

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

MINUTES OF
Regular Meeting of the Governing Board

May 25, 2011

CALL TO ORDER	Board President Roy Tolles called the meeting of the Board of Education to order at 6:32 p.m.
ESTABLISHMENT OF QUORUM	President Roy Tolles, Vice President Rick Raushenbush; Board Members Martha Jones, Ray Gadbois, June Monach
Adjourn to Closed Session	The Board adjourned to Closed Session at 6:33 p.m. to discuss: A. Public Employee Performance Evaluation: Superintendent (Government Code Section 54957)
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
Report of Action Taken in Closed Session	None
Agenda Adjustments	The out-of-state field trip request for students who participated in the Bird Calling Contest was received after the posting of the agenda and will be approved under the Consent Calendar.
COMMUNICATIONS / ANNOUNCEMENTS (Community Association of Piedmont Teachers (APT))	Harlan Mohagen, President of the Association of Piedmont Teachers (APT), could not be present tonight but asked the Superintendent to make a report for her later on in the Board agenda.
California School Employees Association (CSEA)	None
Parent Clubs	None
Student Representative to the Board	Eric Huppert, Student Representative to the Board, reported that: <ul style="list-style-type: none">• On June 3-5, the Acapella choir will be performing• The Art class is having a show from now until June• Students from the Bird Calling contest will be on the David Letterman Show tonight• The girls' lacrosse team is playing in the North Coast Section (NCS) semi-finals today against Marin Catholic• Some of our track runners are going to the Sacramento "Meet of Champions"• The girls' swim team is also playing in the North Coast Section• The Associated Student Body finished the "Day on the Green", which was a big success, and right now the ASB is in the middle

of an election of officers

- The Orchestra is having a fund raiser this Friday in the Alan Harvey Theater, with proceeds going to the Japan Tsunami Relief fund

Persons Wishing to Speak to Any Item Not Listed on the Agenda None

Superintendent Announcements Superintendent Hubbard announced that Dr. David Roth, Assistant Superintendent for Educational Services, has accepted the position of Superintendent of Buckeye Union School District, a K-8 district in the Sierra foothills serving Shingle Springs, Cameron Park, and El Dorado Hills. Reorganization plans are underway.

The Board extended its congratulations to Dr. Roth and his family.

Board President Announcements None

PRESENTATION

Recognition of Piedmont Middle School Teacher Deborah Sorenson, Recipient of the Rene Molho Holocaust Education Award of the Jewish Federation of the East Bay

Piedmont Middle School Principal Jeanne Donovan expressed her congratulations to Dr. Roth but added that he will be missed.

On May 3, Principal Donovan attended the annual community commemoration of the Holocaust and the Resistance. Every year, the Jewish Federation of the East Bay honors an educator for contributions toward the memory, awareness and legacy of the Holocaust. The educator teaches the importance of tolerance and understanding between people. This year, the award was presented to Debbie Sorenson, 8th grade English and History teacher. Principal Donovan was deeply moved by the solemnity of the ceremony and by being in the presence of at least 20 Holocaust survivors.

Ms. Sorenson spoke about her classroom discussions with students regarding intolerance.

The Board congratulated Ms. Sorenson on her award for ensuring that students never forget this part of history.

REVIEW & ACTION ITEMS

First Reading, Facilities Use Handbook and Facilities Use Fee Schedule

The Board reviewed the Facilities Use Handbook and Facilities Use Fee Schedule. Fees have not been increased for five years, partially to acknowledge the community's generosity in passing ballot measures over the past five years. The fee increases have been limited to increases in the San Francisco Bay Area Consumer Price Index (CPI). Combined CPI increases over those five years totals approximately 7.7%. This item will return for approval at the June 8, 2011 Board meeting under the Consent Calendar.

The Facilities Use Handbook contained small revisions, such as:

- The shot put and pole vault/high jump can now be rented as separate areas;
- The PHS Student Center kitchen is now available as a rental;
- The Havens play field area is now listed as a rental.

