

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

MINUTES OF
Regular Meeting of the Governing Board

September 29, 2010

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	Board Members Roy Tolles, Martha Jones, Rick Raushenbush, June Monach
ADJOURN TO CLOSED SESSION	The Board adjourned to Closed Session at 6:04 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 Constance Hubbard Regarding 2010-11 Negotiations with the California School Employees Association (CSEA), Chapter 60 (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 7:02 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 Dr. David Roth, Assistant Superintendent, Educational Services
REPORT OF ACTION TAKEN IN CLOSED SESSION	None
AGENDA ADJUSTMENTS	None
COMMUNICATIONS / ANNOUNCEMENTS	
Association of Piedmont Teachers (APT)	Havens fifth grade teacher Stephanie Konele introduced herself. Linda Gann, 6 th grade Advanced Math teacher, said she is very optimistic that even with the challenges ahead, the school is off to a great start. APT President Harlan Mohagen expressed her appreciation to former Board President Ray Gadbois for his welcoming and openness whenever she got up to speak at Board meetings. She also expressed her appreciation to present Board President Tolles, Board Member Monach and Mary Ireland, Chair of the Associated Parents Clubs of Piedmont for their kind and thoughtful words about

the value of the teachers, which was spoken of at the recent Budget Advisory Committee meeting. She also brought up that another thing that gets lost in budget discussions is what APT has done to help balance the budget in 2010-11, as follows: The teachers are taking five furlough days; the combination class stipend has been eliminated for 2010-11; they have capped the co-curricular tier at the lowest tier; and they have had reduced aide time at the elementary level. At the classified level, they have taken three furlough days and seen reduced time. All administrators, including the Superintendent have agreed to take five (5) furlough days (with the exception of one classified management person). The parent clubs have filled up another gap by generously contributing funds in order for the District to stay balanced for 2010-11.

California School Employees Association (CSEA)

None

Associated Parent Clubs of Piedmont

None

Student Representative to the Board

Superintendent Hubbard introduced Eric Huppert, the new Student Representative to the Board.

He added that he is a junior at the high school, and Student Body Vice President. He stated that this year, the Associated Student Body would like to focus on student clubs and involvement in school events.

He also reported that:

- Progress reports are coming out September 30.
- A class discussion about loss of academic integrity was brought up in AP U.S. History recently. Plagiarism and cheating do not get mentioned a lot and perhaps it is something that should be discussed more often by parents, with their students
- Community service day on October 6; over 20 outside organizations will participate; student organizations will also be participating
- A musical is being planned; the audition process is happening now
- There were 36 clubs participating in Club Day last week; the ASB is thinking about changing how the club system works so there would be more teacher oversight
- The homecoming game is coming up in two weeks; a rally and dance is being planned; there is a mascot for the first time!

PERSONS REQUESTING TO SPEAK ON ITEMS NOT ON THE AGENDA

None

Superintendent Announcement

None

Board President Announcement

None

PRESENTATIONS

2010 STAR Program and Accountability Progress Reporting Results

Assistant Superintendent Roth provided an overview of the recently completed Standardized Student Assessment Report results which consolidates student performance on standardized assessments and provides comparative schools/districts information. Review of this data is important to determine how it may inform instruction that will improve student learning; contribute to a baseline for the cycle of inquiry; inform the community of the effectiveness of the Piedmont program in supporting student achievement; and provide a longitudinal reference for parents, teachers, administrators, the District/Board, and the broader educational community.

English Language Arts

- Proficiency levels were above a seven-year high in grades 5, 6, 8, and 9. Grades 2 and 3 were within 2% of the seven-year high.
- There was advanced range performance above a seven-year high in grades 3,4,5,6, and 8. Proficiency levels in grade 10 were at a seven-year low.

Mathematics

- Proficiency levels were at a seven-year high in grades 2,3,5,6, and 7
- Advance range performance was at a seven-year high in grades 3,5,6,7

Science

- Proficiency levels were at a seven-year high in grade 5 and at a five-year high in grade 8. Grade 7 was nearly at a seven-year high in Physics (within 2%)
- There was advanced range performance at a seven-year high in grades 5, 8, and Chemistry, with a near seven-year high (within 2%) in grade 10.

History/Social Science

- Proficiency level was at a seven-year high in grade 8 History/Social Science
- There was advanced range performance at a seven-year high in grade 8 History/Social Science and grade 11 U.S. History

Comparison figures showing below the mean with other unified school districts, other high schools, and other elementary districts were reviewed.

