

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

MINUTES OF
Regular Meeting of the Governing Board

October 13, 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 Namita Brown, Legal Counsel for District, Fagen Friedman & Fulfrost
RECONVENE TO REGULAR SESSION	Board President Tolles called the Regular Session of the Board of Education to order at 7:05 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 Konole advised that students are putting together materials for their student-led conferences and assembling portfolio presentations for reflecting on their academic work so far.

APT President Harlan Mohagen is happy to be working in a school district where high school students are able to work as teacher assistants for the middle school and Havens Elementary, giving an opportunity for the teaching assistants to shine.

California School Employees Association (CSEA)

None

Associated Parent Clubs of Piedmont

None

Student Representative to the Board

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

- The District has instituted a new grading and attendance system called "Infinite Campus" which is now online at the High School
- This is the middle of Homecoming week; there will be a rally tomorrow and the Homecoming game is Friday against John Swett High School. The Homecoming dance will be on Saturday
- The student musical, "Les Miserables", is currently being rehearsed and will be presented in the spring
- The Wellness Center is sponsoring a drug and alcohol awareness assembly this Friday. It is purposely being held this Homecoming Friday because a need is seen to address the drinking problems of students in Piedmont. Trooper Johnson, a wheelchair athlete, will be the key speaker
- Peer advisors have been speaking to other students about the "Every 15 Minutes" video being shown in classrooms

PERSONS REQUESTING TO SPEAK ON ITEMS NOT ON THE AGENDA

None

Superintendent Announcements

None

Board President Announcements

President Tolles presented an engraved gavel to outgoing Board President Ray Gadbois for his service as President.

PRESENTATIONS

Piedmont Middle School Public Speaking Class

Assistant Superintendent Brady introduced Piedmont Middle School teacher John White, teacher of the public speaking class. As an experience in "persuasive speaking", students selected by the class attended the Board meeting to provide input on strategies to address the budget gap. Student speakers were Gates Zeng, Claire Reichle, Eric Poon, Julia Kelly, Alexander Magganas, Sydney Williams, and Nick Gross-Whitaker.

Recognition of Mark Becker and Andy Ball

President Tolles thanked both residents for making the reconstruction of Havens a reality. Beyond just the school and school board, the entire community is proud of what they have created.

A dedication ceremony will be held this Sunday, 3-4 p.m. in the Ellen Driscoll Theater.

On behalf of the City Council and the entire City of Piedmont, Mayor Dean Barbieri read and presented proclamations both to Mark Becker and Andy Ball.

Mark Becker thanked the Board and community for getting behind the project.

Andy Ball commended Mark's vision and said it was the catalyst for Andy to step forward to take on the project.

Former school board member Grier Graff, serving on the Board at the time of the inception of the seismic safety renovation projects, stated that Havens was seismically unsafe and educationally the most outdated plan of all three elementary schools. It is fortunate that community members supported the schools by passing a bond measure to fund the projects. There are now two additional playfields and a beautiful Mediterranean design-inspired school that is compatible with the City Hall. He thanked both Mr. Becker and Mr. Ball for their vision, perseverance and enthusiasm, and thanked the Board for listening to the community.

Presentation on Piedmont High School Graduate Survey

Piedmont High School Principal Randall Booker and parent Adam Thacher gave a presentation on the most recent online survey which targeted the Class of 2009. The purpose of the survey was to receive feedback from students on how well the District has prepared them for their college/life experience. The feedback would also show how former students are progressing in a variety of areas. Although not a significant number of responses were received (48 responses out of approximately 200 students), the information received was quite valuable. The High School will continue to brainstorm to get more responses in the future.

A sampling of questions was reviewed. Positive responses were looked at, along with less than positive responses. David Roth, Assistant Superintendent, was thanked for his participation and information on survey material.

It was noted that, of the various support services provided by the school, the response rating was 90% and above in satisfaction.

REVIEW & ACTION ITEMS

Conduct Public Hearing and Approve 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 were "sunshined" for the public at the last Board meeting, giving people a period of time 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 presented 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.

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

Community members provided their comments at the September 27, 2010 Board meeting. Board meeting and written comments have been received by the Board. All input received is given to the both the teachers' and administrative negotiating team for consideration.

Once the public hearing process is closed, the negotiation meetings are confidential.

The public hearing was opened.

Resident George Childs stated there are many community members facing economic challenges and he strongly urged that the best interests for the schools, educators, and taxpayers be represented during contract negotiations.

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

Board comments were made.

It was moved by Board Member Monach, seconded by Vice President Raushenbush, and passed unanimously to approve the contract openers between the District and the Association of Piedmont Teachers (APT) for 2011-14 negotiations.

