

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

MINUTES OF
Regular Meeting of the Governing Board

December 10, 2008

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| CALL TO ORDER | Board President Monach called the Board of Education meeting to order at 6:05 p.m. |
| ESTABLISHMENT OF QUORUM | President June Monach, Vice President Ray Gadbois, Board Members Roy Tolles, Martha Jones, Rick Raushenbush |
| ADJOURN TO CLOSED SESSION | The Board adjourned to Closed Session at 6:06 p.m. to discuss: A. Conference with District Negotiator Constance Hubbard Regarding 2008-09 Negotiations with the Association of Piedmont School Administrators 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, Ph.D., Assistant Superintendent, Educational Services |
| RECONVENE TO REGULAR SESSION | Board President Monach called the Regular Session of the Board of Education meeting of December 10, 2008 to order at 7:02 p.m. and led the Board and audience in the Pledge of Allegiance. |
| OTHERS PRESENT AT REGULAR SESSION | Constance Hubbard, Superintendent Michael Brady, Assistant Superintendent, Business Services David Roth, Ph.D., Assistant Superintendent, Educ. Services |
| Report of Action Taken In Closed Session | No action taken |
| Agenda Adjustments | None |
| COMMUNICATIONS / ANNOUNCEMENTS | |
| Association of Piedmont Teachers (APT) | None |
| California School Employees Association (CSEA) | None |
| Parent Clubs | None |
| Student Representative to the Board | Will Pritchett, Student Representative to the Board, was not able to attend tonight's meeting (excused absence), but asked the Board to convey that tonight is the first night of the Piedmont High School musical, "Once On This Island" (the reason for his absence tonight), and that the play will also be showing on Friday and Saturday nights at 8:00 p.m. and Sunday night at 7:30 p.m. |
| PERSONS REQUESTING TO SPEAK ON ITEMS NOT ON THE AGENDA | None |

President Monach announced that at tonight's meeting, speaker cards would be used and advised everyone who wanted to speak to complete the card and give it to Dr. Jamie Adams for processing. Comments were to be limited to two minutes.

Superintendent Announcements

Superintendent Hubbard wanted to remind everyone that Winter Break is from Monday, December 22, 2008 through Friday, January 2, 2009, and that school will resume on Monday, January 5, 2009. Friday, December 19, 2008 is a minimum day for all schools.

She also advised that for those parents with third graders, the teachers felt that students would more greatly benefit by changing the instructional schedule so that the students start their full days beginning Monday, January 2, 2009, rather than at the end of the first semester, January 23, 2009. Therefore, all students will be in class from 8:30 a.m. to 2:55 p.m. beginning January 2, 2009. Letters are being sent to all third grade parents, and a notice is being placed in the school newsletters.

Board President Announcements

President Monach announced that, given the budget crisis we are facing, all of the Parent Clubs and the Support Groups have been working very hard in their fundraising efforts to help support the schools. It is not too late to participate in their annual fundraising campaign. Contact can be made by calling the fundraising office at 653-1816, or going to the website www.piedmontparents.org.

Scrip is having an open house from 9 a.m. to 5:00 p.m. (they also had an open house today) at the fundraising office located behind the Community Center at Piedmont Park.

Board President Monach announced that tonight's meeting reflects the breadth and depth of responsibilities that are held by all those working in our schools. It is also a testimony to the partnership in how we work with one another in providing a quality education to all children in our schools. She thanked the staff for their professionalism, hard work, and their commitment to support students in making the most of their education; and thanked the public for taking a role in the democratic process. She stated the Board appreciates all of the emails, phone calls and other input. She also thanked the consultants supporting the school district in implementing the Measure E Construction Program.

PRESENTATION

Update on Reported Hate Crime, Havens Elementary School

Board President Monach advised that a letter had been sent out to all families to inform them of a hate crime that was reported at Havens Elementary School. A racial epithet had been written on the wall outside of a teacher's office on campus. President Monach reviewed the process for incidents such as this, which is: the crime is reported to the police department and an investigation ensues; the school district simultaneously conducts its own investigation, working to address the situation by following the guidelines in Administrative Regulations 5145.3 (student version), and 4030 (employee version). The school district person responsible for conducting such investigations is the Superintendent.

In this particular incident, a dialogue was also opened with District staff and the Piedmont Appreciating Diversity Committee.

Superintendent Hubbard was requested to provide an update on the reported incident.

President Monach asked the public to remember that, while comments are being taken, it is very important to model behavior for our children that will help them learn from what has happened.

Superintendent Hubbard talked about the school district's *Promote Respect Campaign* already in place, of which the purpose is to join together as a community to foster the environment for our children and adults that is compassionate, collaborative, nurturing and safe in this challenging environment that we face. She also talked about the need for continuous improvement in this area.

Particulars regarding the incident were as follows:

A hateful racial insult ("nigger") was discovered written on the adjacent wall of the only African-American teacher (Marjie Lawson) at Havens Elementary School on November 3, 2008. The words were immediately removed from the wall and the police department contacted. However, it became clear in the aftermath of the event that the District lacked the deep response that was required. After the report, the police continued the investigation as a hate crime because the words were hateful and targeted at an individual, which is the definition of a hate crime. School staff were vigilant in listening for more information about the occurrence and looked carefully at any other similar instances in the District. None were reported. As the time progressed, the students responsible for this particular crime came forward. The District is working with them to make this a learning experience and this includes involving the teacher, who is a victim. Ms. Lawson expressed that, although the words were erased, the hurt is not gone away. Superintendent Hubbard expressed her own hurt and regret that a colleague and a person she knows very well could be wounded in such a devastating way.