The STAR Report will be posted on the District web site. Statistics are also available on the California Department of Education web site: <http://star.cde.ca.gov/star2010/> and <http://www.cde.ca.gov/ta/ac/ar/>.

The Academic Performance Index (API) is a measure that the State uses to determine whether or not school districts are making academic growth over time. It is also a measure of how well students within a number of sub-groups are achieving.

Piedmont is among the highest in the State within the API.

Advanced Placement Results were also very good. Fifty-nine percent (59%) of eleventh and twelfth graders participate in advance placement classes.

Results of English Language Arts Survey

Dr. Roth provided another set of data being reviewed by site councils, curriculum forum, principals and teachers in response to the English Language Arts survey. The participants of the survey are parents of students at all sites (MHS is not part of the presentation but is in the process of soliciting parents through this survey).

25% of elementary parents participated (fewer 5th grade parents)
43% of PMS parents participated (slightly fewer in 8th grade)
44% of PHS parents participated (pretty even in all grades; slightly lower for 11th grade parents)
35 % average parent participation overall

The level of overall satisfaction with the educational program in Piedmont is between 88-95%.

Reading, Writing, Speaking, Homework-Amount & Difficulty graphs were provided.

Next Steps

Site Councils will utilize the results of this information in combination with standardized test data and teacher / administrator / student (PMS & PHS) feedback to review and provide input into the District's English Language Assessment program recommendations, which will go before the Board in April-June 2011.

REVIEW & ACTION ITEMS

Consider Naming of Havens Play Field and Havens Multipurpose Room in Honor of Mark Becker and Andy Ball

Claudia Harrison from the Havens Parent Club Board, came before the Board of Education with a proposal to name the Havens Play Field the "Becker Play Field", and the Havens multipurpose room, the "Andy Ball Multipurpose Room", in honor of the time and effort spent by both Mark Becker and Andy Ball in the design and construction of the new Havens Elementary School.

It was moved by Board Member Monach, and seconded by Board Member Jones to name the Havens Play Field the "Becker Play Field", and the Havens multipurpose room, the "Andy Ball Multipurpose Room".

There was no one from the audience requesting to speak.

The Board passed the motion unanimously.

The Havens Parent Club representatives will work with the Superintendent regarding placard wording, size, material, and location to be affixed. The cost of the dedication ceremony and the placards will be funded by private sources.

Review Contract Opener Proposals for 2011-14 Negotiations Between the District and Association of Piedmont Teachers (APT)

Superintendent Hubbard stated that the proposed contract openers between the District and APT are being "sunshined", which is simply a declaration to notify the public what articles of the contract are being proposed for negotiations. The public then has a two week period to comment. Traditionally, there would be a three-year contract and each year, two or three articles would be opened for negotiation. Salary and benefits are always automatically two of the reopeners. However, this year, the entire APT contract expires June 30, 2011, allowing both sides to talk about as many articles as either side would like to talk about.

A joint proposal which reflects the interest-based bargaining process is being presented tonight by both sides, as follows:

Article I: Agreement

The Parties have a mutual interest in bargaining a three year contract.

Article V: Assignment, Reassignment, Transfer and Classification of Permanent Probationary and Temporary Teachers

The Parties have a mutual interest in bargaining the *Elementary Combination Classes* provision contained in Section I of the Article.

Article VI: Hours and Professional Responsibility

The Parties have a mutual interest in bargaining language regarding bell schedules as contained in Section C of the Article.

Article IX: Professional Assistance and Review

The Parties have a mutual interest in ensuring that its certificated staff is provided maximum support opportunities to thrive and excel at imparting instruction. The Parties also have a mutual interest in ensuring professional development opportunities are maximized for its certificated staff and not limited by unfunded programs.

Article XIV: Retirement Incentive Program

The Parties have a mutual interest in examining the effectiveness and need of the incentive program.

Article XV: Retirement/Disability Benefits

The Parties have a mutual interest in examining the language and scheme of retiree health benefits and explore options for coverage for future retirees in light of the sky-rocketing cost of health benefits.

Article XVI: Fringe Benefits

The Parties have a mutual interest in providing health benefits for its employees while containing the exponentially increasing cost of health benefits. The Parties will examine all options, including but not limited to, plan design, scope of coverage and other alternatives to achieve these mutual interests.

Article XVII: Salaries

The Parties have a mutual interest in offering competitive compensation to be able to attract and retain quality teachers. The Parties also have a mutual interest in the fiscal health of the District in these tough economic times.

