

PIEDMONT UNIFIED SCHOOL DISTRICT
Council Chambers, City Hall
120 Vista Avenue
Piedmont, California 94611

MINUTES OF
Regular Meeting of the Governing Board

February 23, 2011

CALL TO ORDER	Board President Roy Tolles called the meeting of the Board of Education to order at 6:02 p.m.
ESTABLISHMENT OF QUORUM	President Roy Tolles, Board Members Martha Jones, Ray Gadbois, June Monach
Absent from Closed Session	Vice President Rick Raushenbush
Adjourn to Closed Session	The Board adjourned to Closed Session at 6:03 p.m. to discuss: A. Conference with District Negotiator Constance Hubbard Regarding 2010-11 Negotiations with the Association of Piedmont Teachers (APT) (Government Code Section 54956.6) B. Conference with District Negotiator David Roth Regarding 2010-11 Negotiations with the California School Employees Association (CSEA), Chapter 60 C. Conference with District Negotiator Randall Booker Regarding 2010-11 Negotiations with the Association of Piedmont School Administrators (APSA) (Government Code Section 54956.6)
Others Present in Closed Session	Constance Hubbard, Superintendent Michael Brady, Assistant Superintendent, Business Services Dr. David Roth, Assistant Superintendent, Educational Services
Reconvene to Regular Session	Board President Tolles called the Regular Session of the Board of Education to order at 7:08 p.m. and led the Board and audience in the Pledge of Allegiance.
Others Present at Regular Session	Constance Hubbard, Superintendent Michael Brady, Assistant Superintendent, Business Services Dr. David Roth, Assistant Superintendent, Educational Services
Absent from Regular Session	Vice President Rick Raushenbush
Report of Action Taken in Closed Session	None
Agenda Adjustments	None
COMMUNICATIONS / ANNOUNCEMENTS (Community)	
Association of Piedmont Teachers (APT)	Harlan Mohagen, President of the Association of Piedmont Teachers (APT), announced that after a long and sometimes very challenging but always respectful and collaborative process, the District and the Association of Piedmont Teachers have come to a tentative agreement for the 2011 through 2014 school years. A general

membership meeting was held today where the agreement was presented to the members and they are now in the process of voting to ratify the agreement. The voting will be closed as of Friday at 3:30 p.m., and the results will be made public as soon as they are known.

Superintendent Hubbard and President Tolles expressed their thanks to the negotiators and association members in terms of the collaborative, respectful, positive, problem-solving interest-based bargaining model they exemplified. Superintendent Hubbard noted that farther on in tonight's agenda is an Information Item regarding a Special Board Meeting, which will provide an opportunity for the Board to review the terms of the tentative contract after the APT has voted. The Board is scheduled to vote on the agreement at the Board meeting of March 9, 2011.

California School Employees Association (CSEA)

None

Parent Clubs

None

Student Representative to the Board

Eric Huppert, Student Representative to the Board, reported that:

- The College & Career Center will be holding a junior family orientation on March 9 regarding the college application process
- In English classes, sophomores will be giving their video documentary projects
- The Mock Trial Team won the County competition and is moving onto the State championship
- The Asian Student Union held a picnic a couple of weeks ago to celebrate the Chinese New Year
- The Acapella Choir will be performing at Carnegie Hall in New York
- The advanced acting class will have two plays coming up in March: "Ordinary People" and "Clean House"
- Tonight is a really big night for sports in Piedmont: girls' soccer is playing in the NCS finals and girls' basketball is playing their first round of NCS games; boys' soccer made it to NCS but lost in the first round. Spring sports are now starting – softball and baseball had their first games today
- The Associated Student Body held a constitutional convention last Wednesday to review its constitution and make changes. The changes will be voted on by the students later this spring
- The Winter Ball was a success; preliminary planning has started on the Spring Dance
- The Wellness Center sponsored an assembly by comedian and counselor Michael Pritchard, whose theme is based on teen alcohol and drug use

Persons Wishing to Speak to Any Item Not Listed on the Agenda

Resident Ralph Catalano prefaced his statement by stating he is a 20-year resident of Piedmont and has been a professor at the University of California for 38 years and taught students from Piedmont. He has volunteered and been active in every school parcel tax campaign since he has lived in Piedmont. He also served on the strategic planning committee for the District that met for over a year a decade ago to help the Board work on plans. Therefore, any implication that somehow he is not supportive of the District is wrong.