Seismic Safety Bond Program:
Approve Lease-Lease Back Contract with
a Guaranteed Maximum Price (GMP) in
the Amount of \$4,715,000

At the Board meeting of September 14, 2010, the Board authorized staff to enter into negotiations with Overaa Construction Company for this project and ratified the Preliminary Services Agreement at the October 13, 2010 Board meeting. Assistant Superintendent Brady requested that the Board approve the Site Lease, and Facilities Lease/Lease-Back Contract for the Wildwood Seismic Safety Bond Program Project. The Guaranteed Maximum Price is under the \$4.9 million budgeted.

This project also includes the \$300,000 in owner contingency for installation of a new roof on the 90's building.

Superintendent Hubbard added that community member Janiele Maffei has offered her engineering services to the District for at least the past ten years. Also, the Inspector of Record for Wildwood will be the same inspector used at the Havens Project.

The targeted completion date for the Wildwood Project is still August 1, 2011.

Following questions from the Board, and with no one from the public requesting to speak, it was moved by Vice President Raushenbush, seconded by Board Member Gadbois, and passed unanimously to approve the Lease-Lease Back Contract Between the District and Overaa Construction Company for the Wildwood Seismic Safety Bond Program Project, for a Guaranteed Maximum Price (GMP) in the amount of \$4,715,000, subject to confirmation by Assistant Superintendent Brady that the allowance language is contained somewhere in the contract in a form which he deems adequate to protect the District's interests.

Seismic Safety Bond Program:
Adopt Board Resolution 06-2010-11, "Resolution of the Board of Education of the Piedmont Unified School District Authorizing Filing an Application for Qualified School Construction Bond Allocation with the California Department of Education, and Approving Related Matters and Official Actions"

Assistant Superintendent Brady stated that the resolution completes the paperwork necessary for the District to apply for up to \$10 million in interest-free bonds so that existing District projects can be completed. Numerous applications will be received and Piedmont's chances will somewhat diminish due to part of the criteria being the number of students with free or reduced lunch.

There was no one from the public requesting to speak.

It was moved by Board Member Gadbois and seconded by Board Member Jones to adopt Resolution 06-2010-11, "Resolution of the Board of Education of the Piedmont Unified School District Authorizing Filing an Application for Qualified School Construction Bond Allocation with the California Department of Education, and Approving Related Matters and Official Actions".

The Board was polled and the motion passed unanimously.

Seismic Safety Bond Program:
Approve Notices of Completion for the Seismic Safety Bond Program for Havens Elementary School Project; Ellen District Theater Project; and Piedmont High School Quad/Library Building and Student Center Project

Superintendent Hubbard requested the Board to consider tabling the Notice of Completion for the Havens Project at this time for the next Board meeting. The Division of the State Architect Form 6 is something that needs to be signed off by the Inspector of Record. The paperwork is 98% completed and must show 100% complete.

There was no one from the public requesting to speak.

It was moved by Vice President Raushenbush, seconded by Board Member Monach, and passed unanimously to table the Notice of Completion for the Havens Elementary School Seismic Safety Bond Program Project until the October 27, 2010 Board meeting.

Assistant Superintendent Brady advised that all paperwork has been received to close out both the Ellen Driscoll Theater Project and the Piedmont High School Project (Quad/Library Building and Student Center).

There was no one from the public requesting to speak to the remaining projects.

It was moved by Board Member Monach, seconded by Board Member Gadbois, and passed unanimously to approve the Notices of Completion for the Ellen Driscoll Theater Seismic Safety Bond Program Project and the Piedmont High School Seismic Safety Bond Program Project (Quad/Library Building and Student Center).

Seismic Safety Bond Program:
Approve Contract Between the District and Burke Construction Services for Program Management Services for the Seismic Safety Bond Program, effective October 1, 2010 through September 30, 2011, in an amount not to exceed \$60,000

Assistant Superintendent Brady advised that since the Seismic Safety Bond Program has narrowed in scope to a single construction project and a single construction-planned project, the need for comprehensive services is not as acute as in 2009. Consequently, program management services fees for David Burke need to be proportionately reduced. The last contract for services with Bollo Construction, with which Mr. Burke is affiliated, was for \$450,000.

For continuity purposes, the Board is pleased Mr. Burke will continue with the program management services.

There was no one from the public requesting to speak.

It was moved by Board Member Jones, seconded by Vice President Raushenbush, and passed unanimously to approve the contract between the District and Burke Construction Services for Program Management Services for the Seismic Safety Bond Program, effective October 1, 2010 through September 30, 2011, in an amount not to exceed \$60,000.