Article XIX: Employee Evaluations

The Parties have a mutual interest in bargaining language and creating a new evaluation tool that effectively measures certificated performance and approaches evaluations in a supportive, meaningful and education-centric fashion. The Parties have created a joint subcommittee made up of certificated employees and District administrators to begin working on these issues. The description of the subcommittee is attached as Attachment A.

Furthermore, in light of the collaborative, problem-solving history between the District and APT, the Parties have agreed to continue to engage in the "interest-based" negotiation process. The principles of interest-based negotiations include:

- a) Work hard on the problems and soft on the people
- b) Focus on the interests of the parties, not positions
- c) Create "options" which will satisfy the parties' interests, measuring option possibilities against criteria established by the parties

APT President Harlan Mohagen stated that the Joint Employee Evaluation Committee is a positive way to move forward

Superintendent Hubbard finished by stating that after anticipated Board approval at the next Board meeting on October 13, 2010, negotiations between the two groups will begin. Once the hearing process is closed, the negotiation meetings are confidential. All input received is given to the teachers and administrative negotiating team for consideration.

Mary Ireland, parent and chair of the Associated Parents Clubs of Piedmont, would like everyone to move forward and be proactive.

Eileen Ruby, community member, started off by stating that more than one-third of District funds are raised locally. She reviewed the background of how and why fundraising began in Piedmont. The funding model is no longer sustainable; the gap has become too large.

Jon Elliott, community member feels the entire contract should be opened up, not just eight items in the contract. Before talking about cutting below current proportionate levels, look hard at places to get proportionate and look at different sub-groups. The contracts should have a forced reopener. Stay as open and creative as possible.

Peter Freeman, member of the Citizens' Advisory Committee to the Parcel Tax Program, feels the District should pay attention to alternate compensation policies. He applauds the creation of the Joint Evaluation Committee. Performance-based measures should also be looked at.

Amal Smith, said it is clear that parents, students, teachers and community members will all share in the changes that are forthcoming – changes in programs, changes in compensation. She urged that the parcel tax be increased at the 5% escalator. We are all in this together. This is the way the public sector is moving - more work with no increase in pay, having to pay more into retirement, and pay more for benefits.

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

Seismic Safety Bond Program:

Ratify Preliminary Services Agreement in the Amount of \$99,000 Between the District and Overaa Construction Co., as Developer for the Wildwood Seismic Safety Bond Program Project, in Anticipation of Approval of Lease-Lease Back Contract with a Guaranteed Maximum Price (GMP) in the Amount of \$4,715,000.00

Assistant Superintendent Brady stated that, at the Board meeting of September 14, 2010, the Board authorized staff to enter into negotiations with Overaa Construction Company for this project and is now being asked to ratify the Preliminary Services Agreement. At the October 13th Board meeting, the Board will be requested to approve the Site Lease, and the Facilities Lease/Lease-Back Contract for the Wildwood Seismic Safety Bond Program Project.

There was no one from the public requesting to speak.

It was moved by Vice President Raushenbush, seconded by Board Member Gadbois and passed unanimously to ratify the Preliminary Services Agreement between the District and Overaa Construction Company as developer for the Wildwood Seismic Safety Bond Program Project in the amount of \$99, 000.

Conduct Public Hearing and Adopt Resolution 07-2010-11, "Resolution on Sufficiency of Textbooks and/or Instructional Materials"

Assistant Superintendent Roth stated that Education Code Section 60119 requires a school district to conduct a public hearing determining whether textbooks and instructional materials, including lab equipment for science lab classes, were provided to all students, including English learners. All sites have confirmed this sufficiency.

There was no one from the public requesting to speak.

It was moved by Board Member Gadbois, and seconded by Board Member Monach to adopt Resolution 07-2010-11, "Resolution on Sufficiency of Textbooks and/or Instructional Materials". The Board was polled and the motion passed unanimously.

Review and Adopt Board Committee Assignments

Board Committee Assignments for the 2010-11 school year were reviewed. Vice President Raushenbush commented that it is very

time-consuming and school board members do their best to attend the various meetings as a liaison.

It was moved by Board Member Monach, seconded by Vice President Raushenbush and passed unanimously to adopt the Board Committee Assignments for 2010-11.

Conduct First Reading of:

- Board Policy 5144, "Discipline" (title to be changed to "*Student* Discipline")
- Board Policy 6159, "Individualized Education Program"
- Board Policy 6159.1, "Procedural Safeguards and Complaints for Special Education"
- BP 6164.4, "Identification of Individuals for Special Education"

The revisions include mandated and updated language related to special education students. The corresponding Administrative Regulations for the Board Policies will be revised and come before the Board as information, only, at the next Board meeting and placed on the Consent Calendar.