District protocol has been clarified, such as response to an incident, how the incident is documented, and what the reporting procedures are.

District staff and Board members have met with representatives of the Appreciating Diversity Committee and next steps have been discussed.

The District wants to conduct a comprehensive needs assessment to understand what the best next steps are. Student data is being looked at, such as reasons for student suspensions, other behavior issues; best practices going on in classrooms, etc. One assessment tool being used is collecting stories from staff members asking them to share incidents they may themselves have encountered involving hate crime/discrimination. She appreciated all of the persons and organizations who have volunteered to assist in any way and a list is being compiled. Superintendent Hubbard is currently participating in a training program on race issues at the County Office of Education and one of the items learned is to give people an opportunity to share what has happened to them so others can understand what is hurtful.

The District is taking this incident seriously and working to make sure the punishment is appropriate and that it is reacted to as soon as possible. The District wants to use it as a learning experience.

President Monach again advised that comments would be limited to two minutes to give everyone a chance to speak.

Ken Taylor, second grade teacher at Havens Elementary School and a resident of Piedmont, read a letter on behalf of the Havens' teachers which asked that the District establish a clear, consistent and articulated policy and protocol for dealing with any future bias incidents that might occur in the District and that a proactive program be implemented among the students, staff and parents to address issues surrounding all bias incidents. They propose that members of the staff meet with District administrators and the Diversity Committee to develop such a program. Teachers felt a clear protocol for handling such incidents is needed. They believe that, although the District had positive intentions and acted in good faith, the response was inadequate. The District needs to create a protocol so that all members of their community know their role in the event of future incidents. Such events need to be addressed immediately and treated seriously. Those involved need to know there will be serious, prompt, and appropriate consequences and that any future victims receive immediate support from the District. They also request that the District continue their efforts to recruit qualified applicants who reflect the diversity of the world of which we are a part.

Maureen Rhodin, President of Chapter 60 of the Classified School Employees' Association, advised that as soon as the CSEA learned of the incident, an email was sent out to all CSEA members. She read the email that was sent out.

Ellen Garnett, 4th grade Beach teacher and resident, read a letter from all Beach teachers in which it stated its support of the District to create a policy and implement procedure for addressing hate crimes, intolerance or harassment. It also respectfully requested timely notification of any such incident in the District.

Bill Marthinson and Elise Marks, Piedmont High School teachers representing the high school staff, distributed a letter to the Board which they then read. The letter formally condemned the hate crimes recently committed at Havens and the Ellen Driscoll Theater by using hateful words to cause pain to those they hold dear. The use of such words, whether or not directed to particular individuals, contributes to a climate of tolerance which diminishes us all. The Board must work quickly to have a clear policy for responding to such crimes; clear procedures for punishing such incidents; and must be made known to the entire community. We cannot allow students to think of these incidents as "pranks".

Mahvash Hassan on behalf of the Piedmont Appreciating Diversity Committee, read a statement which thanked the Superintendent for giving time for this presentation and also thanked those who came forward. Out of this incident, additional stories were brought forth regarding hurtful remarks made toward others. Hateful speech is not

up to the school district alone. An undercurrent of tolerance is of concern to many in the Piedmont community. PADC is developing a list of resources for parents and teachers for school newsletters; they are organizing informal conversations with families and individuals who are concerned about these issues; and setting up a task force to work with interested school and community members to develop a long-term plan for conversation and education. Genuine communication is an essential first step to healing and building trust.

Gina McKuen, Piedmont Middle School teacher for twelve years, read a statement explaining that the word “nigger” was painted on a wall next to the room of African American teacher Marjie Lawson. Ms. McKuen stated that hate crimes make a victim feel small, invisible and humiliated. Specifically for the victim of this incident, the silence that followed made her feel abandoned within her school and community. The crime was minimized. “Keeping a lid” on an event such as this does not serve the needs of the victim. The District must develop a specific policy for when a hate crime takes place. She thanked Superintendent Hubbard and Assistant Superintendent Michael Brady, who have given their concentrated time and attention to this matter and understood how serious this situation was and acted accordingly. The crime isn’t just about the victim but about the forty-seven other black students and their families who are members of this District.

Piedmont Middle School teacher Joci Kelleher expressed her pride and appreciation to the victim for attending staff development meetings in November along with the Superintendent to share what had happened and to the high school and middle school administrators for giving staff a chance to process what had happened.

Piedmont Middle School Principal Jeanne Donovan shared that during the professional development in November, both high school and middle school teachers engaged in a very powerful and courageous conversation about race, diversity, and the reported hate crime at Havens. She was deeply moved by the sense of trust, security, and courage that individuals displayed about a difficult or uncomfortable experience that they had encountered or witnessed. She asked herself what she would have done if someone had written the word “Jap” on her wall. She didn’t know if she would have the courage to come forward and speak to an audience about how that would make her feel. People of color cannot walk away from who they are. She is guarded about sharing her racial experiences. She attended a workshop a few years ago, the purpose of which was to help educators consider the implications of racism, exclusion, and prejudice on student learning, and to define and examine the intersection of race and schooling. The leader pointed out that people of color often develop a couple of different personas, play multiple roles, and wear “masks” so as not to be thought of as rude or overly-emotional.

The conversation during professional development marked the beginning of which is an essential prerequisite to raise awareness in the community and to address the damage done from bias, bigotry and stereotyping. Students need academic learning, but they also need to learn that bias, bigotry, and stereotyping are morally wrong.

Jeanne personally thanked Marjie Lawson for risking feeling uncomfortable about sharing her feelings and thanked the other individuals who also shared in the conversation.