He recently urged the Board to adopt Vice President Raushenbush's plan for capital replacement of the District's recreational facilities and to reject the proposed agreement with the City of Piedmont for a combined preservation fund. He argued that the City had failed to make the maintenance and capital replacement costs of its recreational facilities clear to taxpayers, as the school district had done through the Raushenbush report, and that the failure had put the fate of the City's parcel tax in jeopardy. He again urged the Board to adopt Mr. Raushenbush's plan, asking them not to enter into a partnership with the City to finance capital replacement of recreational facilities. At the least, he asked the Board not to begin discussions of such a partnership until the City has released an accounting, and until that accounting has been vetted at the City Council. He urged the Board not to jeopardize the community's trust.

President Tolles advised this issue is related to a discussion the Board will be having at a future Board meeting – perhaps the second Board meeting in March. As the item was not agendaized, a lengthy discussion of the issue is not allowed under the Brown Act.

Superintendent Announcement

None.

Board President Announcement

None.

PRESENTATIONS

Announcement by Piedmont Educational Foundation of the Amount Available for Funding to the District for the 2011-12 School Year on Behalf of the Endowment Fund

Dana Serleth, Vice President of the Piedmont Educational Foundation, thanked the Board for what they do every day to benefit the students in the Piedmont community.

She continued that, on behalf of the Piedmont Educational Foundation Board, they wanted to convey that they have approved an Endowment Fund distribution in the amount of \$168,769 which is available to meet the educational priorities the District designates for the 2011-12 school year. The PEF Board will wait to hear what the proposed use for the funds will be.

Superintendent Hubbard advised that once the Piedmont Educational Foundation has set an amount, the District uses that amount as they build its budget.

REVIEW & ACTION ITEMS

Approve Seismic Safety Bond Program Project Budget Update

David Burke, Program Manager for the District's Seismic Safety Bond Program, provided a review of the Seismic Safety Bond Program revised budgets through December 31, 2010. Some Project information to date was as follows:

- The total program budget: remains at \$69.1 million
- Total Anticipated funding: \$72.8 million
- Budgets for Havens, Ellen Driscoll Theater, and Piedmont High School are now finalized. These projects combined returned \$209,216 to the program contingency.

There was no one from the public wishing to speak.

Superintendent Hubbard advised that School Services of California, Inc. issued a bulletin stating that State revenues exceeded by more than eight percent, which is very positive for bond sales.

District/State Budget Discussion by Staff:
Board to Provide Direction to Staff
Regarding Elimination of Particular Kinds
of Services (PKS), for Board Action on
March 9, 2011

Superintendent Hubbard stated that the Board has held extensive discussions about the level of reductions the District would need to implement prior to bringing the Second Interim Report for action. At the March 9th Board meeting, the tentative contract between the District and the Association of Piedmont Teachers (APT) will be brought. There will also be a resolution brought forth in support of the State ballot tax initiative. There are many unknowns involved still and District staff will not know more until June. District staff has always included multi-year planning, both short and long-term, in terms of building reserves. Legal counsel for the District was sought, concerning the reduction and/or elimination of positions. Everyone needs to understand that more positions were listed than the District will likely reduce, in order for proper flexibility. She also stated that there is a difference between a PKS (Particular Kinds of Services) and the person providing the service. A list will be provided at the next meeting of the Particular Kinds of Services that may be reduced, and the number of people affected.

The Board had a discussion on the various ranges that would affect program. Again, she reiterated that the PKS background information will list more positions than the District plans to reduce for next year, and a position listed does not mean a notice will be given. It also means that someone is providing that service now, so attrition, leave requests, resignations, etc will be looked at before any release of permanent and/or temporary employees.

