROUND

The Board initially considered new Policies 3000 and 4000¹ at its regular meeting of April 25, 2019. The staff report for that agenda item is attached as Exhibit 3 to this report. After considerable discussion, including extensive comments from the public and individual directors, the Board requested a few changes to Policy 4000, which are shown in redline in the attached revised drafts. The revised drafts are attached as Exhibit 2.

The revised draft 3000 contains a few changes that the Board did not discuss at its April 23rd meeting. These changes fall into the following categories:

- Corrections of typographical and grammatical errors
- Obvious clarifications (such as the fact that no employee may be terminated for any reason forbidden by law and that the policies do not apply to represented sworn personnel)
- Minor wording changes that do not change the effect of the language in question
- Corrections of cross-references

None of these changes will change the operation of the new policies or and staff accordingly concludes that they are not so substantial as to require a new initial consideration per the existing Policy 1010.

As discuss in the April 25th staff report, the draft policies use the numbering system employed in the California Special District Association model policy manual. This system will facilitate the incorporation of any recommended new or revised policies. However, the system creates a number conflict with the current PPM until the District

¹ The drafts included Section 4100, which is part of 4000.

adopts a new policy governing budget and other operations. We have recommended resolving this problem by temporarily renumbering the current Policy 3000 as policy 6000.

This report's exhibits include documents that Director Modavi submitted on the morning of May 20, 2019. Because of the timing, staff could not address his materials in this report.

II. THE PROCESS

Policy 1010 of the existing Policy Manual governs the adoption or amendment of new policies. The April 23rd staff report discussed this process in detail. The District has considered all of the steps needed with the exception of actual adoption. The Board must approve adoption at a regular meeting by a 4/5 vote.

III. CONCLUSION AND RECOMMENDATION

Exhibit 1 contains a resolution that would repeal the current Policies 4000 and 5000, renumber the current 3000 as 6000 and adopt the new Policies 3000 and 4000. Staff recommends that the Board take public comment on this resolution and adopt it after Board discussion.

Exhibits:

1. Resolution No. 2019-06
2. Draft Policies 3000 and 4000 (includes 4100)
3. Staff Report of April 25, 2019
4. Materials submitted by Director Modavi