Discussion was held on adding strikeouts and proposed bold, italicized proposed changes on current policies so the proposed changes are easier to follow.

INFORMATION ITEMS

Status of Discussions with City Regarding Facilities Use Agreement of Athletic Facilities

Board Member Gadbois advised a formal proposal will be forthcoming in the next month or two. Starting over the summer, meetings were held with the City Administrator, mayor, Superintendent and Board Member Gadbois to come up with a joint solution for setting up a sinking fund for the eventual cost of replacing some of the major athletic facilities such as Witter Field, Beach playfield, and the new Havens playfield. The committee started by developing a list of the facilities and replacement projects, where it was determined that \$150,000-\$175,000 would be needed to set aside for replacement of the facilities. Next, they looked at all users of the facilities and their fees as a way to raise the additional funds. It became clear that none of the users are currently paying the full maintenance and full replacement costs of the facilities. In the past, these funds would have come from the general fund; now the District needs to find another way to raise the monies. If the cost is spread amongst all of the users, the fees would increase in range from \$20-\$30 per user. User groups were contacted and all were in favor of paying a higher fee but perhaps through other ways, such as donations or surcharges. That is what is being worked on now, including how to collect the funds and who will manage those funds. It is recognized that this is a long-term project and everyone wants to make sure it is done correctly.

Report on Professional Development Days

Assistant Superintendent Roth advised that there was only one Professional Development Day due to budget cuts. Virtually every site was impacted by moving. Nonetheless, the focus was on the new student information system called "Infinite Campus". One of the features that teachers needed training on immediately was the student attendance system. Professional development was also provided for the new assessment information system, *Data Director*. There were constraints because internet access was not what was hoped at the beginning of the year, but demonstrations were able to be provided. We also used some of the time on Special Education teachers for reading intervention; they had a three-day professional development program. Common planning time was discussed. This year involved more in-house professional development.

Announcement of Dedication Ceremony
for Mark Becker and Andy Ball — Sunday,
October 17, 2010, 3:00-4:00 p.m.

Board Member Monach advised that parts of the Havens facility will be open for the event. There will be an opportunity to donate for the signage.

CORRESPONDENCE

Eight emails were received from community members and parents on how to address the budget situation; two emails were received from parents with specific recommendations regarding the proposed contract openers; two letters of resignation from the Citizens Advisory Committee to the Parcel Tax Program were received; and the Board was copied on an email from a parent to the director of the bus program expressing concerns about a route change.

Board Member Gadbois received three emails with additional comments about the budget, which he will forward to the Board and Superintendent.

President Tolles received a letter from Middle School teacher John White, who would like to have some of his public speaking students speak at a future Board meeting regarding budgetary issues.

BOARD REPORTS

Board Member Gadbois attended the High School Back to School Night. He was very pleased to see the enthusiasm and quality of the staff.

Board Member Monach thanked staff and members of the Budget Advisory Committee for the recent Budget Advisory Committee meeting. There was a lot of engagement and open conversation; she felt it was very productive.

President Tolles attended the Havens and Middle School Back to School nights. He found it uplifting to see the excitement in the teachers and having them make subject matters relevant and interesting to the students. He attended the Budget Advisory Committee meeting. The comments at the meeting were educational. He expressed appreciation for everyone involved. He also thanked Superintendent Hubbard for working with him on the Board agenda process.

CONSENT CALENDAR

Superintendent Hubbard brought Item H, "Accept Peer Review Report from Structural Peer Reviewer Ted Zsuttu Regarding the Construction Documents for Beach Elementary School". She wanted the public to know that the District is getting ready to submit the construction documents to the Division of the State Architect, so the District is on track and continues with the peer review process. She also called attention to Item N, "Accept Letter from California Department of Toxic Substances Control". At the last Board meeting, the Board adopted Resolution 05-2010-11, "Approval of Preliminary Environmental Assessment Report for Frank C. Havens Elementary School and Withdrawal from Voluntary Department of Toxic Substance Control Environmental Oversight Program". Before the Resolution was sent to DTSC, they had submitted a letter to the District concurring with our request to withdraw. The District will still submit a letter to DTSC, along with the Resolution, as a formality.

Vice President Raushenbush commented on Item J., "Certify Competence of Administrators in the Assessment of Certificated Employees". He is hopeful new evaluation mechanisms can be discussed.

President Tolles acknowledged a donation in the amount of \$1,000 by Sasha Match and Randy Sloane, with requested use for the Wellness Center.

