

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

MINUTES OF
Regular Meeting of the Governing Board

September 9, 2009

CALL TO ORDER	Board President Gadbois called the regular meeting of the Board of Education to order at 6:05 p.m.
ESTABLISHMENT OF QUORUM	President Ray Gadbois, Vice President Roy Tolles; Board Members June Monach, Martha Jones, and Rick Raushenbush
ADJOURN TO CLOSED SESSION	The Board adjourned to Closed Session at 6:06 p.m. to discuss: A. Conference with District Representative Constance Hubbard Regarding 2009-10 Negotiations with the Association of Piedmont School Administrators (APSA) (Government Code Section 54956.6) B. Conference with District Representative Constance Hubbard Regarding 2009-10 Negotiations with the California School Employees Association (CSEA), Chapter 60 (Government Code Section 54956.6) C. Conference with District Representative Constance Hubbard Regarding 2009-10 Negotiations with the Association of Piedmont Teachers (APT) (Government Code Section 54956.6)
OTHERS PRESENT FOR CLOSED SESSION	Constance Hubbard, Superintendent Michael Brady, Assistant Superintendent, Business Services David Roth, Assistant Superintendent, Business Services
RECONVENE TO REGULAR SESSION	Board President Gadbois called the Regular Session of the Board of Education to order at 7:18 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)	APT President Harlan Mohagen attended the meeting with APT Vice President Virginia Leskowski. Ms. Mohagen wanted to add Director At-Large Diane Bomberg to the APT Executive Board names, which she inadvertently overlooked at the last Board meeting. She also wanted to add APT's thanks to the custodial staff, Webcor, and all teachers, especially Havens teachers who were so flexible and

amazing in terms of getting their classrooms ready in such a short amount of time.

Classified School Employees Association (CSEA)

None

Student Representative to the Board

Ally Leong, Student Representative to the Board, reported that:

- This week is Welcome Back Week at the High School
- The first rally of the school year for Fall sports is this Friday; the Piedmont High School football team won last week against Drake High School
- Clubs are getting ready for Club Day on September 17th

PERSONS REQUESTING TO SPEAK ON ITEMS NOT ON THE AGENDA

Parent Catherine Ogle presented suggestions for formatting the District-wide minimum day schedule and added that there are other minimum days which should be added. When there are consecutive days off, she would like the number of days listed next to it in parentheses.

She also wanted to speak to the issue of the State giving a reprieve to schools on acquiring Language Arts curriculum. She would like to see the District consider proceeding with some kind of curriculum review even if it does not culminate in the purchase of a new program. There are some things that could be done with the materials we have without spending any money, in order to address areas of weakness.

Superintendent Announcements

Superintendent Hubbard advised that Professional Development Days are coming up on October 12th and 13th and are non-school days for students.

She also advised that tomorrow night is the Middle School Back to School Night and September 14th is the Piedmont High School Back to School Night. The elementary Back to School Nights and the Millennium High School Back to School Night were already held.

Board President Announcements

President Gadbois announced that he plans to start rearranging the agenda in order to spend more time and focus on school district and academic issues, rather than bond program items. He also intends to use Special Board Meetings and Board Workshop for large, complex topics that require in-depth analysis and discussion. He also plans to move non-significant and non-controversial items to the Consent Calendar to help save time.

PRESENTATION / INFORMATION
Feedback on 2008-09 District Goals

2008-09 District Goals were reviewed: Educational Program, School Environment, Communications Practices, Financial Management, and Facilities Planning and Management. Specific commendations, along with specific recommendations, were also shared.

The Board expressed its thanks to faculty and administrators for all of their accomplishments.

2008-09 STAR Test Results

Dr. Roth advised that his reports on STAR and the site needs assessment are a preview for a longer presentation that will be given at the September 23rd Board meeting. He added that the Board may want to consider having extended presentations of one or both

subjects at a Board workshop for more in-depth discussion.

The overall news is that District students continue to perform at a high level. There was a noticeable increase in elementary math test scores in grades 2, 4, and 5. There is an issue of underperformance of high school students in Algebra 1 and 2, which is being researched.

