

District Closure Due to Wildfires

On Monday, November 17, and Tuesday, November 18, 2008, the District officially closed all schools and the District Office due to health concerns related to the poor quality of the air caused by the wildfires within and surrounding the communities served by the District. As a result, a number of employees have asked similar questions regarding their employment status for those two days. Following are those Frequently Asked Questions and the District responses.

Frequently Asked Questions

1. Why did the District close the schools on Monday, November 17, 2008?

Several major residential areas within our communities experienced wildfires, beginning Saturday, November 15, 2008, that resulted in mandatory and voluntary evacuation of neighborhoods. Particularly impacted were District employees and students who live in Carbon Canyon as far west as Sleepy Hollow and the areas immediately south of Wickman Elementary School, running due east to Hwy. 71. Throughout Saturday, November 15, 2008, and Sunday, November 16, 2008, the District carefully monitored the AQMD's report on the Air Quality Index, which reflected that the air was "unhealthy." By the end of the weekend, the direction of the wind shifted, bringing more air-borne pollutants into our communities. Although the District believes that being in school is the safest place for students, the District concluded that the combination of the unhealthy air and the disruption to the students' normal routines would result in an unusually high number of student absences on Monday.

2. Why did the District close the schools on Tuesday, November 18, 2008?

During the morning of Monday, November 17, 2008, it appeared that the quality of the air improved, as the larger concentration of gray and black smoke disappeared. Nevertheless, the AQMD's report still rated the quality of air as unhealthy. By late afternoon the direction of the wind shifted, again bringing more air-borne pollutants into our communities. Because the AQMD forecast unhealthy air on Tuesday, November 18, 2008, the District determined it was in the students and employees' best interest to close the District for an additional day.

3. Why did the District reopen the schools on Wednesday, November 19, 2008?

A continuous monitoring of the AQMD report demonstrated that the quality of air was improving late Tuesday, November 18, 2008, and the report forecast "moderate" air quality for Wednesday. For the areas in which our District is located, "moderate" is the normal air quality rating. Further, the rating for air-borne pollutants was also in the normal range. Although the District determined it was appropriate and safe to resume normal school hours, the District instructed all schools to cancel all outdoor activities to the full extent possible. As a result, schools moved all lunches inside; outdoor physical education instruction took place inside the gyms or multi-purpose rooms; and, the schools moved outside athletic events inside or canceled them.

4. Why did the District permit all outdoor activities on Thursday, November 20, 2008, when the air quality remained poor?

On Thursday, November 20, 2008, the AQMD reported the quality of our air remained normal, and had in fact improved in quality from Wednesday. The District was very comfortable that it

was appropriate and safe for students to resume all normal activities, including outdoor physical activities. Notwithstanding that assessment, the District recognized the need for individual parents to decide to restrict their student's participation in outside activities, and in all cases worked with parents and students to meet any concern. Further, the District instructed all principals to exercise their sound judgment in determining whether to restrict or cancel outdoor activities on an individual or school-wide basis. The District has always empowered principals to make those decisions that emphasize the safety and health of students.

5. Students missed two days of school. Will it be necessary to make up the two days of instruction? If so, does the District have a plan to make up those days?

The California Department of Education ("CDE") requires that schools meet two requirements for instruction: 1) a minimum number of instructional days per school year; **and** 2) a minimum number of instructional minutes per school year. Currently, the District is in the process of preparing an application that will waive both requirements for the 2008-09 school year, and will submit it to the State Board of Education, following our Board of Education's approval of the waiver application at its regular meeting on December 11, 2008.

Unless the District receives a waiver from the CDE regarding the minimum number of instructional days, it will be necessary for students to make up the lost two days of instruction. In this event it will be necessary to schedule school on current non-instructional days, such as a Saturday, the days scheduled for Spring Break, and/or by adding days to the end of the school year.

Should the CDE grant the District a waiver regarding the minimum number of school days, but not grant a waiver regarding the minimum number of instructional minutes, the District will be able to meet the CDE's requirement by adding a prorated number of minutes to each instructional day before the end of the school year. In this event the District will not have to make up the lost days of instruction by adding two more days.

A third possibility is that the CDE will grant both of the District's waiver applications. Thus, the District would not have to add prorated instructional minutes to the remaining school days, nor would the District have to add two additional days to its instructional calendar.

In any of the three scenarios, the District will meet all CDE instructional requirements and receive all state revenue, as if the District did not miss any days of instruction.

6. If the District is required to add two instructional days, and the decision is to add the days at the end of the school year, will the District reschedule the high school graduation dates?

No. If CDE denies the District's waiver regarding the minimum number of instructional days and the District decides to add two instructional days in June, the District will hold all high school graduations as currently scheduled. Buena Vista – June 9; Chino High and Chino Hills – June 10; Ayala – June 11; and Don Lugo – June 12.

- 7. If the District is required to add two instructional days, and the District does not add the days at the end of the school year, how will the District make up those days?**

At this point, the District does not know whether it will need to add any instructional days. If it does, the District will consider adding the days back during Spring Break, on Saturdays, or any combination of those options.

