

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

MINUTES OF
Regular Meeting of the Governing Board

November 10, 2009

CALL TO ORDER	Board President Gadbois called the regular meeting of the Board of Education to order at 5:30 p.m.
ESTABLISHMENT OF QUORUM	President Ray Gadbois, Vice President Roy Tolles; Board Members June Monach, Martha Jones, Rick Raushenbush
ADJOURN TO CLOSED SESSION	The Board adjourned to Closed Session at 5:36 p.m. to discuss: A. Conference with District Representative Constance Hubbard Regarding 2009-10 Negotiations with the California School Employees Association (CSEA), Chapter 60 (Government Code Section 54956.6) B. Conference with District Representative Constance Hubbard Regarding 2009-10 Negotiations with the Association of Piedmont School Administrators (APSA) (Government Code Section 54956.6)
OTHERS PRESENT FOR CLOSED SESSION	Dr. David Roth, Assistant Superintendent, Educational Services
RECONVENE TO REGULAR SESSION	Board President Gadbois 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)	APT President Harlan Mohagen introduced teachers Diane Bomberg, 3 rd grade teacher, Beach Elementary, and Megan Pillsbury, first grade teacher at Wildwood Elementary School. Ms. Bomberg shared some of the activities going on her classroom. Ms. Pillsbury talked about what was learned during professional development days on October 12 th and 13 th . Ms. Mohagen talked about the events at Piedmont High School during the professional development days.
California School Employees Association (CSEA)	None

Associated Parent Clubs of Piedmont	None
Student Representative to the Board	Ally Leong, Student Representative to the Board, was unable to attend tonight's meeting.
PERSONS REQUESTING TO SPEAK ON ITEMS NOT ON THE AGENDA	None
Superintendent Announcements	<p>Superintendent Hubbard reminded everyone that tomorrow is a holiday, Veterans' Day, on Wednesday, November 11th, which is a mandatory federal holiday.</p> <p>She also asked parents to speak with their students to remind them to walk in pairs or in a group while walking to school and about not speaking to strangers. There have been two incidents recently in which two high school students were at Grand and Oakland Avenues and a person in a car was very aggressive in asking for directions; the following week, there was a naked man in a car parked on Kingston Avenue near Greenbank Avenue. Both incidents were reported to the police department.</p>
Board President Announcements	None
REVIEW & DISCUSSION ITEM Review and Discuss Next Steps for District Long-Term Planning Process – "Shaping Our Future Initiative"	<p>The District, in partnership with the Piedmont Educational Foundation, is working toward engaging with the community in a long-term planning process for our schools. The first meeting was held on October 23; a second meeting will be held on December 11th.</p> <p>Facilitator Gina Bartlett discussed how the group was working toward a long-range planning effort. The goals were to identify priorities to serve the District, and determine a process and planning for into the future. Stakeholders from the entire educational community (staff, teachers, administrators, students, organizations) attended the meeting. The afternoon session provided for discussion of shorter term priorities and categories for decision-making.</p> <p>Lupe Dryburgh and Dana Serleth, both Piedmont Educational Foundation Board members and members of the Long-Range Planning Design Team, talked about the Foundation's decision to fund this program as a community outreach activity. In her role as a parent, Ms. Dryburgh was excited to see the enthusiasm generated by the discussions held at the meeting. The information from the meeting was brought back to various constituent groups to add to the spectrum of informing additional parents/community members.</p> <p>President Gadbois felt the morning session was fantastic and that these conversations are needed within the educational community. He felt the afternoon session was a huge leap to go from long term visioning to short-term tradeoffs. The budget discussions were highly structured and it was difficult to ask people who were not as deeply involved in the budget process as some of the others to prioritize issues without more discussion. The next meeting will give an opportunity to do this.</p>

The District is looking for input on the tough budget decisions by learning what is important to the participants. These meetings are just the beginning because the District has other groups from which to receive input, such as parent clubs, support clubs, staff meeting discussions, the Budget Advisory Committee, etc. The District will be working on this process from now through the end of the next school year.