The District is currently developing lists from a lower range to a very deep range. At the Special Board meeting, the Superintendent will ask for final directions for the development of the Second Interim Report and the Particular Kinds of Services (PKS) layoff notices to be presented at the March 9, 2011 Board meeting. Approval of the Second Interim and layoff notices require action prior to March 15th of each year to meet statutory deadlines.

Superintendent Hubbard again thanked the negotiators of the Association of Piedmont Teachers (APT) for bringing the contract agreement to be considered prior to the Second Interim. The agreement informs of the multi-year projections and how many reductions would need to be made.

Each of the Board members provided their comments for the range of layoffs that need to be done.

Resident Jon Elliott stated that the Board is not talking about making cuts now. The PKS's are not about laying anybody off; they are about keeping the option open so that come May 16 or July 1, the Board doesn't say they missed their chance to keep an option open. He can't imagine why the Board would foreclose options right now.

Harlan Mohagen, APT President, talked about the turnover of staff and how that impacts the educational experience of the students; also, the morale of a teacher can impact the educational value of that student's learning. There is a cost to issuing more PKS's than what might be needed as an "insurance policy", because teachers come to work every day to teach the students and teachers need to know that they are appreciated and valued for doing that. To go a step beyond

for "insurance purposes" does not work for either the teacher or the student they are teaching.

There being no one else wishing to speak, the public hearing was closed.

Adopt Resolution 09-2010-11, "In Support of Placing a Revenue Extension Measure on the State Ballot"

APT President Mohagen expressed support of the Resolution.

It was moved by Board Member Monach and seconded by Board Member Jones to adopt this resolution in support of placing a revenue extension measure on the State ballot. A copy of the adopted resolution will be forwarded to the Governor's Office.

The motion passed as follows:

AYES: Tolles, Jones, Gadbois, Monach
NOES: None
ABSTAIN: None
ABSENT: Raushenbush

INFORMATION ITEM

President Tolles advised of the tentative Special Board Meeting – Open Session, for Thursday, March 3, 2011, from 5:00 – 7:00 p.m. in the City Hall Council Chambers and will be televised.

Superintendent Hubbard stated the meeting is no longer tentative; at the time of the agenda preparation, it was not clearly known if a meeting would actually be held. At this time, it is now known that a Special Board meeting will be conducted. The purpose of the meeting is to discuss the budget and the possible elimination/reduction of Particular Kinds of Services (PKS). Action on a PKS resolution will not take place until the March 9, 2011 regular Board meeting. It is anticipated that the material will be placed on the web site by noon on Tuesday and a press release will be issued.

CORRESPONDENCE

Board Member Monach advised that the following correspondence was received by the Board:

- Email from a certificated staff member providing input on the budget development and the furlough day program
- Email from a parent with information regarding a recent legal decision regarding interdistrict transfer policies and the Romero Bill (Open Enrollment Act), to which the District responded
- Input from a parent on suggested ways in which to balance the budget
- A question from a parent on ways to provide input about the parcel tax levy
- Feedback from a high school parent on the School Board News recap
- Followup email from a community member about the Witter Field Complex
- Parent input on assumptions to use in the budget development process along with a suggestion to consider program delivery changes as program cuts are being made

Board Member Jones received more than a dozen emails regarding the instrumental music program from parents who were hoping that changes not be made to the instrumental music program that were proposed at the elementary site council meeting last week.

Board Member Gadbois received an email from a parent and representative of the soccer club with some input on the facilities issues being worked on with the City. He will forward the communication to the rest of the Board, and he will respond to the person on behalf of the Board.

BOARD REPORTS

Board Member Gadbois and Assistant Superintendent Brady attended a Piedmont Middle School Parent Club meeting where there was a good discussion about the budget - the process and options - and it was good feedback on the issues being considered. He also participated in the League of Women Voters forum on funding for public education in California.

Board Member Monach attended the LWV forum and received feedback that community members not so connected with the schools realized the magnitude of needs not just within our school district, but statewide. She attended a Tri-School Site Council meeting, as did Board Member Jones. There were very good conversations about proposed budget cuts and core program. She attended the Wellness Center advisory committee meeting at which ways to support and sustain the program were discussed.

