The FLEX Test

If you can answer “yes” to the following three questions, then your PD activity is flex-eligible at MiraCosta. You may be required to provide reasonable justification in the event verification is necessary.

1. **Does the activity contribute to student, staff, and/or instructional improvement?**
   - Student improvement – teaches you to assist students with larger, non-instructional issues; e.g. making better-informed life choices, becoming more meaningful contributors to society, becoming better informed citizens, etc.
   - Staff improvement – develops your non-instructional workplace skills
   - Instructional improvement – develops your instructional skills, methods, etc.

2. **Is the activity voluntary and without compensation?**
   - Not required – the activity cannot be something that is required of you in the performance of your regularly expected duties and obligations.
   - No double-dipping – You are paid for flex activities because they are in lieu of instruction so you cannot accept additional compensation of any kind (stipends, honoraria, gifts, advancement on salary scale, etc.)
   - No canceling classes – You cannot claim flex credit for activities during times you are supposed to be teaching, i.e. if you cancel a one-hour class to participate in a ten-hour conference, you can only claim nine hours of flex credit for that activity.

3. **Will the taxpayers approve?**
   - We’re public employees – If the taxpayers find out their tax dollars paid you for this activity instead of classroom instruction, will they approve?
   - Subject to review / audit – As public records, flex transcripts are subject to review and / or audit by anyone at any time until the third July 1st beyond the activity’s completion date (Class 3 Disposable Records per Title 5).
   - Cover your bases – Try to make sure your activities and supporting documentation leave no room for questions. In the event of a review or audit you may be asked to provide reasonable justification.