Board Member Monach talked about bridging the planning and priority setting activity toward the budget development process because that is something that takes place annually and we want to focus on priorities and the difficult tradeoffs to be made. If the discussion can help set the stage by providing directional input, this will help us at the beginning of the budget development process. The afternoon session was a starting point to think about for making tradeoffs. What may come from the second session would be to learn themes and priorities. We need to figure out how the information can be used with the budget development process and policy setting. She noted that some of the focal points/themes from past long-range planning were more knowledge-based and standards driven. Much of what was being discussed was more skills-centered, such as needing to prepare students for life in the 21st century – how to model and see flexibility and resilience. The talk was much less centered on standards and rigor rather than team building skills. A lot was learned. Many attendees acknowledged the challenging position the Board faces in having to make these decisions.

Board Member Raushenbush was unable to attend the meeting but in looking at the notes compiled, he felt it was difficult to pick out precisely what the group felt should be added to our program to see what we want in the future and what is going to be done differently that we are not doing presently, for those items in the future. He would like to see is something describing here's something we have now, here's how we want it to look in the future; and here is what is needed and what has to be subtracted.

He felt the allocation of points was a useful grid that forces hard decisions in order to learn the high-priority items. General thoughts on priorities would be useful and hopefully will be done at the December 11th meeting.

Board Member Jones was also unable to attend. She had the same reaction to the notes provided as did Board Member Raushenbush; the notes did not give her an idea of how to prioritize all of the ideas. She is hoping the next session will have more written feedback.

Assistant Superintendent David Roth stated that there is a natural tension in trying to identify where we want to be in the future and how do we make decisions about discrete items in the here and now. Out of the vision conversation, there are import themes which can emerge and drive how we formulate our Action Plan and programmatic decisions moving forward, such as a particular class. This will come much further down the road. This is a really valuable task the committee needs to continue to work on and would be very beneficial to the District, coming out with a modernized vision and mission for the District and could have tremendous influence on the

educational program and student outcomes. He is struggling with: when you have a broad educational community together in the same room, how do you really have a conversation about specific tradeoffs? There is a lot of information people do not have so people are afraid to commit to saying, "I like this more than this", and they do not want to make a misinformed decision. The stakes for a particular decision are different. In addition to getting the kind of information that can come out of the broad education community conversations, there is also going to have to be room for the Board to tap into separate conversations with parent clubs, associations, input from the administrative team, etc. The more separate conversations that are held, the more information will funnel up to the Board to provide a clearer perspective. When there is a group of various constituencies all in one room, people are very invested in maintaining positive relations and being very respectful and supporting one another, so it is harder. The forum has a place but it cannot fill a whole entire picture: the Board must turn to other sources, also.

Superintendent Hubbard added that it was good to see and hear the feedback from the broad representation. The afternoon session was difficult because it is not easy to make those hard decisions. She expressed appreciation to the Piedmont Educational Foundation for helping to engage the community in this effort.

Dana Serleth said she can understand how the Board members who were unable to attend felt when they were looking at the pictorial representations because nothing was synthesized at the meeting – no agreements or value judgments were used. As a next step, the group needs to figure out what the key issues are collectively so the Board can use as direction.

There was no one else from the public requesting to speak.

A draft Action Plan was presented at the October 14, 2009 Board meeting. The entire administrative staff provided input that went into the draft Action Plan. The Board reviewed the draft and provided specific feedback which was incorporated into the final Action Plan.

Superintendent Hubbard reviewed some of the specific areas of the plan with the Board.

It was moved by Board Member Raushenbush, seconded by Board Member Jones, and passed unanimously to adopt the Action Plan as presented.

There was no one from the public wishing to speak.

Assistant Superintendent Roth was very pleased with each of the plans brought before the Board. He thanked everyone for all of their efforts.

Each school site gave a brief overview of their plan.

It was moved by Board Member Monach, seconded by Vice President Tolles, and passed unanimously to approve the Single Plans for Student Achievement, 2009-10 for Piedmont High School,

REVIEW & ACTION ITEMS

Approve Action Plan to District Goals for 2009-10

Approve Single Plans for Student Achievement, 2009-10

Piedmont Middle School, Beach Elementary School, Havens Elementary School, Wildwood Elementary School, and Millennium High School.