Review and Consider Approval of Draft Action Plan from Administrative Team; and Review of 2010-11 District Goals Adopted June 23, 2010

The 2010-11 District Goals adopted on June 23, 2010 are as follows:

Goal #1 – Adapt & Improve Educational Program Delivery: Continuously adapt and improve program delivery in collaboration with administration, employee groups, support groups, parents, and the community, so that we can continue to provide a comprehensive educational program for all students that supports academic excellence, maximizes individual potential, and cultivates global citizenship (with available resources).

- Develop a process and timeline for collaborative review of proposed adaptations to program delivery. Identify evaluation criteria for reviewing proposed options.
- Continue to review, analyze, and improve the K-12 English Language Arts curriculum, with an emphasis on supporting continuous progress in the writing program.
- Continue to use student assessment information to inform instruction, develop recommendations, and make decisions regarding potential program delivery improvements. Support staff in learning how to use the new data management systems.

Goal #2 – Support Professional Growth & Instructional Effectiveness: With a focus on supporting student growth through an effective instructional program, work in collaboration with administration and employee groups to enhance evaluation, training,

and compensation systems in order to attract and sustain a quality professional staff for all students within budget limitations.

- Provide ongoing coaching and professional development support to staff, in line with district priorities and informed by the employee evaluation process.
- Work with employee groups through the negotiations process to enhance and improve the employee evaluation system.

Goal #3 – Provide a Safe Learning Environment: Provide students with a safe and healthful learning environment that promotes resilience, responsible citizenship, self discipline, and personal responsibility.

- Monitor, raise awareness, and address student behavior issues that merit attention.
- Focus student and staff attention on addressing diversity issues and assuming personal responsibility for promoting respect.
- Where feasible, support and coordinate targeted green efforts in the school district.

Goal #4 – Cultivate a Dynamic Learning Community: Cultivate a dynamic learning community focused on growth, inquiry, and communications in partnership with employees, parents, students, community members, and organized groups.

- Support the individual needs of students based on professional judgment, and formal and informal assessment information. Analyze, report, and use data to inform this inquiry process. Support staff in the effective use of the new data management systems.
- Continue to coordinate and enhance communications practices that support collaborative decision-making, where the Board retains responsibility for making final decisions on programs based on a common vision, available resources, the professional staff's recommendations, and input from the educational community.
- Continue to build and sustain support for the school district (with available resources) by ensuring that a range of accurate information about the school system - its priorities, progress, and performance - are clearly and effectively communicated to staff, parents, community members, and support organizations through multiple communications channels.

Goal #5 – Develop & Implement a Sustainable Plan to Balance the Budget: Continue to develop and implement a three-year plan to balance the budget in collaboration with administration, employee groups, support groups, parents, and the community, in order to

sustain the quality of our educational and instructional programs, and school facilities.

- Continue to refine the financial planning and analysis process to balance the budget, by looking at trend and comparative data, identifying the major ways in which the \$4-5 million budget gap might be filled, attaching estimated price tags for each, and analyzing possible trade-offs that might be made. Coordinate and synchronize the negotiations and budget development processes so that important budget decisions can be made on a timely basis.
- Use interest-based bargaining and work in collaboration with employee groups to negotiate new contracts that will help address the budget gap projected over the next 3 years; maintain equity among employee groups in the negotiations process.

Goal #6 – Invest In & Preserve School Facilities & Infrastructure:

Develop and implement a plan to ensure the long-term safety, accessibility, usability, and value of school facilities and infrastructure within budget limitations and in collaboration with the City of Piedmont where appropriate.

- Complete the Wildwood seismic safety construction project on time and within budget, continuing to minimize disruption to the education program at the school (to the extent possible).
- Continue the next phase of planning for the completion of the Beach seismic safety project. Manage the decision-making process, maximizing efficient use of funds and minimizing the impact of inflation over time.
- Continue to work in partnership with the City, sports groups, and parents to develop and implement within a reasonable timeframe, a mechanism to fund future facility replacement cost needs.

Superintendent Hubbard reviewed the draft Action Plan of events/activities thus far conducted or planned by the school sites in order to meet the District Goals.

She also added that in view of the recent District-wide breakdown of the email exchange server affecting mostly all of the administrators' ability to send/receive email and review previous emails, and thereby paralyzing communications, the District is going to have to take a serious look at updating its technology infrastructure and support personnel to handle.

Following Board discussion on the Action Plan, it was moved by Vice President Raushenbush and seconded by Board Member Monach to approve the Action Plan for 2010-11.

There was no one from the public requesting to comment.

The motion passed unanimously.

INFORMATION ITEMS

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

Board Member Monach advised that some parts of the Havens facility will be open for the event and the entire community is invited to attend.

Announcement of Reinstatement of Board Meeting Recaps

In the past, a brief newsletter (the "Blue Haze") created by a current Board member, was distributed to parents and staff the Friday after a Board meeting to recap the actions taken at their meetings. The practice was stopped a few years ago, but since that time, it has been decided that, in order to keep the actions of the Board clear, concise, and accurate, the recaps will resume.