Ally Kelly, teacher at Piedmont Middle School, read a letter from the Piedmont Middle School staff. This was written with the help of Jack Weinstein from the "Facing History and Ourselves" program. It reiterated the District's commitment within its Mission Statement, to "promote a strong sense of self and community, as well as providing a safe, nurturing environment for everyone." It is crucial that students, staff, administrators and community members have a chance to acknowledge the power of a label to hurt a targeted individual or group and to demonstrate a resolve to respond with strength against such occurrences. The Piedmont Middle School staff is committed to a curriculum that encourages human decency for both individuals and groups and their diverse experiences. They expect the District to establish clear and decisive procedures for dealing with hate crimes. No one must diminish the significance of such acts, nor be bystanders.

Board members thanked all those who made statements and echoed that this kind of behavior is hurtful and unacceptable in our schools and community. Policies will be reviewed for redevelopment.

REVIEW AND ACTION ITEMS

First Reading of Proposed New Course,
"AP Calculus BC", Grades 9-12, Piedmont
High School

Piedmont High School Principal Randall Booker reviewed the course which has been the culmination of two year's worth of discussion with the Math Department staff. This was also discussed during Curriculum Council meetings. A timeline was also framed. December 2007 was when the course was formally discussed. The course was recommended by the SAC to the principal, who in turn recommended it to the Superintendent to be brought to the Board. This is a course that was discussed in Site Council and at Curriculum Council, and is being taught in a number of schools in the Bay Area. This will be the most advanced math course. There are a number of juniors who take Calculus AB and then in their senior year have no course to take. An Honors Statistics course was approved last year but Honors Statistics and Calculus BC are two different rigors. The 64-page course description can be found on the College Board web site, www.collegeboard.com.

Board Member Gadbois asked if the District would be able to afford to offer this course and how many students would be taking the course. Principal Booker advised that AP Calculus BC will be looked at as any other elective course section allocation will be directly looked at. Some decisions will have to be made (number of students, combining AB/BC classes, etc.). He will have more information in February/March.

Other school districts were surveyed on their prerequisites for this course. With regard to schools that required AB to be a prerequisite is that it allows the districts to make the BC course much more rigorous; students come in with calculus knowledge in advance, no time is spent reviewing; problems can be addressed much quicker and one can get through the material in a more direct way. An opportunity has been developed whereby if students want to skip over the prerequisites of AB, they can take a comparable course or correspondence online course or summer school course with a "B" or

better which fits all of our prerequisites and then they can enroll in this course directly with some calculus background. This spring, a list of different opportunities for correspondence or summer school courses will be provided, also.

Barbara Barza, resident of Hampton Road, voiced her support of the parents to add Calculus BC to the high school curriculum. She thanked Principal Booker and the high school math department for all of their research.

President Monach added that the Second Reading and Adoption of this Course is scheduled for the January 14, 2009 Board meeting.

Measure E Bond Program

1. Approve Recommendations of Superintendent Regarding Interim Housing Needs for 2009-10, 2010-11, and 2011-12 School Years

President Monach prefaced the discussion by stating that this evening's goal is to 1) hear an update from the Superintendent, 2) give the public an opportunity to continue to provide input on this matter (she acknowledged an additional 50 emails and one phone call since the joint meeting with the City Council on November 3; and 3) to provide time for the Board to reflect on the input received to date and give input to staff on how to proceed.

She reviewed that:

- A year ago, a community meeting was held to provide a comprehensive report of the seismic strengthening needs throughout all the school facilities
- Havens, the Piedmont High School Student Center and Quad Building and the Maintenance facility were classified as "red-tagged – requiring the greatest seismic strengthening needs; Wildwood and Beach were classified as "yellow-tagged" by the structural engineers
- In January 2008, the Board was presented with a proposal to consider rebuilding the Havens Elementary School at a fixed maximum price (lease/lease-back contract)
- On April 30, 2008, a Preliminary Services Agreement was approved to pursue the rebuilding of Havens Elementary School with Webcor Builders
- Architects *murakami*/Nelson developed design schematics for work on the Maintenance Facility, the Piedmont High School buildings, the Ellen Driscoll Theater, and Beach and Wildwood Elementary Schools. Schematics were presented between June and August of 2008
- In October, the overall program and projects budgets were reviewed based on the design schematic work completed over the past several months. A program schedule was provided slating the construction of the Maintenance facility, which is work in progress at this time; June 2009 for the highest priority projects (Havens and Piedmont High School Quad Building and Student Center); 2010 for Wildwood Elementary School; and 2011 for Beach.

It has always been assumed that interim housing would be needed for each project. Given the magnitude of the setup costs to place the portables and also what the school district was hearing from the consultants - the need to vacate the buildings being worked on at one time - the key concepts behind all of the options that are being considered are to provide a solution that places the educational

program needs of the four schools as a driving priority; addresses the construction needs at all school sites within the proposed budget and within the construction time frame; and thirdly, identifies and puts in place ways to minimize disruption to the community and to the neighborhood, as well as to share in the burden of that disruption.

Four meeting opportunities have been provided for providing public input. Tonight is the fourth scheduled meeting. If a person was unable to attend tonight's meeting and would still like to comment, she invited them to send an email.

Our job tonight is for the Board to give direction to the staff on which of the locations to pursue in greater detail in order to begin work with the consulting team (fire marshal, traffic engineer, the architect, the program manager, and the CEQA consultants).

President Monach said comments would be limited to two minutes and asked that the comments not be repetitive.

Superintendent Hubbard clarified that no decision has been made; the District is not presenting this as a "done deal"; she is asking for direction so that the District does not lose time between now and the next scheduled Board meeting of January 14, 2009.

The Superintendent reviewed that the primary function of a school district is the education of its students.