There was no one from the public requesting to speak.

Seismic Safety Bond Program Update:

1. Overall Update on the Status of Projects, to include:
 - Unforeseen Issues and Costs at Havens
 - Environmental Review and Process at Havens

David Burke, Seismic Safety Bond Program Manager, reported that all of the current construction projects are either on schedule or ahead of schedule (Havens, Ellen Driscoll and Piedmont High School).

The Wildwood Elementary School construction plans are almost completed for submission to the Division of the State Architect (DSA) this month. Approval is expected from DSA by early spring in anticipation for the beginning of construction in the summer of 2010.

The Beach design development phase is complete. The cost estimate that was prepared in late October is approximately \$500,000 less than our current construction budget, which is good news.

Mr. Burke is continuing to update the program budgets for all sites, along with a cost analysis and cash flow for presentation at the December 9th Board meeting. He also advised that there will be changes to the project budgets, some going up and some going down. For instance, the Piedmont Middle School project budget will go down, and the Havens project budget is going to go up by between 5-10% due to unforeseen conditions at the site. The unforeseen conditions encountered were the low levels of hydrocarbons in both the soils and ground water. The District is continuing to work with the State Department of Toxic Substances Control (DTSC) to make sure the soil and water issues are thoroughly addressed. A meeting has been scheduled for this Thursday, at which time the DTSC will advise the District what type of mitigation measures the District will be asked to perform to make sure the issues are addressed.

2. School Bus Program

Everything is going well. Ride times are continuing to be reduced. He is working with the Havens Parent Club to identify ways to improve service even further. Regarding the issue of voluntary adult monitors to ride on the buses, the president of the Havens Parent Club has designated a transportation person to look at the need for monitors and other related issues. The District is awaiting specific recommendations from them.

Board Member Raushenbush requested a breakdown of the additional construction costs at Havens.

The 5-10% cost increase for the Havens project is approximately \$1.6 million, which includes another school bus for Havens added to the route, unforeseen water and soils costs, and an increase in soft costs. The original architect fee was based on \$18.5 million so the index in some of the soft costs has risen. The new Guaranteed Maximum Price (GMP) is now \$20.5 million. The \$1.6 million does not include any contingency so if we want to add contingency, it would be on top of the \$1.6 million.

Board Member Raushenbush asked how much more is the District paying for an additional bus, to which Mr. Burke responded, approximately \$100,000 per year. Board Membership Raushenbush also asked why soft costs would escalate because construction escalated. He thought the costs were a numerical figure and were told it was roughly reasonable because it was a certain percentage of the soft costs; that shouldn't mean they would get 10% of whatever was spent on the project. Mr. Burke responded that in the case of the architect fee, the architect fee is not a lump sum fee; it is a percentage of the lump sum cost so their fee would increase. Mr. Burke added that the State funding will be more than anticipated. Other details on the program budget will be provided at the next Board meeting.

President Gadbois added that the Bond Steering Committee's perspective is, from what is seen so far – and it is still early – the District will still be able to accomplish all of the projects within the total budget that we have. The District will still have the full budget that is anticipated for Wildwood and Beach, even though the Havens budget has increased.

Superintendent Hubbard recently asked a District consultant who works closely with the Office of Public School Construction when the District will be likely to see real money. His prediction, while not wanting to be held to it, was that the money should arrive in the District by the end of 2010.