President Tolles also attended the League of Women Voters forum. He remarked that Oakland Superintendent Tony Smith is a very inspirational person. President Tolles also attended a Bond Steering Committee meeting where the Beach Construction Project was the main topic, and he attended a Bond Program Citizens' Oversight Committee meeting which was held at Wildwood. Last Wednesday, at Dr. Roth's suggestion, he and Vice President Raushenbush attended several classes at the Middle School. Positive feedback from the teachers was received.

CONSENT CALENDAR

Board Members Monach and Gadbois had requested corrections to the minutes that were already made. Board Member Jones requested a correction to the minutes of February 9th: she believes the Public Safety Committee is going to terminate in April rather than June; she will find out for sure.

Superintendent Hubbard advised that the purpose of Item D. is for the District to open a special account to receive the State funding.

It was moved by Board Member Gadbois and seconded by Board Member Monach to approve the Consent Calendar, with the minor correction to the minutes requested by Board Member Jones.

The motion passed as follows:

AYES:	Tolles, Jones, Gadbois, Monach
NOES:	None
ABSTAIN:	None
ABSENT:	Raushenbush

The Consent Calendar approved was as follows:

- A. Adopt Regular Board Meeting Minutes of January 25, 2011 and Regular Board Meeting Minutes of February 9, 2011
- B. Approve Personnel Action Report
- C. Accept January 28, 2011 Supplement to Structural Peer Review Report of Theodore Zsutty dated September 14, 2010 Regarding the use of the Knowledge Factor $k = 1$.
- D. Adopt Resolution 10-2010-11, "Establishing County School Facility Fund, Fund 35"
The County School Facility Fund is being established pursuant to Education Code Section 17070.43 to receive apportionments from the State School Facilities Fund authorized by the State Allocation Board for new school facility construction, modernization projects, and facility hardship grants of the District

FUTURE AGENDA ITEMS

Future agenda items are as follows and subject to change:

- Public Hearing & Adopt Resolution for Certificated Layoffs (Mar 9)
- Second Interim Financial Report of the District; Vote on APT Collective Bargaining Agreement (Mar 9)
- Review and Approve Facilities Funding Agreement for Upkeep of City and School District Athletic Facilities ("Preservation Fund") (Mar)
- Conduct First Reading for New Course Approval, Honors English 5-6 Piedmont High School, Grade 11 (Mar)
- Certification of Athletic Coaches (Mar)
- Hideo Benjamin Noda Memorial Grants: Announcement of Funds Available (Mar 23)
- Conduct Public Hearing on the Proposed Levy of the Current 2010-11 Parcel Tax, to be Levied in 2011-12 and Adopt Appropriate Resolution(s) (Apr 27)
- Notification of 2011 Arthur Hecht Volunteer of the Year Awardee (April 27)
- District English Language Arts Program Recommendations (Apr/May/June)
- Extend Lease Agreement Between the District and Emery Unified School District for Use of Ralph Hawley School (May/Jun)
- New GATE Plan (May-Jun)
- Special Board Meeting-Open Session to Discuss Interdistrict Transfers (TBD)
- Uniform Complaint Form Board Policies (TBD)
- Conduct First Reading of Proposed Revised Board Policy 5144, "Discipline" (title to be changed to "*Student* Discipline") (TBD)
- Conduct First Reading of Special Education Board Policies (TBD)
- Review of Board Bylaws (Section 9000) (TBD)

Items to be added to the Future Agenda list are:

- Approval of Classified School Employees (CSEA) Contract Agreement (Mar/Apr)

- Conduct Public Hearing (only) on the Proposed Levy (Mar) of the Current 2010-11 Parcel Tax

ADJOURNMENT

There being no further business and with no objections by the Board, President Tolles adjourned the meeting at 8:34 p.m.



ROY TOLLES, Board President
Piedmont Unified School District
Board of Education



CONSTANCE HUBBARD
Secretary, Piedmont Unified School District
Board of Education