The criteria for evaluation of the sites were to:

- Preserve student educational program
- Preserve program budget to ensure all facilities are brought to life safety standards
- Minimize student/staff and parent disruption
- Minimize impact on project budgets
- Minimize impact on neighbors and city services

Timeline for Temporary Housing Needs:

2009-10:

- Havens Elementary: 24-26 units needed. There are currently 16 on site which will have to be relocated to accommodate the construction needs. Additional units are needed.
- Piedmont High School: 16-18 units needed – 14 classrooms plus site-specific service needs, such as library, food service, District-level Special Education offices, Wellness Center, College Career Center, teacher workroom, student restrooms, staff restrooms, and technology. Access to the construction area poses a logistics problem, given the location of the construction in relation to the rest of the campus.

2010-11:

- Wildwood Elementary : 20-21 units needed to serve the projected school population of 300 students, including on-site child care (*SchoolMates*).

2011-12:

- Beach Elementary: 20-21 units needed to serve the projected school population of 300 students, including on-site child care (*SchoolMates*).

The set and removal of temporary structures (portables) represents the most significant cost related to interim housing (\$100,000 per portable). Each portable must have allowances for power, sewer, alarm, and HVAC as a minimum. Each portable must meet accessibility requirements and be approved by the Division of the State Architect (DSA). The configuration design must also be approved by DSA, and the Piedmont Fire Marshal must approve fire/life safety.

If we installed portables for three years at different sites, we would need approximately \$7 million (including restoration costs), which is not cost-effective.

Parents/Staff/Student Concerns to be addressed:

- Health & Safety
- Learning environment
- On-site child care (elementary)
- Siblings together (elementary)
- Student access (high school)
- Extra-curricular activities (sports)
- Maintain "community"

Community Resources

- Manage community tax dollars
- Coordinate City/District Assets and Resources
- Address Inevitable Disruption such as Noise, Traffic

The Bond Projects involve:

- District Staff
 - Administrators
 - Teachers
- City Staff
 - City Manager
 - Public Works Department
 - Recreation Department
 - Legal Department
 - City Consultants
- District Bond Steering Committee
- District Construction Manager
- Traffic Engineer
- CEQA Consultant
- *murakami*/Nelson and ATI Architects
- Attorney for School District
- Community Volunteers
- Parent Input

Sites considered and not recommended for further action at this time due to basic reasons shown:

- Bonita Avenue (traffic, fire access)
- Magnolia Avenue (topography, fire access)
- Interior PHS Campus (fire access, safety)
- Cemetery / Claremont CC (interagency / use agreement)
- Reservoirs (logistics, DSA, topography)
- Dracena Park (insufficient space)
- Tennis Courts/Vista (play area/community resource)
- Emery Unified Site (space, EPD, bussing)
- Hampton Field (DSA, flood zone, fire access, ADA)
- Coaches Field (traffic, play space, parking, bussing)
- Beach Turf Field (cost, open space, community resource)

The District is now at the point of looking at sites where additional research is being recommended (between \$15,000-\$30,000 per site) for additional investigation and consideration – cost for research on Emery not as much) for the elementary sites:

- Emery Unified Site
- Blair Park (24 portables)
- PUSD Witter Field (12 portables). Portables could be placed at the PHS Baseball Field (to be used for Havens students, PHS students, Wildwood students, and Beach students) although fire access is a problem.
- Split Sites – Beach/Wildwood

Recommended Next Steps:

- Pursue planning for portables on Havens campus for use by PHS in 2009-10
- Authorize Superintendent to proceed with consultants' pursuit of following options:
 - Portables on Wildwood Playground / Beach Playground and Beach Tennis Courts
 - Portables on Wildwood Playground/Softball Field
 - Alternatives to support possible Blair Park Site
- Provide update at January 14, 2009 Board meeting to keep process on track for construction timeline

Board Member Gadbois said this was the first he had heard about the possible use of a school in Emery Unified School District and he would like to learn more about how this site came to the District's attention, what the site looks like, and other information which would also be of interest to the public.

Superintendent Hubbard advised that a Piedmont staff member used to work in Emery Unified and knew of this site and was familiar with it. The site is an actual school site with some portables. There were three elementary schools in Emeryville; now there will only be two and this third site was a temporary site for Emery while renovations were being done on another site. The renovations are now completed and the site will be vacated by the middle of this school year. It is already a DSA / Field Act approved set of buildings. It has a multipurpose room. It holds 420 students. Emery has issues with traffic and noise and have used buses to successfully get their students to/from school. The site is very nice - all set up - a cute school. Emery would consider leasing to us as a source of revenue

for their district.

Inadequate play space was a concern for our District but there is a City park across the street scheduled to open in February 2009 which is grass and some hardscape and would be available to our District.

Emery cannot guarantee a three year lease – probably two years. Therefore, use of this site would “buy time” for the Piedmont School District regarding the possible renovation of the Blair Park site. There is much more information to learn.

Havens Parent Club President Claudia Harrison said the Havens’ parents understand the complexity of the issue. It was almost unanimous that parents at their recent meeting were supportive of the Blair Park site and split campus for temporary housing, and they also wanted to urge the Board to make a decision that will adhere to the current construction timeline for Havens and the high school.

Marjorie Blackwell resides on Pala Avenue above Moraga Avenue near the Blair Park site. She said Moraga Avenue has a steady flow of traffic and is particularly worse during commute hours, making it very hazardous. It would be a traffic nightmare if Blair Park was considered for the temporary housing site. An environmental impact report would have to be done which could take up to a year. Pala Avenue neighbors are concerned about drivers who want to take a shortcut to/from the site via Pala Avenue, which is so narrow that if two cars are driving two ways on the street, one car has to back up for another car to pass. This would be a traffic nightmare. Also, how can the cost of installing a traffic light, building a huge retaining wall, leveling the site and putting in crosswalks be afforded? It also seems that the portables are being “shoe-horned” in as a prelude to putting in a sports field which has not even been approved.