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

- A. Accept Donation (referenced above)
- B. Adopt Regular Board Meeting Minutes of September 14, 2010
- C. Approve Personnel Action Report
- D. Approve Out of State Field Trip for Piedmont High School Varsity and JV Football Teams to play against Lake Ridge High School, Lake Oswego, Oregon, September 24-26, 2010
- E. Approve Overnight Field Trip for Piedmont High School Choral Music Group Retreat and A Capella Choir to sing at St. Mary's Cathedral Service, San Francisco, November 13-14, 2010
- F. Approve Out of State Field Trip for Piedmont High School Instrumental Music students to attend and participate in Band and Orchestra Heritage Festival, Las Vegas, Nevada, April 28-May 1, 2011
- G. Approve Overnight Field Trip for Beach Elementary School 5th grade students to attend science study, Marin Headlands, October 6-8, 2010
- H. Accept Peer Review Report from Structural Peer Reviewer Ted Zsutty regarding the construction documents for Beach Elementary School
- I. Authorize Assignment Out of Credentialed Area
Education Code allows assignment of existing staff to areas outside of their credentialed teaching area under specific criteria on an annual basis
- J. Certify Competence of Administrators in the Assessment of Certificated Employees"
(Superintendent Hubbard)
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
- K. Approve one Master Contract and one Independent Services Agreement with Dori Maxon-Pediatric Consulting Services, to provide physical therapy consult for one student, effective September 1, 2010 through June 30, 2011, at a total cost not to exceed \$880.00. Funding: Special Education
- L. Approve one Independent Contractor Agreement with Think Social East Bay, to provide social thinking therapy for one student, effective September 1, 2010 through December 3, 2010, at a total cost not to exceed \$1,105.00. Funding: Special Education
- M. Reimburse parents of one student for physical therapy cost, effective June 18, 2010 through December 3, 2010, at a total cost not to exceed \$5,720.00. Funding: Special Education

N. Accept Letter from California Department of Toxic Substances Control

At the Board meeting of September 14, 2010, the Board adopted Resolution 05-2010-11, "Approval of Preliminary Environmental Assessment Report for Frank C. Havens Elementary School and Withdrawal from Voluntary Department of Toxic Substance Control Environmental Oversight Program". Before the Resolution was sent to DTSC, they had submitted a letter to the District concurring with our request. Due to the language of the Resolution, the District will still submit a letter to DTSC, along with the Resolution, as a formality

FUTURE BOARD AGENDA ITEMS

Future Board Agenda Items are as follows:

- Presentation on Piedmont High School Graduate Survey (Oct 13)
- Draft Action Plan from Administrative Team and Review of 2010-11 District Goals (Adopted June 23, 2010) from Administrative Team (Oct 13)
- Quarterly Report on Williams Complaints, July-Sep (Oct 13)
- Dedication Ceremony for Mark Becker and Andy Ball (Oct 17)
- Conduct Public Hearing and Approve Contract Reopeners Between the District and the Association of Piedmont Teachers (APT) (Oct 13)
- Review ("Sunshine") Contract Reopener Proposals for 2011-12 Negotiations Between the District and the California School Employees Association, Chapter 60 (CSEA) (Oct 27)
- Approve School Safety Plan (Oct)
- Approve Single Plans for Student Achievement (Oct 27)
- Board Workshop on Interdistrict Transfers (TBD)
- Special Board Meeting on Sunday Use of Witter Field (TBD)
- Review of Board Bylaws (Section 9000) (TBD)

Board Member Monach requested that, since three resignations have been accepted from the Citizens Advisory Committee to the Parcel Tax Committee, the Board needs to discuss how to repopulate the committee and to talk about ways to provide guidance on the work of the committee. Board President Tolles agreed that the Board needs to revisit the direction of the committee and their tasks.

Board Member Gadbois added that even if there is the minimum number on the committee, it would be productive for the Board to talk about the charter - how well the committee is working, the scope of their work, and are we providing them with clear direction about the scope of their work. The committee has had a lot of meetings and has had a lot of "back-and-forth" and some struggles about what kind of work they need to do and how they get it done efficiently. The Board needs to make sure that what the Board is asking them is what the Board still wants them to do.

Vice President Raushenbush requested to add back on the presentation of the plan for funding for upkeep of athletic facilities.

ADJOURNMENT

There being no further business, and with no objections by the Board, President Tolles adjourned the meeting at 9:40 p.m.



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



CONSTANCE HUBBARD
Secretary, Piedmont Unified School District
Board of Education