

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

MINUTES OF  
Regular Meeting of the Governing Board

April 29, 2009

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CALL TO ORDER	Board President Monach called the Board of Education meeting to order at 6:07 p.m.
ESTABLISHMENT OF QUORUM	President June Monach, Vice President Ray Gadbois, Board Members Roy Tolles, Martha Jones, Rick Raushenbush
ADJOURN TO CLOSED SESSION	The Board adjourned to Closed Session at 6:08 p.m. to discuss:  A. Conference with District Labor Negotiator Constance Hubbard Regarding 2009-10 Negotiations with the California School Employees Association, Chapter 60 (CSEA) (Government Code Section 54956.6)  B. Public Employee Performance Evaluation: Superintendent (Government Code Section 54957)
OTHERS PRESENT FOR CLOSED SESSION	Constance Hubbard, Superintendent Michael Brady, Assistant Superintendent, Business Services David Roth, Assistant Superintendent, Educational Services
RECONVENE TO REGULAR SESSION	Board President Monach called the Regular Session of the Board of Education meeting of April 29, 2009 to order at 7:02 p.m. and led the Board and audience in the Pledge of Allegiance.
OTHERS PRESENT AT REGULAR OPEN SESSION	Constance Hubbard, Superintendent Michael Brady, Assistant Superintendent, Business Services David Roth, Assistant Superintendent, Educational Services
Report of Action Taken In Closed Session	None
Agenda Adjustments	None
COMMUNICATIONS / ANNOUNCEMENTS	
Association of Piedmont Teachers (APT)	None
California School Employees Association (CSEA)	Before introducing CSEA Chapter President Maureen Rhodin, Superintendent Hubbard brought to the public's attention pages 8-12 of the Board agenda which were copies of the Special Board Meeting agenda and backup material, including a resolution in the matter of the reduction or discontinuance of certain classified particular kinds of services for the 2009-10 school year. The resolution equates to 40 full-time equivalents, which affects 73 employees – half of the CSEA staff. The District is hoping not to have to reduce this many personnel. It is hopeful it will only have to reduce 7 FTEs. Superintendent Hubbard reiterated that the reductions are not a reflection of the District's value or appreciation

for the contribution that this group of employees has made that assists our students. This reduction is a huge impact.

Ms. Rhodin shared her comments from yesterday morning's Special Board meeting in which she indicated that morale is low and urged the Board to rescind the layoff notices as soon as possible.

Ms. Rhodin read email from a CSEA staff member expressing the importance of paraeducators as they help students who may require more assistance than other students.

Ms. Rhodin added that there have also been cuts to classified personnel in the Adult Education office.

Board President Monach commented that the District is forced to go through this process along with many other school districts because of State cutbacks.

Parent Clubs

None

Student Representative to the Board

Will Pritchett, Student Representative to the Board, was not in attendance at this meeting.

PERSONS REQUESTING TO SPEAK ON ITEMS NOT ON THE AGENDA

None

Board President Announcements

President Monach announced that:

- There is a writing workshop at the Piedmont Middle School
- The High School dance concert is April 30, May 1, and May 2
- A Tri-School Parent Education Night will be held on May 12, "Leading Your Kids through Tough Times" at 7:00 p.m. at the Beach auditorium, and
- The 17<sup>th</sup> Annual Bird House Gala and Auction will be held on May 29 from 5-7:30 p.m. at a private residence

REVIEW & ACTION ITEMS

Budget Review and Receive Direction from Board

District staff have been looking at how to implement budget reductions for the 2009-10 school year and its effects on the 2010-2011 school year. The District anticipates a minimum of \$1.6 million in ongoing deficit starting in 2009-10 which will grow, when compounded, to close to \$4 million the following year. District staff prepared two different levels of assumptions for the Board to give direction.

If Measure E passes on the ballot, it will help mitigate by \$1 million a year and help the District to be able to plan for the reductions in a way so that the District can again live within its "footprint". The state loss of funds between 2007-08 and 2009-10 is close to \$1,000 per child. Fortunately, the District only planned on receiving about \$400 of that money; nevertheless, it is money that would be owed to the District. The District is looking at a reduction of close to \$650 per child for next year.