Morissa Sherman, a resident of Scenic Avenue directly over Blair Park, remarked that another resident said he would be the closest neighbor to Blair Park and approves of the site for temporary school housing. However, he is not the closest neighbor; there are other homes closer to the park than his. It is a treasure to have a verdant, gorgeous, beautiful, forested green space near the Scenic Avenue homes and it would be awful to have it desecrated. She showed pictures of wildlife that spend time in the park.

Barbara Peters, 415 Scenic Avenue, lives above Blair Park, a small strip of land along a very busy and noisy thoroughfare. There are so many negatives for this site being used as temporary housing that she feels it should be removed from consideration. The exorbitant cost to do the grading for a retaining wall, a traffic light for \$250,000, the safety issues, the environmental impact on the canyon, the noise and aesthetic impact on the homes overlooking the park, the huge challenge of getting through the EIR process and then to prepare the site and install the portables before August 25 sounds unrealistic. She was told that all or some of the soil at Blair Park is from landfill possibly from BART construction and could contain toxic substances not known until the environmental impact report is completed. Piedmont wants to do its part to be a sustainable community and to cut greenhouse gas emissions, yet not many students can walk to

school if it is located at Blair Park. It is not centrally located. Three hundred cars drive up/down Moraga Avenue twice a day; this would go against our own environmental goals. Moraga Avenue is often backed up and parents and students are not going to be happy sitting in traffic. This “two-for-one” idea of developing the park for portables and then using it for a sports field is not a fair government process. The community has not weighed in on it and the City has not approved it.

Lynn Ennis of 433 Scenic Avenue, stated that as a homeowner who overlooks Blair Park, it is the only site that will result in permanent damage and destruction of a green area; it is the site that is the farthest away from the central schools; students can't walk to school; there is no sense of community, and there is very little play space. It is being targeted by the sports group to be the new home of the soccer field. This group is trying to piggy-back on to the portable issue and gain support and use educational funds for their proposed field. The soccer field has not been approved.

The housing market in America has crashed. Many Piedmont homes have lost and are losing value. Several dozen homes overlook Blair Park and she asks why the Board of Education would chose the one site that would result in damage to its most reliable supporter – the property owner - and why now, of all times, when property owners are most vulnerable? Surrounding properties will lose value if Blair Park is leveled and 26 portables are placed there. It is unfair of one group to impose this on another. Another site can be chosen that will not affect the property prices. The aesthetic component of the EIR will do a simulation with the portables in place and it will be seen how permanently damaged the whole area is. It is only beautiful in its present state.

Kyla Oh, speaking on behalf of the Havens Site Council, asked that the Board finalize the decision as expeditiously as possible to allow for the school to make preparations; that the Board make a decision that best serves the interests of the children attending Piedmont schools, rather than a decision that best serves the interests of a select group or individual; and that the Board proceed with the present timeline to begin the Havens rebuild project the day after school gets out.

Scenic Avenue resident Julie Waters was told that three previous environmental impact reports were done on Blair Park - in 1985, 1986, and 1991 - and that these reports came out against development of the park. If this is accurate, why is it being considered?

Al Peters, a Scenic Avenue resident, stated that the current process that the City and school district is using is not the way to involve the community in deciding how to best develop Blair Park and for that reason, should be removed from consideration. The school district should pay no more in site preparation at Blair Park than it would pay for site preparation at any other equally viable and less costly location. The Emery site has no site preparation costs so to take bond fund money and use it in Blair Park raises serious concerns for him. He likes the other ideas the District is discussing

Joe Loduca, Beach Parent Club Organization President, liked the idea of Blair Park and felt the school in Emeryville was viable.

Emphraim Greenwal, Vice President of the Piedmont Soccer Club, is strongly in support of Blair Park.

Ben Feder, a junior at Piedmont High School and member of the baseball team, appreciates the District's efforts to preserve the Witter baseball field.

Parent Bruce Feder supports Superintendent Hubbard's recommendations spelled out tonight.

Alan Titus had submitted a letter already. The procedure that has been followed bothers him. He believes a conditional use permit is required.

Chrissy Lee and Alison Gustke, Piedmont High School softball players, approve of any option that would not place portables on the Witter Field softball field. From January through August, the field is in constant use. There are no available East Bay fields to be used or borrowed. Playing at Coaches Field would be problematic.

Wildwood parent Carlton Chan had already sent a letter and is in support of Blair Park. If all the information is not in, it may be that the construction timeline has to be delayed. All alternatives have not been fully vetted.

Patricia Andrews, Beach parent, has been following the process and the Superintendent came to a Beach Parent Organization meeting to make a presentation and two meetings were held after that. In all of those meetings, the District's top choice was Witter Baseball Field and now she does not see it listed anywhere for either going forward or removing it as an option and wanted to know why.

Superintendent Hubbard stated that Witter Baseball Field is still part of the split. The batting cages would be gone and part of the field would still be affected. The District looked at layouts that would allow the baseball part of the field to be used as a full-size field. Some, but not all portables would be on the field.

Ms. Andrews also did not understand why Havens students would be moved off site during construction so why is it okay to have Beach students on the construction site but not Havens students? Superintendent Hubbard agreed that it is an issue. The construction that is going to go on at Beach is not at the same levels that will be done at Havens. A whole building is not going to be torn down and rebuilt as at Havens. Much of the work is interior. The other issue is that older students would be at the Havens site who could weather the noise and bigger construction at Havens.