3. Draft "Wish List" of Donor Fund Raising Opportunities

A preliminary "wish list" for construction-related donation opportunities was reviewed. Items on the list were as follows:

Havens

- Becker design changes: iron gates, window grills, handrails, moldings, light fixtures \$97,406
- Smartboards in each classroom (21, not kindergarten) \$73,500-115,000

Ellen Driscoll Theater

- Stage lighting with "architectural" dimming including light bar and footlights \$15,000-20,000
- New stage and window curtains \$14,000; Only re-line window curtains \$3,000
- Decorative metal grilles at front windows per original design \$4,000-5,000
- LCD Projector and screen in Music Room \$3,500-4,000
- Smartboard in Music Room \$3,500-5,500
- LCD projector and new motorized 16x9 screen in Theater \$23,000

Wildwood

- Stage lighting with "architectural" dimming including light bar and footlights \$15,000-20,000
- New stage and window curtains \$14,000; only re-line window curtains \$3,000
- LCD Projector in each classroom (15) \$30,000
- Smartboards in each classroom (14, not kindergarten) \$49,000-77,000

- LCD projector and new motorized 16x9 screen in Theater \$23,000

Beach

- Stage lighting with “architectural” dimming including light bar and footlights \$15,000-20,000
- New stage and window curtains \$14,000; only re-line window curtains \$3,000
- Specimen trees (22) to screen south facing classrooms \$27,000
- Play structure and matting - upper grades \$91,000
- Kindergarten mural removal and reinstallation \$145,000-185,000
- LCD Projector in classroom (17, including kindergarten) \$34,000
- LCD projector and new motorized 16x9 screen in Theater \$23,000
- Smartboards in each classroom (16, not kindergarten) \$56,000-88,000

High School

- AV Equipment for Student Center - \$122,000
- Raised Plaza design upgrade at Student Center - \$300,000+
- Directory and site signage \$10,000
- Conduction cookers (7) and kitchen tables (6) \$7,000

Middle School

- Directory and site signage \$7,500

Note: All costs are construction costs only

President Gadbois encouraged District staff to also work through the parent clubs on the prioritization to make sure we are not interfering with the Annual Giving Campaign. There are items on the list that he would consider more as a long-term technology plan wish list, like the LCD projectors and the Smartboards. He does not see them as particularly tied to the construction project and could perhaps be thought of in a different way. For instance, the District may be able to afford Smartboards two years down the road.

Board Member Monach agreed it would be good to work with the parent clubs because they do budgets for longer-term commitments on technology and hardware equipment.

Board Member asked how the list was developed. Superintendent Hubbard explained that it was developed internally with the design team and now the team needs to go to the other various sites to see what else could be placed on the list.

The Superintendent requested that the Board allow the Havens Becker design items to go forward for fund raising.

It was moved by Board Member Raushenbush, seconded by Board Member Monach, and passed unanimously to approve that the Becker design changes to iron gates, window grilles, handrails,

moldings and light fixtures totaling approximately \$97,000 be authorized as a subject for donation to the school district.

Mark Becker was thanked for his fundraising efforts in order to create a beautiful school facility.

Board Recess

President Gadbois called for a five-minute break, to reconvene at 10:12 p.m.

Adopt Resolution 08-2009-10, "Denial of Request by Global Tides @Alameda County to Approve a Petition to Become a Charter School of the Piedmont Unified School District"

Global Tides, Inc., an online K-12 Charter School, submitted a petition to the Board of Education to consider their charter application, to begin January 2, 2010. The Board of Education is required to hold a public hearing within 30 days and announce a decision within 60 days. A public hearing was conducted at the October 14, 2009 Board meeting. The petition is shown on the District web site with the Board meeting material of November 10, 2009. The District joined resources with other districts within Alameda County to review and analyze the petition and share information.

There was no one from Global Tides, Inc. in the audience.

It was moved by Board Member Jones and seconded by Board Member Raushenbush to adopt Resolution 08-2009-10 denying the request of Global Tides @Alameda County to approve a petition for a Charter School.

The Board was polled and the motion passed unanimously.

ANNOUNCEMENTS / INFORMATION
Announcement of Negotiations Between the District and the Association of Piedmont Teachers (APT)

Superintendent Hubbard advised that, mutual agreement, the District and the Association of Piedmont Teachers (APT) are going back to the table to open negotiations regarding the implementation of cost reductions to reduce layoffs/program reductions and mitigate the State revenue loss. A meeting is scheduled for November 19th to begin discussions on interest-based bargaining to make sure both groups are in agreement about the approach to use and ways to mitigate the loss of State revenue. The budget issues are really a revenue issue and the only way to solve the gap is to reduce expenditures. The Board will be receiving the First Interim Financial Report in December, at which time it can be better targeted where to implement reductions in 2010-11. This item will be on the December agenda in order to give an opportunity for public feedback.