## **Level 1 reductions:**

### Assumptions:

- Measure E passes on June 2, 2009 to mitigate the State shortfall
- Remaining shortfall in budget: \$600,000. State funding is at the level expected as of April 30, 2009
- Target an amount above \$600,000 to mitigate projection shortfalls and unexpected expenditures in 2008-09 that affects the projected 2009-10 beginning fund balance
- Federal stimulus dollars to be applied over following two years to mitigate expected further reductions

### Reductions:

- \$450,000 – 5.5 Full Time Equivalent Certificated Staff
  - increase class size in grades 6-12 (maintain K-3 CSR program)
  - reduce administrative staff/services
  - do not replace counselors on leave for 2009-10
- \$250,000 – 5.0 Full Time Equivalent Classified Staff
  - Decrease paraeducator support services as classroom aides and occupational therapy services
  - Reduce gardening and grounds services
  - Assign current maintenance personnel to plant
  - Management/supervision services at Emeryville campus as part of bond program
- \$125,000 – Transfer from Adult Education Program as part of State Tier III flexibility provisions
- \$100,000 – Sweep of ending fund balance in all categorical programs as allowed by recent State regulations
- \$925,000 – Total ongoing reductions in addition to the use of one-time funds

## **Level 2 Reductions:**

### Assumptions:

- Measure E fails on June 2, 2009
- Remaining shortfall in budget \$1.6 M – State funding is at the level expected as of April 30, 2009
- Target an amount above \$1.6 million to mitigate projection shortfalls and unexpected expenditures in 2008-09 that affects the projected 2009-10 beginning fund balance
- Federal stimulus dollars to be applied over following two years to mitigate expected further reductions

### Reductions:

- \$925,000 Level 1 reductions
- \$350,000 – 3.5 Full Time Equivalent Certificated Staff
  - eliminate co-curricular positions including department chairs, activities coaches, music accompanists
  - reduce PMS/PHS site administrative staff/services
  - reduce counseling services K-5

- reduce library services K-12
- \$400,000 - 6.0 Full Time Equivalent Classified Staff
  - Eliminate Library Assistants
  - Eliminate paraeducator support in grades K-3
  - Reduce custodial staff K-12
- \$1,675,000 Total reductions. Personnel reductions will be considered permanent and ongoing in future years. Will need to track the application of on-time sources of funds to balance ongoing budget.

The levels of reduction were developed by the Superintendent based on input from Administrative staff, discussions at parent meetings and Budget Advisory Committee meetings. Salary roll-back and benefits reductions for employees must be negotiated and may be considered as part of the 2010-2011 budget development. In the event that Measure B does not pass on June 2, 2009, additional reductions of approximately 25% of all staff will need to be considered for 2010-11 due to the loss of revenue.

The Board is required to adopt the 2009-10 budget at its June 24, 2009 Board meeting. Work cannot be completed until the outcome of the June 2, 2009 election and the State May Revise information due in mid-June.

Board discussion ensued on whether or not to look at a two-year forecast, or go through the layoff process twice because there are so many unknowns.

There was also discussion on possible elimination of the Adult Education program or increasing fees; and discussion of not being in favor of cutting administrative services because they are already bare-bone.

Assistant Superintendent Brady advised that the construct of the Third Interim Financial Report of the District is a snapshot in time. When the Third Interim comes out, it will be before the June 2 election, so the budget should be looked at exactly the way it is, with no Measure E impacting the Third Interim report, and then taking the Measures that we did in this moment of time and applying the Level 1 to that number. The Board was in consensus of this. Assistant Superintendent Brady also advised that we may not know the federal stimulus information at the time of the Third Interim, either.

Superintendent Hubbard advised these are levels of reduction without the intent that they will return. We will know then how to mitigate the Measure E slide down with some of the federal money depending on how it flows.

The Board is in consensus that if the State propositions do not pass, and if Measure B does not pass, additional reductions of approximately 25% of all staff should be considered for 2010—11 due to loss of revenue.

Review Contract Reopener Proposals for 2009-10 Negotiations Between the District and the California School Employees Association (CSEA), Chapter 60

The proposals will be “sunshined” (open to the public for review) for two weeks before a vote of the Board at the May 13<sup>th</sup> Board meeting. The proposals are:

- Article 9 – Layoff and Reemployment:  
Examine layoff and reemployment policies.
- Article 23 – Terms:  
Both parties have expressed interest in continuing the terms of the contract as is for two more years, which includes zipping the salary schedule; continued movement for professional development units and longevity payments, and continued health benefits at the current rate, with the District paying the increase in the Kaiser Family Plan rate.