Dr. Roth stated that a lot of energy goes into administering the STAR tests. More attention is being called to this tool to make certain that, as we move forward, we look at all the different data points. STAR is not the only assessment tool.

Dr. Roth has been working with Board Member Jones to compile a report on student assessment, hopefully to be released in October. It will provide a comprehensive overview from a variety of sources for a period of time from 2004-2009.

Parent Catherine Ogle does not see high level progress in the English/Language Arts section. She feels the STAR test provides robust data. She thinks it would be useful for parents to know what it really means to be in the "advanced category". She is interested in looking at where a student is in percentile rank in the state over a period of years to give a sense of how the students are doing. She thinks the State can provide data "custom runs" for an additional fee.

2008-09 Site Needs Assessment Survey

Dr. Roth said the site needs assessment survey is completed. Parents at all sites were invited in late May to participate in the survey. The goals of the survey were to support the District goals for continuous improvement in student learning; solicit parent perspectives; hear from a representative sample of parents; obtain baseline information and monitor trends; and provide feedback to school staff, school site councils, parent clubs, District administration, and the school board.

Survey categories and participation rates at each school were provided. Overall satisfaction with District schools was between 86-96%.

The information will be placed online in the next couple of months.

Parent Catherine Ogle was appreciative of the survey and felt something to consider in a future survey would be to have parents reflect back on their experiences, such as middle school parents reflecting back on the elementary experience of their children, and high school parents reflecting back on the middle school experience.

REVIEW & ACTION ITEMS Seismic Safety Bond Program:

The Qualified School Construction Bond is a program authorized by the federal stimulus package and available to school districts in an amount up to \$25,000,000 in interest-free money via a lottery allocation. There were 231 districts applying and 43 districts received funds. Piedmont was number 217. The State QCSB lottery was held on August 28th and the District was not a recipient. The District will continue to proceed with issuing bonds for the current projects through competitive sale, negotiated sale, or the possibility of bond anticipation notes, depending on information from the

District's public finance consultants. Tomorrow, the Superintendent and Assistant Superintendent will be meeting with the consultants and two rating agencies.

2. Update on School Busing Program (and Bond Program Update)

David Burke, Seismic Safety Bond Program Manager, provided the following update:

- The Piedmont High School seismic renovation project has now been approved by the Division of the State Architect
- The Guaranteed Maximum Price is being finalized with Overaa Construction Co.
- The critical construction path is proceeding
- He has heard good reports that everything at the high school portables is going very smoothly
- He has also heard that everything is going well at the Havens, Emeryville site
- The Ellen Driscoll project is proceeding well; the crew is making things water-tight before the rainy season arrives
- Havens construction is on schedule; crews will start the first foundation pour this week

There are soil and ground water issues at the Havens site. During the demolition phase and start of the site work phase, soils were encountered in specific locations that appeared to be darker and different than the native soils. They were tested and reported as having very low levels of hydrocarbon. Although the levels were low, the soil could not be disposed of in a general landfill. It needed to be uphauled and taken to a different location. The hydrocarbon is no longer on site. Because the levels were low, they were not a hazard to Havens students previously because they were encapsulated under buildings and asphalt. They are also not a future issue because the soils have been removed.

In addition, groundwater in specific locations on the site was also found to contain low levels of hydrocarbon under routine testing. It is not a health issue; it is a water quality issue. The District cannot discharge the groundwater directly into the storm drain system; it has to be treated first. In other areas, the water has tested clean.

In specific locations; others have tested clean.

Environmental consultants advised the issues are not related and are looking for a point source for the groundwater. They have begun drilling some test spores upslope along Highland Avenue. If those results come back positive, it will suggest that the point source for the water issue is offsite and appropriate actions will be taken to find out how it is mitigated in terms of elimination and cost recovery.

The Guaranteed Maximum Price (GMP) for the Ellen Driscoll Project was approved for \$1.7 million [actually, \$3 less than \$1.7 million]. The cost process went well and is below the original construction budget of \$1.76 million, so the District is \$60,000 under budget in that cost category.

Removal of the contaminated soil will be between \$30,000-\$50,000.

The Board expressed its interest in having an updated bond budget expenditures report covering all projects.