- 8. I am a regular employee of the District, and I was scheduled to work on both Monday, November 17, 2008, and Tuesday, November 18, 2008. Will the District pay me for those two days?**

Yes. The District will pay all regular employees scheduled to work on both Monday and Tuesday.

- 9. I am a substitute employee, and I was scheduled to work on both Monday, November 17, 2008, and Tuesday, November 18, 2008. Will the District pay me for those two days?**

No. The District only pays substitute teachers and substitute classified workers when they actually work. The District sincerely appreciates all substitute employees who prepared to work on Monday and/or Tuesday; however, the District will not be able to compensate them for work they did not perform.

- 10. I am a regular 12-month employee of the District, and I scheduled vacation time for Monday, November 17, 2008, and/or Tuesday, November 18, 2008. Since the District canceled work for those two days and is paying all regular employees, will I be reimbursed for the vacation time that I took?**

No. The District will charge employees' pay to their vacation allotment for all employees who previously requested and received authorization to take vacation on Monday and/or Tuesday.

- 11. I am a regular employee of the District, and I scheduled sick leave for Monday, November 17, 2008, and/or Tuesday, November 18, 2008. Since the District canceled work for those two days and is paying all regular employees, will I be reimbursed for the sick leave time that I took?**

No. The District will charge employees' pay to their sick leave accumulation for all employees who scheduled sick leave on Monday and/or Tuesday.

- 12. I am a regular employee of the District, and I scheduled personal necessity leave for Monday, November 17, 2008, and/or Tuesday, November 18, 2008. Since the District canceled work for those two days and is paying all regular employees, will I be reimbursed for the personal necessity leave time that I took?**

No. The District will charge employees' pay to their sick leave accumulation for all employees who scheduled personal necessity leave on Monday and/or Tuesday.

13. I am a classified employee (non-management) and the District asked that I work on Monday, November 17, 2008, and/or Tuesday, November 18, 2008. Since the District canceled work on those two days and is paying all regular employees, how is my pay impacted because I did work on Monday and/or Tuesday?

This is a two-part response.

Less than 12-Month Employees

If the District receives the waivers from the CDE and the District does not have to add two additional days to the work calendar, all classified employees who work less than 12 months and who did work on Monday and/or Tuesday will receive compensation time off (1 ½ rate), which they must work with their supervisor to take prior to June 30, 2008. If you did not work on Monday and/or Tuesday, you will not have to make up the two work days and will receive your regular pay from the District for Monday and Tuesday.

If the District does not receive the waivers from the CDE and the District does have to add two additional days to the work calendar, all classified employees who work less than 12 months and who did not work on Monday and/or Tuesday will have to make up the two work days and will not receive their regular pay from the District for Monday and Tuesday.

12-Month Employees

Your salary is not impacted. As you are a 12-month employee, both Monday and Tuesday were regular work days for you. Because you did work on Monday and/or Tuesday, these days will count as part of your annual work calendar. If you did not work on Monday and/or Tuesday, you need to work with your supervisor to adjust your work calendar so that you work the total number of days appropriate to your annual work calendar prior to June 30, 2008. Alternatively, you may take personal necessity and/or vacation leave for these days.

14. I am a 12-month administrator and the District asked that I work on Monday, November 17, 2008, and/or Tuesday, November 18, 2008. Since the District canceled work on those two days and is paying all regular employees, how is my pay impacted because I did work on Monday and/or Tuesday?

Your salary is not impacted. Because you are a 12-month administrator both Monday and Tuesday were regular work days for you. Working Monday and/or Tuesday will count as part of your annual work calendar.

15. I am an administrator and the District did not ask me to work on Monday, November 17, 2008, and/or Tuesday, November 18, 2008. Since the District canceled work on those two days and is paying all regular employees, how is my pay impacted because I did not work on Monday and/or Tuesday?

This is a two-part response.

Less than 12-Month Administrators

Your pay is not impacted. You will receive your normal pay warrant without any adjustment.

If the District receives the waivers from the CDE and the District does not have to add two additional days to the work calendar, all administrators who work less than 12 months will not have to make up the two work days.

If the District does not receive the waivers from the CDE and the District does have to add two additional days to the work calendar, all administrators who work less than 12 months will have to make up the two work days.

12-Month Administrators

Your salary is not impacted. As you are a 12-month administrator, both Monday and Tuesday were regular work days for you. Because you did not work on Monday and/or Tuesday, these days will not count as part of your annual work calendar. If you did not work on Monday and/or Tuesday, you need to work with your supervisor to adjust your work calendar so that you work the total number of days appropriate to your annual work calendar prior to June 30, 2008. Alternatively, you may take personal necessity and/or vacation leave for these days.

16. As a regular employee of the District, can the District assign me to serve as an emergency worker?

Yes. California Government Code section 3100 provides the District with the authority to assign public employees to serve as disaster service workers. The specific code follows:

3100. It is hereby declared that the protection of the health and safety and preservation of the lives and property of the people of the state from the effects of natural, manmade, or war-caused emergencies which result in conditions of disaster or in extreme peril to life, property, and resources is of paramount state importance requiring the responsible efforts of public and private agencies and individual citizens. In furtherance of the exercise of the police power of the state in protection of its citizens and resources, all public employees are hereby declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law.