The costs to maintain the existing contract under current terms is approximately \$650,000 over two years.

There was no one from the public requesting to speak.

Conduct Public Hearing and Adopt  
Proposed 2010-11 Instructional Calendar

This is the second public hearing on the proposed 2010-2011 Instructional Calendar. Administrators at all schools are working on coordinating our minimum days and parent conference schedules. Third grade will be all day starting on the first day of school; there will be no staggered reading. The Calendar Committee portion of the APT contract, along with the calendar process will be placed on the District web site and every year, an announcement will be made by the district that the calendar development process has begun, and an email address for public input will be established for public comment. Every other year, the Board may recommend that an informational forum take place to educate the parent community around the guidelines and process.

There was no one requesting to speak on the item.

It was moved by Board Member Raushenbush, seconded by Board Member Jones, and passed unanimously to adopt the Instructional Calendar for 2010-11.

Conduct First Reading of Proposed New  
Textbooks:  
- Algebra I, Grade 9  
- “Math Analysis”, Grades 10-11-12

Dr. Jamie Adams advised that the Piedmont High School Math Department is submitting the textbooks listed for proposal to the school board.

A 30-day public review period of the textbooks will be conducted from April 29-June 10. At the June 10<sup>th</sup> Board meeting, the Board will be requested to adopt the textbooks.

There was no one from the audience requesting to speak.

PUSD Bond Program: Approve Piedmont Unified School District Participation in the Lamorinda School Bus Program Joint Powers Authority (JPA); Designate Board Representative to Serve as Piedmont Representative; and Authorize the Superintendent or Designee to Enter Into an Agreement for Bus Services for Havens School for the 2009-10 School Year

David Burke, Piedmont Unified School District Seismic Safety Program Bond Manager, explained that the District is planning for bus transportation for the three academic years during which Piedmont elementary school children (grades 1-5) will be relocated to Emeryville.

There are two significant advantages to joining with other school districts that collectively contract for transportation services:

- The District can benefit from the experience of other districts in the planning and administration of school bus services, including route planning, ridership planning, and developing

- systems to ensure safe-tracking of all students; and
- The District is likely to get more favorable rates with the combined purchasing power of a school bus collective than it could get as a small district negotiating independently.

It is anticipated that the Piedmont Unified School District will be invited to join the Lamorinda School Bus Program Joint Powers Authority (JPA), which provides daily bus service to over 1,600 K-8 public school students in the Lafayette, Moraga, Orinda and Acalanes School Districts.

The District would pay the rates established under the contract plus a fee to the JPA for administrative and support services, and these rates and fees (estimated to be \$460 per bus per day) are within the program budget for transportation services.

Juliet Hansen and Don Tatzin of the JPA Board indicated that the JPA has been in operation for about 14 years as a way to reduce traffic congestion. There are seven agencies on the JPA Board. It is the JPA's intent to approve the District's final document at a meeting soon to be held. Buses from the company *First Student* have already been ordered. A Piedmont school board representative will be asked to serve as a representative on the JPA.

The final agreement with cost and bus route information will be brought back to the Board for ratification.

There was no one from the public requesting to speak on this issue.

It was moved by Vice President Gadbois, seconded by Board Member Tolles and passed unanimously to approve the participation in the Lamorinda School Bus Program Joint Powers Authority.

It was moved by Board Member Raushenbush, seconded by Board Member Jones, and passed unanimously to authorize the Superintendent or designee to enter into an agreement for bus services for the 2009-10 school year.

Mr. Tatzin confirmed that the Resolution before the JPA is worded so that the Piedmont Unified School District will be joining for three years which can be extended if the need arises, and that the JPA would allow us to continue with the same rates even if there is a year where we are not using their buses.

It was moved by Board Member Raushenbush, seconded by Vice President Gadbois and passed unanimously to designate Board Member June Monach to represent the District, with Board Member Tolles as the alternate.

PUSD Bond Program: Approve Contract Between Bollo Construction Co., Inc. (David Burke), for Program Management Services

At the January 14, 2009 meeting, the Board approved a Program Management Services Agreement with Bollo Construction, Inc. (BCI) in the amount of \$50,000. This agreement was intended to be short-term and was anticipated to be replaced with a more comprehensive agreement. The existing management agreement will be amended to extend through September 2010, for an amount not to exceed \$450,000 (\$150/hour at 167 hours per month).

