



## NOTICE OF SPECIAL MEETING

Written notice is hereby given, in accordance with Education Code Section 35144 and Government Code Section 54957.6, that a special meeting of the Governing Board of the National School District will be held as follows:

DATE: Monday, December 20, 2010  
TIME: 9:00 a.m.  
PLACE: Administrative Center  
1500 "N" Avenue  
National City, CA 91950

The business to be transacted at this meeting shall be limited to the following:

1. **CALL TO ORDER**
2. **OPENING PROCEDURES**
  - A. Pledge of Allegiance
  - B. Roll Call
3. **PUBLIC COMMUNICATIONS**
4. **ADMINISTRATION**
  - A. Adopt Resolution #10-11.18 related to an emergency caused by threat of a strike and possible strike. (Page 1)


Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

5. **BOARD/CABINET COMMUNICATIONS**
6. **CLOSED SESSION**

Closed session in accordance with Government Code Section 54957:  
PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Closed session in accordance with Government Code Section 54957.6:  
CONFERENCE WITH LABOR NEGOTIATOR  
Agency negotiator: Cindy Frazee  
Employee organizations: California School Employees Association  
National City Elementary Teachers Association

7. **ADJOURNMENT**

  
James Grier, Jr., President  
Governing Board

December 17, 2010

**NATIONAL SCHOOL DISTRICT**  
1500 'N' Avenue • National City, CA 91950 • (619) 336-7500 • Fax (619) 336-7505 • <http://nsd.us>

*Creating Successful Learners... Now*

**GOVERNING BOARD AGENDA ITEM**

Agenda Date: December 20, 2010

Prepared by: Chris Oram

Department: Administration

**AGENDA ITEM:**

Adopt Resolution #10-11.18 related to an emergency caused by threat of a strike and possible strike.

  X   **Action**

           **Information**

**BACKGROUND INFORMATION:**

The Governing Board has been informed that the National City Elementary Teachers Association has requested that its members vote in favor of conducting a strike against the National School District and there is a possibility that the National City Elementary Teachers Association may conduct a strike against the District within the near future.

**CURRENT INFORMATION:**

None

**ADDITIONAL DATA:**

See attached resolution.

**COST IMPLICATIONS:** N/A

**FUNDING SOURCE:** N/A



# National School District

## Resolution

#10-11.18

### RESOLUTION RELATED TO AN EMERGENCY CAUSED BY THREAT OF A STRIKE AND POSSIBLE STRIKE

**WHEREAS**, the Governing Board has been informed that the National City Elementary Teachers Association has requested that its members vote in favor of conducting a strike against the National School District; and

**WHEREAS**, there is a possibility that the National City Elementary Teachers Association may conduct a strike against the District within the near future; and

**WHEREAS**, any strike or any other concerted refusal to work by teachers against the District would pose a serious threat against pupils in the District and their right to an education; and

**WHEREAS**, any strike or any other concerted refusal to work by teachers against the District would pose a serious threat against the normal operations of the schools in the District; and

**WHEREAS**, the community, parents and pupils in the District reasonably expect and deserve that the District plan for and take appropriate action to protect pupils and the District in any strike or other concerted refusal to work against the District;

**NOW, THEREFORE BE IT RESOLVED** that the Governing Board of the National School District hereby declares and determines that an emergency exists in the District;

**BE IT FURTHER RESOLVED** that the Superintendent or his designee is authorized in accordance with Education Code section 35161 to take appropriate action to protect the pupils, employees and property of the District if any strike or any other concerted refusal to work occurs and to ensure that educational opportunities continue to be offered to pupils;

**BE IT FURTHER RESOLVED** that the Superintendent or his designee is authorized in accordance with Education Code section 35161 to carry out any activity he believes is necessary to protect pupils, employees and property of the District if any strike or any other concerted refusal to work occurs and to ensure that educational opportunities continue to be offered to pupils;

**BE IT FURTHER RESOLVED** that the Superintendent or designee is authorized to employ substitute teachers at the daily rate of \$250.00 to work on any day that a strike occurs, or on any day that substitutes need to receive in-service training in order to work during a strike;

**BE IT FURTHER RESOLVED** that the Superintendent or designee is authorized to utilize attorneys of the law firm of Currier & Hudson to take legal action to protect or defend the District because of any strike or other concerted refusal to work;

**BE IT FURTHER RESOLVED** that the Superintendent or designee is the sole representative of the District to make statements to the news media on behalf of the District regarding any strike or other concerted refusal to work against the District;

**BE IT FURTHER RESOLVED** that the Superintendent or designee is the sole District employee authorized to close any school because of a strike or terminate any educational program because of a strike. The Superintendent or designee shall not close any school or terminate any educational program unless he is convinced that the safety and welfare of pupils requires such closure or termination. Any such closure or termination shall be immediately reported to all members of the Governing Board. Any such closure or termination will continue only until the safety and welfare of pupils can be restored which should take place as quickly as possible.

**BE IT FURTHER RESOLVED** that this Resolution is effective immediately and shall remain in effect until terminated by the Governing Board.

**ADOPTED** this 20th day of December, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA    )  
  )ss  
COUNTY OF SAN DIEGO   )

I, Chris Oram, Ed.D., Secretary to the Governing Board of National School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a special meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the office of said Board.

---

Secretary to the Governing Board