APT President Harlan Mohagen reiterated that it is the APT's desire and commitment to work together with the District to try to come up with solutions to get through the next couple of years.

Resident Jon Elliott requested that, as soon as possible, the APT contract be fully opened for discussion as guidance to the Superintendent to bring up contract issues.

Superintendent Hubbard advised that tonight is the broad opportunity for the public to bring up any suggestions they would like to discuss.

Mr. Elliott said the notice in the agenda did not really indicate that tonight would be time for the public to give their input on this issue.

Parent Catherine Ogle also was confused about what specifically was going to be done on this agenda item; that it was not defined well. She felt that the APT contract should be looked at as: how does the contract and what is in it today, conflict or support what is coming out of our long-range planning meetings. She thinks there are a lot of things in the contract that can be brought more into alignment with what is coming out of the collaborative planning sessions.

President Gadbois is very pleased that a dialogue is beginning between the District and APT in order to find solutions to the current budget. He interprets the opening of negotiations regarding the implementation of cost reductions as being in lieu of having to make additional layoffs and program cuts.

Board Member Raushenbush wanted to make it clear to the public that the Board would like to hear their input well before the March 15 deadline of having to give layoff notices, if that becomes necessary.

Announcement of Special Board Meeting

A Special Board meeting has been scheduled for Tuesday, November 17, 4:00-6:00 p.m. in the Council Chambers of the City Hall, 120 Vista Avenue, Piedmont to conduct a public hearing to receive comments regarding the field turf issues at the new Havens play field. It is anticipated that action will be taken by the Board at the November 17th meeting. Information compiled will be placed on the District web site along with the agenda.

CORRESPONDENCE

Superintendent Hubbard announced that because there are two openings for Board positions and only two candidates submitted paperwork (current Board Members Ray Gadbois and Roy Tolles), an election does not have to be held, which will be a cost savings to the District. Instead, the two Board candidates will be formally appointed at the Board meeting of February 10, 2009 and formally sworn in by the City Clerk at the same meeting.

Board Member Monach announced that emails have been received on input on the new Havens play field surface, input from an Oakland neighbor regarding a bus stop in front of their residence, feedback on the Global Tides regarding the petition for a charter school, questions on appropriate time for the agenda item about APT Negotiations, and appropriate time on public input for Item 11. G. on the Consent Calendar, and input on that agenda item with respect to interdistrict transfers.

Board Member Jones attended the Millennium High School Parent Advisory Board, where outgoing Principal Jamie Adams received best wishes on her new position, and incoming Principal Karen Gnusti was welcomed.

Board Member Monach mentioned a recent article from the New York Times called, "Making Health Care Better" which addressed the topic of continuous improvement.

CONSENT CALENDAR

President Gadbois requested that Item G., "Revised Administrative Regulation 5117, "Interdistrict Attendance" be pulled for discussion.

Superintendent Hubbard summarized that the revision includes wording to reflect criteria for those employees laid off in the 2009-10 school year, only, for their students to continue at Piedmont schools through the natural grade level break.

Jon Elliott asked various questions about interdistrict permits. He added that increased ADA from interdistrict transfers may benefit the District.

Catherine Ogle also sees interdistrict transfers as a revenue source, and dovetails with going beyond Piedmont's borders and diversity. She would like to see this work. She shared some information from the Berkeley Unified School District's program. If students do not meet attendance and behavior standards, they can be released. Orinda also has a program with guidelines. Ms. Ogle feels the District could possibly gain about \$250,000 from this program (4 students per grade x 13 grades x \$5M each for ADA = \$260,000). She feels it is worth some time to think about it as a filling seats strategy. Another category of allowable interdistrict transfers could be children of educators, and/or children of grandparents.