Vice President Raushenbush noted that the rental rates are far below market rates and is pleased the costs are being updated.

He requested that wording be included to make it clear that if people are not following the rules or not sharing, there will be no debate about users being removed.

Board Member Gadbois stated that the Board has been working with the City to develop a proposal on the Facilities Preservation Fund. The item has been side-tracked by other school/City issues. He is hopeful for a proposal in the not too distant future.

He asked if staff could get a legal opinion on including the wear and tear on artificial turf that could be included in direct costs.

Superintendent Hubbard responded that the District already received a legal opinion which indicated the District could not include the wear and tear of the artificial turf with the direct cost. The Board asked for an updated legal opinion.

Superintendent Hubbard stated that many other school districts do not have the issue of the continuous use by outside groups because of other fields available in the area, or there are so many youth leagues that they do not have rental procedures.

Discussion ensued about beverages/water. The handbook will be revised to state "beverages, other than water will not be permitted". Superintendent Hubbard stated the intent of the Facilities Use Handbook is for non-school events outside of school hours.

Assistant Superintendent Brady explained that if someone was trying to access the dog park [if one was coming from the Magnolia Avenue area], they would have to walk through the Witter Field Complex. Vice President Raushenbush stated they could go through the upper access to the park and he is comfortable with current language in the Facilities Handbook.

Superintendent Hubbard wanted to remind the community that Witter Field, including the track, and walking through that area with a dog, is closed during school hours. In the past, community members were respectful of this. There is no open access to non-school personnel during school time for any reason, just as school officials would not allow non-school personnel to walk around the school facilities or walk into a classroom.

There is already signage regarding Witter Field being closed to use during school hours, and Assistant Superintendent Brady advised there are also large and small font signs at Havens.

Isabel Reagan, Piedmont High School senior, commented that recently, there was an incident at Witter Field in which someone was robbed at gunpoint. She wondered if that was a factor in deciding to change some rules and increase costs, to which the Board responded no.

Ryan Blumenstein, Piedmont High School senior, asked for clarification of the beverages to be allowed on Witter Field. The football players drink Gatorade. Assistant Superintendent Brady stated that there would be no beverages allowed other than water.

Rebecca Tobe, Piedmont High School senior, asked for clarification of using the dog walk during school hours.

Approve Changes to the Classified Certificated Unrepresented Employees Covered Under the Memorandum of Understanding Between the District and the Association of Piedmont Administrators (APSA), Effective July 1, 2011 through June 30, 2012

Superintendent Hubbard stated that there are classified and certificated employees who are designated management or termed "confidential" and are not included in either APT or CSEA, and not entitled to collective bargaining representation. They have a Memorandum of Understanding (MOU) with the Board.

The MOU changes include the application of the same cap of the District contribution toward health benefits, the application of the furlough day schedule as APT and CSEA, and changes in retirement benefits, professional development salary additions, and contingency language that mirrors respective APT and CSEA bargaining groups. The savings to the District due to proposed changes in the MOU amounts to approximately \$300,000 over a three-year period. In terms of concessions by the APSA for the three years, it amounts to \$3.738 million to the District.

There was no one from the public wishing to speak.

It was moved by Board Member Monach, seconded by Board Member Jones, and passed unanimously to approve changes to the classified and certificated unrepresented employees covered under the Memorandum of Understanding between the District and the Association of Piedmont Administrators (APSA), effective July 1, 2011 through June 30, 2012.

The Superintendent clarified that APSA MOU's are traditionally done for a period of one year; however, there has been a commitment by APSA for all three years, alongside APT and CSEA.

Review and Discussion of Draft "Commitments and Goals for 2011-12", and Approve Areas of Focus for Development of 2011-12 Action Plan

Superintendent Hubbard pointed out the additions made to the "Commitments and Goals for 2011-12". One of the purposes of goal setting is to narrow down what the areas of focus are going to be in order to define expectations of staff. All staff is committed to the commitments and goals as stated.