Ms. Andrews asked if the construction site and the workers at the construction site – will they be vetted and completely separated from the students? Superintendent Hubbard advised they would. Ms. Andrews added that it is not safe; there are liability issues, and it is not a good idea.

Beach parent Karen Tellegen repeated that it is not safe to have the children at a construction site.

Maryann Parachini, Winsor resident, was concerned about the play space. Additionally many homes on Winsor have small garages so most families have two cars and are parked on the street. If there is too much non-parking area, this would pose a problem for people who cannot walk a long distance.

Mark Landheer, Vice President of the Piedmont Soccer Club, asked the Board to please consider using Blair Park.

Beach parent Laura Katter, expressed her appreciation for all of the Board's hard work. She does not like the split-site option. If that option is chosen, she agrees that the Havens portables should be used for years two and three, also.

Winsor Avenue resident Amber Brumfiel is opposed to portables on Witter Field. The street is very narrow and in the last 2 ½ years, their car parked on the street has been hit three times. Winsor Avenue is one of the access streets to Witter Field.

Community member Virginia O'Rourke wanted to reiterate that in the big picture of all the effort going into this, we are back to the start of the discussion where it was stated that there is no perfect site, and community members, parents, students and staff will be inconvenienced and this has to be kept in mind. The focus still has to be what is best for the students. Also, there is not enough data to understand what choices are viable and what are the costs associated with them.

Parent Greg Fawcett, advised that a group from Beach has been meeting on an informal basis and will be establishing a tri-elementary school committee to speak as "one school" to help minimize the impact on their community by making recommendations to the Board on issues such as traffic, transportation, and safety issues.

Havens parent Lilis Sterns urged the Board not to take away all of the play space for students for all three years of seismic strengthening and modernization. Additionally, she read in the newspaper that State modernization funds are now not available because the State of California is not able to sell those bonds. What are we going to do? If we can't get that money, should we stop now?

Theresa Stricker, Beach parent, thanked the Board for having to grapple with this difficult issue. She went on to say that one of the primary goals in this project is to keep siblings together and one of the primary goals of the elementary school educators is to keep their campus together. Splitting the campus would be of significant cost that would outweigh the benefits to traffic and congestion; there has to be some deference to the educators. By splitting a campus, there would be significant increase in cost of operation, such as additional administrators at each site. Also, where will they be placed? A second library, computer lab, and a way to deal with physical education, hot lunch, *SchoolMates*, After School and Enrichment. Another issue that needs to be looked at is the cost of having

families do double dropoff. This would be an increase in traffic congestion in areas where there will already be traffic congestion. Resident Elizabeth Epstein thinks that, for the complexity of the sites being looked at, more information and data are needed. She is relying on the Board to ensure that there is sufficient, justifiable data that evaluates each of these sites in a relative fashion so that she and other members of the community can see this, also. She wants to be able to see the comparison and the mitigations would be and the costs involved.

Board President Monach clarified that the purpose of this meeting is to put before the Board whether or not to authorize the Superintendent to conduct further investigation at particular site locations.

Beach parent Andrew Coleman feels that Blair is a great option but short of that, he is concerned that the District is looking at splitting campuses and losing the sense of community; we are looking at putting kids on a construction site where we are taking the needs of hundreds and hundreds of elementary students. He does not feel that the preferences of a small contingency of baseball people or sports people should be taken into consideration. The elementary students are much more important and the impact of these children in the community should be weighed so much more severely than the needs of some baseball games. He does not understand why Witter baseball is no longer a recommendation. The needs of the 1100 elementary children that will be affected over the next three years should be taken into consideration.

Superintendent Hubbard clarified that Witter Field may not end up being an option if the Fire Department does not approve the proposed layout. The proposed layout may be considered too crowded by the Fire Department in order to save the baseball field. We don't know for sure that we would be able to save the field.

Wildwood parent Erik Wolfers, stated that, just from a common sense standpoint, it does not seem possible to place all the kids onto the Wildwood blacktop and softball field. Although the space is the best there, the access is the worst. Hampton Field should still be considered and the Emery site.

Superintendent Hubbard advised that in speaking with the City Planning Department, the Hampton Field area is going to be undergrounded and is slated for quite a bit of construction on the streets which may be an issue in getting portables delivered.

Ralph Catalano is impressed to see democracy in action. He implored the Board to do a governance impact report. The process of getting this done has led to a very peculiar circumstance: the City is trying very hard to move quickly to get closure on the future of Blair Park and arguing that one way to get it done is to have the school board make a decision to include Blair Park, although the District's decision is not the future of Blair Park but only a temporary use. The temporary use of Blair Park will destroy it in a way that cannot be restored if you have all the money in the world. Once it is destroyed, the City can simply say, "Well, there's nothing we can do now except pull down a quarter of a mile of chain link fence, hope that

the 40-foot retaining wall won't be an eyesore; grading will have to be done to make up for a 75' foot drop, opening a landfill; and since we have a terrible eyesore now that affects City of Piedmont property values, let's make it a sports park because the sports people are willing to put up some of the cost. If there is anything we should be teaching our children is to have respect for the law and the process that we put in place for making decisions as a community. Governance is the best thing we can teach them. We are now on a course where someday trees that are hundreds of years old will be ripped down, a landfill with who knows what is in the soil will be opened up, a retaining wall will be installed, the property will be black-topped, and then the District will walk away from it at the end because it is then the City's responsibility. When it is asked who made this decision, the City will blame the District, and the District will blame the City. Who will take responsibility for what we will end up with?