Board Member Raushenbush requested that Article 9 include a no-fault termination clause in order to clarify that David Burke will be the only Program Manager from BCI for this project.

It was moved by Board Member Raushenbush, seconded by Board Member Jones, and passed unanimously to approve the Program Management Services Agreement with BCI, with the understanding that a clarification to the contract be added that the District is retaining the services of David Burke, with no substitutions, effective April 1, 2009 through September 30, 2010, at an amount not to exceed \$450,000.

#### Board Recess

President Monach called for a five minute recess at 10:55 p.m.

PUSD Bond Program: Approve Contract Between the District and VBN Architects for the Design of the Beach SchoolMates Portable Facilities

During the 2009-10 academic year, the Havens SchoolMates program will be relocated to City property at the eastern end of Beach Field. The Wildwood SchoolMates program may be housed at the Beach Field site during the 2010-2011 school year, also. This move is necessary to accommodate the reconstruction of Havens Elementary School during the 2009-10 school year and the modernization of Wildwood Elementary School during the 2010-2011 school year.

Architectural design services are required to prepare the necessary permitting and construction bid documentation. Vila Construction prepared and distributed a Request for Proposals for this project and after review of proposals, it was recommended that VBN Architects provide these design services. They were the lowest proposed bidder of the three bidders.

It was moved by Board Member Raushenbush, seconded by Board Member Jones, and passed unanimously to approve the contract with VBN Architects for design services relating to the temporary SchoolMates facilities at Beach Field, in an amount not to exceed \$22,000.

PUSD Bond Program: Approve Contract Between the District and *murakami*/Nelson Architects and Engineers for the Design of Three Kindergarten Portables to be Placed at Beach Elementary School

During the 2009-10 school year, the Havens kindergarten will be located at Beach Elementary School. During the following school year, the Wildwood kindergarten will be located at Beach School. This move is necessary to accommodate the reconstruction of Havens Elementary School during the 2009-10 school year and the modernization of Wildwood Elementary School during the 2010-2011 school year. Three portable classrooms are required to house the Havens and Wildwood kindergarteners at Beach School.

Architectural design services are required to prepare the necessary documentation for the Division of the State Architect (DSA) permitting and construction bidding. Vila Construction prepared and distributed a Request for Proposals for this project to the four architectural firms in the District's "architect pool". A recommendation was brought forth for the selection of *murakami*/Nelson Architects to provide these design services, and they were the lowest bidder of the three bids received.

There was no one from the audience requesting to speak.

It was moved by Vice President Gadbois, seconded by Board Member Tolles, and passed unanimously to approve the contract between the District and *murakami*/Nelson Architects for the design of the three kindergarten portables to be placed at Beach Elementary School, effective April 30, 2009 through October 31, 2009, for an amount not to exceed \$22,000.

PUSD Bond Program: Increase Current Contract Between the District and *murakami*/Nelson Architects and Engineers for the Preparation of a Specific Seismic Hazard Report Required by the Division of the State Architect (DSA) for Proposition 1D Seismic Funds

Assistant Superintendent Brady explained that this is an extension of work that the Board authorized earlier for Ron Gallagher to do some calculations in order to have buildings that might qualify for Proposition 1D funding. A contract had already been approved by the Board to prepare documentation for the Piedmont High School Student Center and the Board is being asked to increase the contract by another \$20,000 for the preparation of documentation for the Library/Quad Building at Piedmont High School. Assistant Superintendent Brady explained that if each building clears DSA as eligible for Seismic Mitigation money under Prop 1D, this would mean an addition \$1 million (\$500,000) per building in unanticipated state funding for the bond program.

There was no one in the audience requesting to speak.

It was moved by Vice President Gadbois, seconded by Board Member Raushenbush, and passed unanimously to increase the current contract between the District and *murakami*/Nelson Architects by another \$20,000 for the preparation of a specific seismic hazard report required by the Division of the State Architect, for the Library/Quad Building at Piedmont High School.

PUSD Bond Program: Conduct Public Hearing and Designate Funding Priorities for the Piedmont Educational Foundation on Behalf of the Endowment Fund for 2009-10

At the March 25, 2008 Board meeting, Lance Fong, Piedmont Educational Foundation President, announced that the Piedmont Educational Foundation Endowment Fund would be donating \$158,602 to the school district for the 2009-10 school year.