Board Member Jones asked for some way to track professional development paid for by staff members themselves so the community can see the dedication and commitment of staff. Superintendent Hubbard advised that, in the past, a quarterly report on professional development was provided to the Board. Superintendent Hubbard will add this as part of the Action Plan.

Board Member Monach asked that the bullet under Goal 4 that says, "Continue to imbed the theme of "Shaping our Future" as part of the Commitments and Action Plan be removed because the subcommittee is going to incorporate all the themes from the "Shaping Our Future" workshops and place it in the opening of the updated "Commitments and Goals" to return at the June 8th Board meeting.

Regarding a solar project, Board Member Gadbois felt the District is not far enough in the study to make a decision on understanding whether the District could get some State matching funds and how the District would finance the rest.

Assistant Superintendent Brady stated that the Chevron report on potential solar projects in the District looked at all of the facilities to see where the District could maximize its power-generated capacity. Their conclusion was that the roof on the Middle School and High School gymnasiums, in conjunction with one another, would be the most feasible/practical for being worthy of an investment project and that would be a large project.

Board Member Gadbois said this would probably not save the District any money, unless there is some way to leverage potential State modernization funds to pay for some or half of this project. He would like to know more about that. Under the "Commitments and Goals", where it says, "Develop list of projects in priority order", "implement study of solar project" will be included in the list of projects, instead of as a separate focus area in the action plan.

Rachel Hoffman, Piedmont High School senior, asked if, when Havens was being built, was there any consideration for using solar panels at that time? Vice President Raushenbush responded yes, however, it was not part of the allowable budget, so it was not done. However, Assistant Superintendent Brady added that if the District wants to do this at a future time, the support panels and conduit is ready. Board Member Gadbois stated it would be more cost-effective to do the Middle School and High School first. Vice President Raushenbush stated the price of panels has risen quite a bit.

It was moved by Board Member Gadbois, seconded by Board Member Monach, and passed unanimously to approve the proposed areas of focus for the 2011-12 Action Plan.

REVIEW & DISCUSSION ITEM
Review Schedule of Regular Board
Meetings for 2011-12

The proposed schedule of 2011-12 Regular Board Meetings was reviewed. The date for the Board meeting in July 2012 should show as July 11, rather than July 13, 2011. The schedule will be corrected and placed on the June 8th Consent Calendar for adoption.

INFORMATION ITEM
Information from Governor's May Revision
Workshop of May 20, 2011

There was no one from the public requesting to speak.

Assistant Superintendent Brady reviewed the following:

- Previously, the District was looking at \$349 per student loss in ADA (\$800,000)
- All cuts in the budget would have cost the District about \$2M – which would have been catastrophic
- Between January and May, the District finds that after the May Revise, its Interim Report is actually where it should be. The District will proceed with the same budget brought forth in January.
- The revenue limit would be \$5,252 per student
- The next reiteration will be the State adopted budget
- If we look at the District budget submitted during the 2nd Interim, the District still has issues, such as the loss of emergency parcel tax funding at the end of 2012. The District needs to discuss how to address the \$1M loss at the end of 2012, whether through revenue enhancements, further staff reductions, or one-time measures to close the gap
- The District does not have the numbers for 2013-14 yet

- The District still has a reserve; the Ending Fund Balance that is in excess of \$2 million will support 2011-12 and 2012-13 but when looking at the last numbers brought, it shows the District would have about \$300,000 left over at the end of 2013 for whatever would happen in 2013-14, and in 2012-13, we are deficit spending about \$1.4 million
- Once the District addresses the \$1 million loss for Measure E in 2012, that will help with 2013-14

Board Member Jones stated the May Revise budget includes revenues that are still assumed; so it is not in line with reality. Assistant Superintendent Brady said this was not mentioned at the May Revise about how it might be addressed. It is typically addressed through mid-year cuts or deferrals. Either way, there are sufficient reserves to pull us through 2011-12

Board discussion ensued about tax extensions / cuts.