President Gadbois said this would be a good issue for staff to look into and perhaps hold a Board Workshop at a later time. The Superintendent requested that if a Board Workshop is held, she would like legal counsel to be present.

Under the Consent Calendar, President Gadbois acknowledged a donation in the amount of \$1,000 by Ellen Wilson in support of 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, to include:

- A. Accept Donation
- B. Adopt Regular Board Meeting Minutes of October 28, 2009
- C. Approve Monthly Financial Report of the District for October 2009
- D. Accept Donation
- E. Adopt Regular Board Meeting Minutes of October 28, 2009
- F. Approve Monthly Financial Report of the District for October 2009
- G. Approve Personnel Action Report
- H. Extend Consultant Services Agreement Between the District and Julie Moll, to provide services as the Seismic Safety Bond Program communications consultant under the direction of the Superintendent, effective November 10, 2009 through March 9, 2010, at a total amount not to exceed \$50,000
- I. Approve reimbursement to parents of a student for non-public general education costs, effective September 30, 2009 through June 30, 2010, at a total cost not to exceed \$15,000.00.
Funding: Special Education
- J. Revised Administrative Regulation 5117, "Interdistrict Attendance"

The Administrative Regulation was changed to reflect the criteria for their students to continue at Piedmont schools for those employees laid off in the 2009-10 school year, only.

- It is provided for informational purposes, only.
- K. Ratify 2009-10 Operations Application for K-3 Class Size Reduction Program
In order to meet the deadline, the application was already submitted to the State; the Board is being requested to ratify the application.
- L. Adopt Resolution 09-2009-10, "Resolution of the Board of Education of the Piedmont Unified School District Adopting the Plan Services Agreement with Great American Plan Administrators Appointing Great American as the New Third Party Administrator of the 403(b) Plan and the 457(b) Plan as Offered Through Zuk Financial Group and Approving Related Matters and Official Actions"
(Assistant Superintendent Brady)
Recent regulations from the IRS placed on employers (like the District) who process employee retirement plans (403b and 457b plans) have compelled us to hire a third party administrator to oversee these plans. Our current third party administrator has informed us that in order to comply with IRS regulations, they will begin assessing fees to the District effective October 1st for virtually all of the 76 vendor plan options they administer. After meeting with other districts, we have interviewed other third party administrators with the assistance of District Benefits Manager Julie Hollinger. We have identified this new provider that will minimize disruption, elevate compliance efforts, and avoid new or added fees while at the same time maintaining choices for our employees.
- M. Report on Facilities Utilized for the Operation of a Regional Occupational Center or Program
This is a routine form indicating that, while ROP classes are held on our campus, the District does not operate the program; it is operated and funded by the Contra Costa County ROP

FUTURE AGENDA ITEMS

The following future Board agenda items were presented, and are subject to change:

- Second Reading / Adopt Proposed Revised Board Policy 4030, "Discrimination / Hate Crimes / Hazing / Harassment (Including Sexual Harassment, Intimidation, Bullying and Cyberbullying)" – *Employee Version*, and Board Policy 5145.3, "Discrimination / Hate Crimes / Hazing / Harassment (Including Sexual Harassment, Intimidation, Bullying and Cyberbullying)" – *Student Version (Dec)*
- Comprehensive Summary of Bond Program Expenditures (Dec)
- Review First Interim Financial Report and Approve a Positive Certification of the District's Ability to Meet Financial Obligations for Current and Subsequent Two Fiscal Years; Authorize Appropriate Budget Transfers (Dec)
- Report from Chair of Citizens' Advisory Committee to the Parcel Tax Program (Dec)
- Review of State Eligibility for Seismic/Modernization Funding (Jan)
- Decision on Extension of Emery Lease (Jan/Feb)
- Review of Board Bylaws (Section 9000) (TBD)

Board Member Jones stated we may want to add the issue of Interdistrict Transfers to the Future Meetings list.

ADJOURNMENT

There being no further business and with no objection by the Board, President Gadbois adjourned the meeting at 11:13 p.m.

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

CONSTANCE HUBBARD
Secretary, Piedmont Unified School District
Board of Education