June Catalano, 121 Alta Avenue, a house overlooking the site, wanted to add that regarding the environmental impact report being done for the Blair Sports Field, her understanding is that if you were to add this site as a consideration for the portables, the environmental impact report would then be changed to include this site, and the City would have to issue an amended notice of preparation. Then there are 21 days to take comments and then that has to be addressed. So that changes the project timeline. It is going to be a complicated EIR because you have two projects that are vastly different. EIRs on cumulative projects can be very difficult to do if the projects are as different these are. This will be on City land and the City will have to go through its own processes. She had a letter that details where the portables would conflict with the City's General Plan and that would have to be detailed and outlined in the EIR. She thinks a General Plan amendment would be needed. She warned that this would be getting into an extremely complicated process that would be a difficult and untimely process. She feels some significant environmental impacts on the project in the Blair project area are going to be found. Additionally, Blair Park is designated in the General Plan as a dog site and use for a school would be a change from the General Plan. There are a number of General Plan policies that are directly contradictory to the placement of portables on Blair Park.

Rick Barker, 239 Palm Drive, thanked everyone. He has been studying this issue. The basic request is for an analysis of all sites being considered, to include: educational experience, cost effectiveness, additional development costs (costs outside of retrofitting), start dates, time frames, community disruption, impact of fields and sports, and investment in future use. He would like the Board to present their criteria. He is also conflicted. He just had a school bus in front of his house. The school bus took two parking spaces in front of his house. The issues of cost, safety, traffic, noise, property values - he could make the same arguments for these for where he lives. He suggested a relative analysis across the different sites. At the end of the day, he feels not having 26 portables in one single location is a good idea.

Oren Jacob, Palm Drive, said he heard it said that the process is going well; he thinks it's going poorly. He suggested the District

check with the City regarding email notifications; they have a good system. He heard a lot of comments about the process and how much information the District has, and is available, and it should be available to all of us. Forcing this issue to be decided on with the relatively small list of recommended sites is not the best way to go. He would like to see the list of choices increased, get information on them all, and make the most reasonable choice in January.

Sandy Pellegrini, 1121 Winsor Avenue, wanted to express her concern for the safety of the children who would be located in Witter: the access is very tenuous – for trucks, there is no turnaround and there is no way to expand that to allow emergency vehicles to access the field. She is also concerned about the cost of installing so many portables in light of the budgetary crisis and with the site in Emeryville being available, and would like more information on that.

Sarah Pearson, Wildwood parent, appreciated the Board's thoughtfulness and thoroughness in this process. The Emeryville site sounds promising and Blair Park is a good consideration. She has serious concerns about housing all of the elementary children at Wildwood and on the softball field. Adding an extra 300-400 children in this area is too small with difficult access. Parkview and Winsor are already crowded and hazardous and El Cerrito Avenue is steep and narrow. She feels the Witter softball field should be taken off the list of considerations. She would rather not split up the children but it is preferable to a sub-optimal space. If Blair is not a possibility and Emery does not work out, Wildwood parents would support splitting up as a community between Wildwood and Beach, or the third option for 2009-10 would look as currently scheduled, with the high school students and the Havens students split at Wildwood and Beach, and flip-flop the next two years so that Beach could go into the portables with half of the students at Wildwood and half at Havens so no students would be there during construction. Then in 2010-11, Wildwood could go into portables and half would be at Wildwood on the blacktop and the other half at Havens or at newly-constructed Beach.

Clarence Mumayac, wanted to provide an update on the Piedmont Recreation Facilities Organization work since the December 1st joint meeting between the City and school district. They were encouraged by the positive support they received. The serious action was to test the timing mechanism schedules laid out in the approval process: CEQA, DSA, and the ability to get it all done. To that point, what they have done so far is to participate in the CEQA meetings held and will be prepared to hand over documentation to help facilitate the process. To get to that point, the group needed to consider large expenditures in terms of their own consultants. The non-profit group is gifting those services towards the Blair Park effort by bringing on a geotechnical engineer, a structural engineer, and a civil engineer who will also handle traffic safety. A meeting has been scheduled this Friday with the regional director of DSA to lay out the idea for a site that is not a school site and to be turned into a school site. Webcor Builders is going over the construction schedule with them. The group's goal is to relieve the school district of the expense for the study of Blair Park and requests access to John Nelson of *murakami*/Nelson Architects to work with them.

Resident June Catalano asked if the study on Blair Park is being done on behalf of the City? The response was that if the City clears the park for use, it is a City decision.

The public hearing was closed.

Recess

The President called for a five-minute recess at 10:45 p.m.

The Board's comments were as follows:

Board Member Raushenbush stated it is important to keep our eyes focused on the purpose: to provide safe schools for children that will still work after an earthquake. To get to that point, there will be some inconvenience to people. There is no way to avoid that; some will bear more burden than others. In the end, we will end up with better schools and he thinks it is worth it. Everyone will have to be flexible. Secondly, it is not going to be possible to move the portables around every year. The District does not have the funds to do this. He is against delaying the construction project because the fixed price project for Havens will not remain the same if the deadline is moved and the District will lose its place in line with the State if we don't get our projects moving. Also, Havens students will have been in portables for three years. The District has been looking at a lot of factors: feasibility, traffic, safety, cost and the impact on academics. The Board still has a duty to weigh these options and pick one at the end. Regarding the comment that we don't have all the information, the reason it seems that way is because under the Brown Act, the Board cannot speak with each other about an issue such as this "offline", so as it starts to get developed, the information starts to come out, so the Board does not have all of the answers when it is first made public. By the time the Board is through deliberating, the public will have more information as to what the Board is basing its decisions on. He supports the recommendations to study what is on the list, including the Emery site, with a few tweaks: 1) high school students using the Havens portables makes obvious sense; 2) the Emery site sounds like it could be great as long as we have bussing, and have no construction to do and no restoration fees; and 3) after that, his first option would be Blair Park if it works out. He feels this is a project that has been under consideration by the City for an athletic field park. If it's going to be that, it will have a lot of benefits. It is a single site for an entire school. It does not place as much of a burden on some other neighborhoods that have other traffic problems. But first, the City has to make a determination as to whether or not it can be an athletic field. His next option would be to split the schools; most likely it would be the Wildwood blacktop and the Beach blacktop tennis courts. At the bottom of his list would be Witter Field due to access, restoration, and placing all of the burden on Wildwood.