There was no one from the public requesting to speak.

Today, Havens Principal Tery Susman advised that the buses were getting to Havens early. In the last two weeks, substantial changes were made to stops and routes, especially on the green and blue routes. The start of staggered reading was delayed to Monday, September 14 to give more time for drivers to familiarize themselves with the routing schedule/times.

The next big milestone will be on September 14 when the staggered reading begins. Two new routes will be added – the yellow route and the purple route. There will be no significant time or route change. The new schedule provides for 6 buses a day, four times per day. The revised budget for six buses (rather than four) will be approximately \$500,000/year, including any overtime.

There are still some remaining stop and route issues at St. James (blue route) which should be eliminated by Monday. There is an issue at the Coaches' Field stop regarding access to the stop and some changes may be made. It will not affect the other stops.

Some parents are requesting a specific school bus just for Beach for Beach *SchoolMates*. Mr. Burke understands the logic but doing this will create other issues such as some students who rode a certain colored bus in the morning will have to ride a different colored bus in the afternoon which has proven to cause mixups. The idea is still being looked at for another two weeks and then a decision will be made.

Report on Sustainability of Seismic Safety Bond Projects

Seismic Safety Bond Program Manager David Burke advised that several months ago, the issue was raised by the Bond Steering Committee of how the District is delivering the bond projects in relation to the "green initiative". Mr. Burke provided a brief description of the sustainable features incorporated in each project, including the estimated number of California High Performing Schools (CHPS) points each project would receive. The points earned under the CHPS Program can be used to establish eligibility for State money under California's Proposition 1D. However, the process of documentation and certification involves significant additional time and expense. Although CHPS verification and certification can lead to Proposition 1D funding, the funding is generally less than the added expense of documentation and certification. District Board Policy 3510, "Green Initiative", mandates the incorporation of LEED and CHPS criteria and best practices to the extent feasible and cost effective, but it does not mandate or mention certification. Additionally, the Board Policy is consistent with other fundamental policies of the District – to allocate available resources toward the academic program rather than toward establishing certification for the symbolic value of certification. However, all projects incorporate sustainable features where possible, such as environmentally-sensitive lighting that reduces light pollution; low-flow toilets and restricted-flow sinks that conserve water; recycled content such as linoleum; the recycling of at least 75% of construction waste, etc.

The Leadership in Energy and Environmental Design (LEED) rating system for schools is an international standard for sustainability of schools that references national codes and is not state-specific.

The only project that appears to meet the minimum for State funding would be the Beach Elementary School project. However, the District will not be running any of the projects through the CHPS program.

The Havens Elementary School project is different because Webcor Builders, as part of their company policy, pursue LEED certification for schools. Webcor, at their own cost, is pursuing the cost of obtaining a LEED silver-certified rating.

The Bond Steering Committee reviewed all of the information just presented and they concluded that each project is consistent with Board Policy 3510, and they recommended not to pursue certification for any of these projects at this time.

The financial implications for evaluating the Beach Elementary School for Proposition 1 D State funding were such that the design cost and certification cost would exceed the amount of money for which the District would qualify.

Superintendent Hubbard thanked consultant Julie Moll for her creation of the staff background reports.

There was no one from the public requesting to speak.

Provide Direction on the Replacement of Members to the Measure E Bond Program Citizens' Oversight Committee

The terms of three members on the Citizens' Oversight Committee ended as of June 2009, creating openings on the Committee. One application to serve was received and it was recommended that this applicant be added to the Committee. Seven people are required to be on the committee, and the District meets this requirement.

The Board was in consensus to accept the recommendation to have the applicant admitted to the Citizens' Oversight Committee.

There was no one from the public requesting to speak.

Conduct First Reading of Proposed Revised Board Policy 3290, "Gifts, Grants & Bequests"

The policy is being brought for revision to address donations that have been offered toward the construction projects related to the Seismic Safety Bond Program. Gifts and donations for construction projects often require design and/or installation that have associated costs. The District has adopted Facilities Standards that guide the purchase and installation of building materials and equipment that are necessary for the long-term maintenance program and that have been verified as to safety and accessibility requirements. Therefore, proposed donations for the construction projects must include all associated costs and must be confirmed to be consistent with District standards for the materials and/or equipment. The District Bond Steering Committee is in the process of developing a list of equipment and design enhancements that are consistent with District standards and are identified as an enrichment to the project that would not otherwise be eligible for funding under the Seismic Safety Bond program. Donors wishing to contribute will be required to follow the policy and address the needs as identified on the list of

desired enhancements.