CORRESPONDENCE

Two emails were received from community member with input regarding the budget; one email was received from a community member with questions regarding Havens; and an email was received from the chair of the Citizens Advisory Committee to the Parcel Tax Program, providing an assessment of work done to date and offering suggestions for future exploration and action.

President Tolles received an email from Mike McMann, Board Member from the City of Alameda, regarding support for using only wood bats in CIF softball/baseball games. Superintendent Hubbard advised that Piedmont High School Principal Randall Booker is the District's CIF league delegate and she will ask him where that situation stands.

BOARD REPORTS

Board Member Gadbois attended another meeting with the Superintendent, Mayor, and City Manager in order to continue discussion regarding facilities use and the sinking fund for field renovations. A draft document is still being refined which is anticipated to return to the Board and City Council in November.

Board Member Gadbois attended the parent club meetings for the High School and Middle School. He felt the Board has done an effective job of communicating the budget situation to parents.

Board Member Monach expressed her appreciation to the Piedmont Appreciating Diversity Committee for their outreach to the broader community by supporting individuals who spoke at a recent City Council meeting. She also expressed appreciation to the consultants who met with Wildwood neighbors concerning the construction issues and timelines.

Board Member Jones attended the "Green" event, which she found very interesting, as did President Tolles.

CONSENT CALENDAR

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

- A. Adopt Regular Board Meeting Minutes of September 29, 2010
- B. Approve Personnel Action Report
- C. Approve Quarterly Report of Complaints received under Williams

Settlement Agreement for July 1, 2010 through September 30, 2010

D. Adopt Revised Board Bylaw 9270, "Conflict of Interest – Exhibit E".

The Clerk of the Alameda County Supervisors' Office has requested revisions to the Exhibit of Board Bylaw 9270, in order to be in compliance with new Government Code mandate. The Board Policy itself does not require change, but the Exhibit is considered part of the entire Board Policy so the entire material is presented. The proposed revision in Exhibit E is shown in bold, italicized print.

E. Monthly Financial Report of the District for September 2010

F. Master Contracts and Individual Service Agreements:

1. Approve one Master Contract and two Individual Service Agreements with American Logistics Company, to provide non-public transportation for two students, effective September 1, 2010 through June 17, 2011, at a total cost not to exceed \$48,600.00. Funding: Special Education
2. Approve one ISA with Quality Behavioral Outcomes (QBO), to provide a Functional Behavior Analysis for one student, effective September 16, 2010 through November 16, 2010, at a total cost not to exceed \$2,200.00. Funding: Special Education
3. Approve one ISA with Dori Maxon, Pediatric Contracting Services, to provide a physical therapy evaluation for one student, effective October 1, 2010 through June 30, 2010, at a total cost not to exceed \$704.00. Funding: Special Education
4. Approve one ISA with Star Academy, to provide multi-sensory language arts tutoring and non-public transportation for one student, effective October 4, 2010 through June 30, 2010, and October 12, 2010 through June 30, 2010 respectively, at a total cost not to exceed \$15,060.00. Funding: Special Education

FUTURE BOARD AGENDA ITEMS

Future Board Agenda Items are as follows:

- Dedication Ceremony for Mark Becker and Andy Ball(Oct 17)
- Review ("Sunshine") Contract Reopener Proposals (Oct 27) for 2011-12 Negotiations Between the District and the California School Employees Association, Chapter 60 (CSEA)
- First Reading, Special Education Board Policies (Oct 27)
- First Reading, Board Policy 5144, "Discipline" (Oct 27) (being renamed, "Student Discipline")
- Approve School Safety Plan (Oct 27)
- Approve Single Plans for Student Achievement (Oct 27)
- Staff Report on Witter Field Use/Discussion/Direction/Next Steps (TBD)
- Board Workshop on Interdistrict Transfers (TBD)
- Special Board Meeting on Sunday Use of Witter Field(TBD)
- Review of Board Bylaws (Section 9000) (TBD)
- Closed Session: Superintendent Evaluation (TBD)
- Review of Board Bylaws (TBD)

Board Member Raushenbush requested that the Facilities Preservation Fund be added for November. He would also like to

see "Priority of Facilities Use" as another future Board meeting issue.

President Tolles will discuss with the Superintendent a possible discussion by the Board regarding the Citizens Advisory Committee to the Parcel Tax Program.

Superintendent Hubbard advised that the CSEA reopeners will not be ready by October 27th as shown and may not be ready until November or December.

ADJOURNMENT

There being no further business, and with no objections by the Board, President Tolles adjourned the meeting at 9:43 p.m.

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

CONSTANCE HUBBARD
Secretary, Piedmont Unified School District
Board of Education