Superintendent Hubbard's concern is that citizens may be reading in the news media that schools are getting more but that is not correct; at best, it will be the same.

Announcement of Openings for Seismic Safety Bond Program Citizens' Oversight Committee for 2011-12 / 2012-13

Superintendent Hubbard advised that the District is seeking new members for the ongoing Seismic Safety Bond Program Citizens' Oversight Committee. The positions will begin in the Fall 2011 (September). Information on the charge and structure of the committee and an application are provided in the Board packet and can also be found on the District web site www.piedmont.k12.ca.us, go to "District Information", "Latest Announcements".

The deadline for applications is Thursday, July 14, 2011, 4:30 p.m. A press release has already been submitted to the news media.

CORRESPONDENCE

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

- Five emails from parents and community members expressing concern about anticipated changes to the 4-5th grade instrumental music program

BOARD REPORTS

President Tolles made a visitation of classrooms at Beach. He will be visiting Wildwood West on May 31; on Thursday, he will be visiting Havens.

Board Member Raushenbush attended the leadership celebration of PMS and PHS peer advisors, mediators, youth educators and youth ambassadors. The students were very articulate.

Board Member Jones attended a CHIME meeting, where they discussed the elementary music program.

Board Member Monach attended the tri-school English Language Assessment presentation, which was very comprehensive. She also extended thanks to the PHS community for the way in which they responded to the recent graffiti incident.

CONSENT CALENDAR

President Tolles reminded the Board that the out-of-state field trip to New York for the Bird Calling students was being added to the Consent Calendar.

Vice President Raushenbush requested that Item D., "Approve Consultant Services Agreement Between the District and Dannis Woliver Kelley (DWS) for legal services, effective July 1, 2011 through June 30, 2012, per the rates indicated in the agreement", and Item E., "Approve Consultant Services Agreement Between the District and Fagen Friedman & Fulfroost for legal services, effective July 1, 2011 through June 30, 2012, per the rates indicated in the agreement" be pulled for separate discussion. He had comments on their terms that he will review with staff. Board consensus was to bring the agreements back for approval on the Consent Calendar of June 8, 2011.

Superintendent Hubbard added, for the public's information, that the District contracts with more than one law firm, depending on their specialties. The District basically uses two firms – sometimes three, and may use others depending on the legal situation.

It was moved by Vice President Raushenbush, seconded by Board Member Gadbois, and passed unanimously to approve the following items:

A. Adopt Regular Board Meeting Minutes of May 11, 2011

B. Approve Personnel Action Report

Approve Out-of-State Field Trip for Piedmont High School Bird Calling Students to attend and perform on "David Letterman Show", New York City, New York, May 24-26, 2011

(Pulled):

C. Approve Consultant Services Agreement Between the District and Dannis Woliver Kelley (DWS) for legal services, effective July 1, 2011 through June 30, 2012, per the rates indicated in the agreement

D. Approve Consultant Services Agreement Between the District and Fagen Friedman & Fulfroost for legal services, effective July 1, 2011 through June 30, 2012, per the rates indicated in the agreement

FUTURE AGENDA ITEMS

Future agenda items as shown, and subject to change are:

- Recognition of District Retirees
- Recognition of Outgoing Student Representative to Board
- Review of Preliminary 2011-12 District Budget
- Approve Lease/Lease-Back Agreement Between the District and Cahill Construction Co. for the Beach Elementary School Seismic Safety Renovation Project for Guaranteed Maximum Price
- Extend Lease Between District and Emery Unified School District for Use of Ralph Hawley Elementary School, Emeryville
- Review of District Evaluation Committee Plan