The Board requested additional edits to the policy, to be returned at the September 23rd Board meeting for adoption on the Consent Calendar.

There was no one from the public requesting to speak.

Enrollment statistics at all school sites were shared with the Board. Total enrollment for the District (not including Millennium High School because many of the students are counted in with PHS enrollment) is 2,542.

There was no one from the public requesting to speak.

A Special Board Meeting will take place on Tuesday, September 15, 2009, from 4:00-6:00 p.m. in the City Council Chambers to conduct a public hearing on possible alternative sites for the *SchoolMates* portable located at Beach Elementary School. The hearing will include the alternative sites, cost, feasibility, access and traffic mitigation.

There was no one from the public requesting to speak.

Elections for Board of Education candidates (two vacancies) will take place on February 2, 2010. The nomination period for the upcoming election is from October 12 to November 6, 2009. An Election Timetable was provided in the packet. Nomination forms must be obtained from the City Clerk and are not available on the web site.

Since the August 26, 2009 Board meeting, several emails have been received regarding bus transportation service; the Board was also copies on an email to the City regarding traffic safety at one of the bus stops (Coaches Field); an email was received regarding the Beach traffic issues on Linda Avenue; several emails were received regarding the *SchoolMates* portable location; one email was received regarding the Witter-El Cerrito gate; an email that Ms. Ogle already provided testimony on regarding being on email distribution lists; and an email from Rebecca Bowman, Senator Loni Hancock's aide, was received reporting the final disposition and vote from the State Allocation Board relaxing standards so that money from Proposition 1D will be made more accessible for those who want to apply for those funds. This could be up to \$1 million for the District.

There was no one from the public requesting to speak.

Board Member Monach attended the Beach and Wildwood Back to School Nights.

Board Member Raushenbush attended the Havens Parents' Club meeting as the Board liaison.

Vice President Tolles commented on the article the Board members received about "Grit". He found it very interesting.

President Gadbois thanked Beach Parent Organization President Laura Katter for meeting with him and Board Member Monach one

ANNOUNCEMENTS

Enrollment Update

Announcement of Special Board Meeting of Tuesday, September 15, 2009

Announcement of Vacancies on Board of Education

CORRESPONDENCE

BOARD REPORTS

morning to observe traffic issues and impacts at Beach School.

CONSENT CALENDAR: ACTION ITEMS

It was moved by Board Member Jones, seconded by Board Member Monach, and passed unanimously to approve the Consent Calendar as presented:

- A. Adopt Regular Board Meeting Minutes of August 26, 2009
- B. Approve Parking Lease Agreement Between the District & City of Emeryville
The lease agreement will provide Havens faculty with 10 parking spaces per month at the Glauhaus Public Parking Garage for the 2009-10 school year
- C. Receive Report of Structural Peer Reviewer Seismic Strengthening & Modernization of Piedmont High School Library/Quad Building and Student Center Estructure (MaryAnn Phipps), the structural peer reviewer for the High School, recommends that R.P. Gallagher Associates engineers staff who familiar with the design, monitor construction on a regular basis and address any new conditions exposed during construction; additionally, that they be responsible for reviewing the project upon completion to ensure that all nonstructural component have been installed for code compliance and for the safety of students and staff
- D. Certify Competence of Administrators in the Assessment of Certificated Employees
Education Code requires all administrators assigned to evaluate certificated employees must possess certain demonstrated competencies. A list of those administrators will be presented for approval
- E. Conduct Annual Review of Board Policies
As an annual requirement of California Education Code 48980, the Board will review the following Board Policies:
 - Board Policy 5116.1, "Assignment of Piedmont Students to Elementary Schools"
 - Board Policy 6145, "Extra and Co-Curricular Activities"
- F. Approve District Warrant List for Services Rendered Dated August 27, 2009
- G. Approve Monthly Financial Report of District for August 2009
- H. Ratify Lease/Lease-Back Agreement with Final Guaranteed Maximum Price (GMP) Between the District and C. Overaa Construction Co. for the Seismic Renovations at the Ellen Driscoll Theater
The Ellen Driscoll Playhouse is considered a separate project by DSA with a separate project tracking number from the Havens "Becker Design" project under contract to Webcor. The contract for the seismic upgrade must be approved separately from the Havens project. The Superintendent was authorized to enter into agreements and exercise approved Board authorization for contract changes up to \$100,000. The contract with the final GMP of \$1.7 million was executed on August 25, 2009 and must now be ratified.
- I. Waive Second Reading and Adopt Proposed New Board Policy 7300, "Hours of Operation"
The policy is being established in order to restrict employee admittance at school sites for safety and liability purposes
- J. Approve Field Trip for Piedmont High School Senior Picnic, Castle Rock Park, September 16, 2009 (approved form