At the April 7, 2009 Board meeting, a public hearing was conducted and the recommendation by the Superintendent is to request the full amount, and that the funds be used to continue with the Grades K-12 student support services, e.g., Counseling; Grades 6-12 elective programs at the Middle School and High School; and continuation of the elementary library program.

The public hearing was opened. There being no one requesting to speak, the public hearing was closed.

It was moved by Vice President Gadbois, seconded by Board Member Tolles, and passed unanimously to accept the priorities as recommended and request the full funding of \$158,602 to support those programs for 2009-10.

The Board and Superintendent extended their thank you to the Piedmont Educational Foundation for making the funding possible.

#### REVIEW & DISCUSSION ITEM

Consideration of Scheduling a Special Board meeting to Continue Discussion of District Goal Setting

Board President Monach declared that this agenda item may be more appropriate for a Special Board meeting since regular agendas can be very full and there is not adequate time to discuss details such as goal setting.

President Monach reported to the Board that she, Superintendent Hubbard, and VP Gadbois broached the subject of the PEF providing financial and leadership support in working with the District to engage the community in long-term planning and priority setting discussions. The PEF board is receptive and has asked for a proposal for review at its May 21, 2009 meeting. She proposed to the Board that she and Vice President Gadbois work with the Superintendent to develop this proposal and bring it back to the Board for review at the Special Board Meeting on Wednesday, May 20, 2009, 4:00-6:00 p.m., or May 18th. The Board will advise the Superintendent's office of their availability for these days.

She requested from the Superintendent a progress report on the action plan at the May 13<sup>th</sup> Board meeting as a prelude to the District goal setting. She also requested an update from Dr. Roth on the proposed annual satisfaction survey to be sent out. Dr. Roth advised the District hopes to send this out by each school site, in the next two weeks.

#### INFORMATION ITEM

Announcement of Special Board Meeting on Thursday, April 30, 2009, 4:00-5:30 p.m. in District Office Board Room to Receive Information on the Adult Education Program

Board President Monach announced the Special Board Meeting of Thursday, April 30, in the District Office Board Room from 4-5:30 p.m. to receive information on the Adult Education Program.

#### CORRESPONDENCE

Board President Monach advised we have received emails from a Witter Field neighbor regarding pedestrian safety; a letter from a citizen asking not to make budget reductions only via classified staff; an email inquiring about the classified staff negotiation process; and an email regarding eligibility to attend Piedmont schools from a property mgr which is being worked on by the Superintendent. Board Member Jones received a book called, "Math Circles" from a resident which is about extra-curricular math programs.

Board Member Jones noted that there had also been some correspondence received asking about salary comparisons with other districts. She advised that a study had just come out by the Pacific Research Institute with citizens' guides for California School Finance and there is a web site where financial and salary data, and comparative test scores can be found, which is: [www.schoolfinancecenter.org](http://www.schoolfinancecenter.org).

#### BOARD REPORTS

None

#### CONSENT CALENDAR

Superintendent Hubbard wanted to draw attention to the timeline summary of important dates in the Overaa Contract for preconstruction work of Havens. Wanted to make sure people see this.

Board President Monach requested that the description of lease/lease-back agreements from the supporting memo for the Overaa preconstruction contract be placed on the bond web site.

Superintendent Hubbard thanked consultant Julie Moll for all of her assistance in preparing various recent bond program communications to go to the Board and/or public.

It was moved by Board Member Tolles, seconded by Board Member Raushenbush, and passed unanimously to approve the Consent Calendar as presented.

FUTURE AGENDA ITEMS

Board President Monach suggested that extra time be spent on this agenda item in the event there is anything that the Board feels should be on a future agenda item. Board Member Raushenbush requested that there be information provided on minimum days and the Instructional Calendars in general. A project timeline should also be included for the May 13<sup>th</sup> Board meeting.

ADJOURNMENT

There being no further business, and with no objections by the Board, President Monach adjourned the meeting at 10:40 p.m.

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JUNE MONACH, Board President  
Piedmont Unified School District  
Board of Education

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CONSTANCE HUBBARD  
Secretary, Piedmont Unified School District  
Board of Education