- Adopt Schedule of Regular Board Meetings for 2011-12
- Approve Moving Expenses from Beach to Emeryville
- Declaration of Need (on Review & Action segment)
- District English Language Arts Program Recommendations- Elem/PMS(Jun 8)
- Adopt 2011-12 Commitments & Goals
- Recognition of Outgoing Board President
- Conduct Public Hearing, Adopt 2011-12 District General Fund Budget and All Budgets Operated by the District
- Review New Gifted & Talented Education (GATE) Plan
- Adopt New Gifted & Talented Education (GATE) Plan
- Annual Review of Playfield Use at Havens
- Annual Review/Approval of Green Committee Plan
- Update of Technology Plan
- Reorganization of Board of Education
- Review of Tentative Board Committee Assignments
- Adopt Board Committee Assignments
- 2011-12 Action Plan Update
- Review and Approve Facilities Funding Agreement for Upkeep of City and School District Athletic Facilities ("Preservation Fund")
- Special Board Meeting-Open Session to Discuss Interdistrict Transfers(TBD)
- Uniform Complaint Form Board Policies
- Conduct First Reading of Proposed Revised Board Policy 5144, "Discipline" (title to be changed to "*Student* Discipline")
- Conduct First Reading of Special Education Board Policies
- Review of Board Bylaws (Section 9000)

Superintendent Hubbard advised that the review of the Preliminary Budget will not be discussed at the June 8th Board meeting because the adoption of the District Budget will be brought at the June 22nd Board meeting and it is too much work for staff to do both. She explained that in years past, a preliminary review of the Budget was conducted but it was only added this time in case the May Revise was completely different but since it is not, only the First Interim will be provided at the June 22nd Board meeting.

Resident Paul Gerken just read in the Piedmont Post about the cancellation of the fourth grade music program and requested information or further discussion.

Superintendent Hubbard stated that as part of the District's recommendation in terms of program reductions (it is not "dead"), we are still going to have instrumental music and opportunities for students in the elementary grades. We are trying to rearrange how it will be delivered. She welcomed hearing his concerns.

She added that the State's funding is considered "flat funding", which is similar to the rate of 5-6 years ago. Part of what the District is doing with the music program, as is being done with all programs including English Language Assessment, and the idea of continuous improvement is that it is not just a money issue; it is a delivery of

program issue. We are looking at trying to improve the delivery of music in the long run in a K-12 perspective.

Board Member Gadbois felt the elementary music program issue can be discussed in the overall context of the entire District budget at the Board meeting of June 22, 2011 when the District Budget is brought before the Board. He feels it is inappropriate to agendaize or discuss just one program out of the entire Budget.

Vice President Raushenbush reiterated that the May Revise has not given us adequate funding. All that happened is that the District learned that the May Revise is consistent with what the District already assumed would be cut. And yet, it is not a budget – it is just the Governor's proposal that has gone nowhere for the last six months. As far as we know, we could end up with another \$800 per student cut. It is just a proposal; there is no budget. We are nowhere close. Even if we get the money, we are deficit spending every year until we do more cuts or come up with more money or the State comes through and finally pays what they owe. There is not adequate funding for education in Piedmont or California.

President Tolles cautioned that, particularly in media headlines or opinion pieces in some of our local newspapers are not entirely accurate, and requested that community members direct their questions to staff.


Piedmont High School student Charlie Weatherbee asked for an explanation on the Future Agenda Item about the Evaluation Committee, which Superintendent Hubbard explained to him. He asked if there will be a student component to this program, and Superintendent Hubbard responded in the affirmative.

CONVENE TO CLOSED SESSION

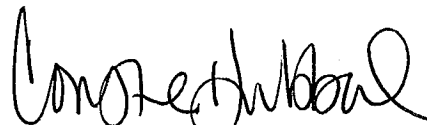
The Board convened to Closed Session at 8:59 p.m. to continue discussion regarding the Evaluation of the Superintendent.

RECONVENE TO OPEN SESSION

The Board reconvened to Open Session at 9:32 p.m. There being no further business and with no objections by the Board, President Tolles adjourned the meeting at 9:33 p.m.



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



CONSTANCE HUBBARD
Secretary, Piedmont Unified School District
Board of Education