requested by Park District)

APT President Harlan Mohagen asked about Item G., “Certify Competence of Administrators in the Assessment of Certificated Employees” – what the process was. Superintendent Hubbard stated the administrators listed are certified by having the credential and skills to be supervisory and perform evaluations on staff; it also certifies who has evaluation roles and responsibilities. When Board Member Jones inquired about the evaluation process, Superintendent Hubbard explained that the process is an Article in the APT Collective Bargaining Agreement, based on California Professional Teaching Standards that discusses evaluation cycles based on probationary, temporary or permanent classification of a certificated employee. Superintendent Hubbard advised that the APT Contract is now available online at the District web site.

FUTURE BOARD AGENDAS

FUTURE BOARD AGENDA ITEMS

→ **SUBJECT TO CHANGE** ←

- Conduct Public Hearing & Approve the 2008-09 Unaudited Actuals and 2009-10 Revised District Budget for All Funds Operated by the District; and Adopt Resolution Authorizing Budget Transfers of Funds (Sep 23)
- Conduct Public Hearing and Adopt Resolution on Sufficiency of Textbooks and Instructional Materials (Sep 23)
- STAR Report (Sep 23)
- Adopt Resolution on Gann Limit (Sep 23)
- Ratify Lease/Lease-Back Agreement and Final Guaranteed Maximum Price (GMP) Between the District and C. Overaa Construction Co. for the Seismic Renovations at Piedmont High School (Library/Quad Building and Student Center); and Fire Alarm Replacement at Piedmont Middle School (Sep 23)
- Confirm Nominees to the Citizens' Advisory Committee on the Parcel Tax Program Measures B and E (June 2, 2009 Election) (Sep 23)
- Review of Annual Needs Assessment (TBD)
- Update on Action Plan from Administrative Team (Oct)
- Review and Discussion of Prevailing Wage Use (Sep/Oct)
- Second Reading/Adopt Proposed Revised Board Policy 4030, “Discrimination / Hate Crimes / Hazing / Harassment (Including Sexual Harassment, Intimidation, Bullying, and Cyberbullying” – *Employee Version*” (Oct)
- Report of Professional Development Activities (Oct)
- Comprehensive School Safety Plan (Oct)
- Report and Possible Action on CALPADS Program (Oct)
- Approve Student Data Information System Software (Oct)
- Quarterly Report on Williams Uniform Complaints, Jul-Sep (Oct)
- Approve Single Plans for Student Achievement (Oct/Nov)
- Public Hearing on Use of Synthetic Turf/Natural Grass/Blacktop (Oct)
- Review of Board Bylaws (Section 9000) (TBD)
- Special Board Meeting: Tuesday, September 15, 2009 to Conduct Public Hearing and Possible Action on *SchoolMates* Portable at Beach Elementary School

ADJOURNMENT

There being no further business, and with no objections from the Board, President Gadbois adjourned the meeting at 9:49 p.m.

RAY GADBOIS, Board President
Piedmont Unified School District
Board of Education

CONSTANCE HUBBARD
Secretary, Piedmont Unified School District
Board of Education