Board Member Jones would like more information and a spreadsheet on the various options to evaluate the sites. She does not understand why some of the options have been eliminated, such as Hampton Field and the City tennis courts. She feels the process for determining a possible location for the portables could have been handled better and earlier. Access to the baseball field at Witter Field does not seem feasible. Regarding the all Beach option and all Witter/Wildwood option; we are putting the entire impact on those

areas, so she is not a fan of either of those considerations. There are also restoration costs involved at Witter. Her ranking at the moment is to take off not having everything at Beach or everything at Witter and not the split between the softball field and blacktop at Witter. She is encouraged by looking at the Emery site and Blair Park option and then the split options ½ Wildwood, ½ Beach; it's a disadvantage. She asked if there could be other splits, such as a combination of portables at Havens and the tennis courts.

Board Member Tolles said he is not adamant about staying with the proposed timeline. The Blair Park site seems like a possibility. The Emery option is interesting, as well as the split between the Witter blacktop and Beach. If the difference between Wildwood and Beach is that Wildwood is down the hill and would not be part of the construction site, he does not want to rule out Hampton. The lake is privately owned and a flood plain. Witter is the first half of the split and then other considerations. He thanked everyone who spoke who is "willing to share the pain." He liked the idea of a tri-school committee.

Vice President Gadbois agreed with Board Member Raushenbush. He felt a spreadsheet would be a good idea. His criteria for making these decisions is the educational program, program cost and timeline. He would like to know what the impact is on the timeline, on the cost, on the neighborhood, to the sports program, and how is the District going to mitigate those impacts? He does not think pushing out the timeline of the projects is a good idea.

His top choice is the Emery location and he feels it solves a lot of problems. He feels Blair Park is still an option but there are a lot of issues to be resolved.

Split schools is his third choice: putting an entire school all in one place is not a good solution; it puts too much of a burden on one neighborhood. He also thinks the Witter softball field has potential issues of fire and access issues and has an impact to the sports program. He feels a variety of split options should be pursued, including keeping some of the Havens portables in the second year.

He does not think Hampton Field is an option, although perhaps it could be used for a split option, as long as the lake and undergrounding are not issues.

It was reiterated that bussing to and from Piedmont/Emery would be available, and the *SchoolMates* program would continue in Piedmont.

Board Member Raushenbush added that, in regard to the use of Hampton Field, he does not think the school district should be using Measure E funds for a seismic safety evaluation for whoever owns Tyson Lake.

The Board requested an address to view the Emeryville site. Superintendent Hubbard asked that the Superintendent at Emery be consulted first. Emeryville neighbors don't want parking in their neighborhood, either, including teacher parking. The site is DSA-approved and seismically safe. It is on 61st Street.

President Monach fully supports the Superintendent doing further investigation, including adding the school site at Emery Unified to the list. There is a lot of information that the Board wants and needs. A lot of that investigation and analysis is going to answer the Board's questions. It is important to her that the Board view the exercise as finding interim portable classrooms for school. When she thinks about the different options, she asks: is the space viable and workable, as opposed to the numbers of portables and the layout into the space. When construction information became available, it was discussed in a Bond Steering Committee meeting. Other information that would be helpful is to have documentation placed on the web site such as a rough construction timeline. She firmly believes that the District should adhere to the construction timeline. She would like a spreadsheet for relative analysis. In terms of the information to show, it should include viability of the different mitigation measures to overcome some of the challenges on a site. She likes the idea of the preparation of a FAQ sheet, instead of having to repeat information. Her choices are to keep a whole school rather than splitting it up. She is glad to see that Emery is a possibility. Blair Park could potentially accommodate a whole school. Timing is the biggest issue. She clarified that she and Ray attended the Council meeting and the CEQA process that has been proceeding with respect to Coaches' Field and their CEQA consultant has advised them that they need to combine the CEQA process of Coaches' Field with Blair Park, and because of the discussion that we had together, they wanted to broach the subject and explore the possibility of having a school on the Blair Park site in that CEQA process. She agrees that Witter baseball and all of Beach for a whole school option seems problematic. With respect to the split school, she sees the Wildwood blacktop and the Beach blacktop as higher than the Wildwood blacktop and the softball field. On using Havens as part of the split, Havens as a school site has held a burden for quite a while and that the individuals at city center have expressed major concerns for the civic center area so she does not see that site being used beyond the use of the high school.

Vice President Gadbois said another possibility would be to do Havens and the high school next year, have Havens go to Emery; by then Blair Park would be done, and students could move to Blair. He added that he would like to see a spreadsheet, too.

His choices were to pursue Emery; leave Blair Park on the radar; look at a split for the Witter blacktop/batting cages and Beach.

Assistant Superintendent Brady said he is not opposed to doing a spreadsheet, but whose ranking counts?

Superintendent Hubbard said the City made it very clear that the Beach playing field is not going to be a consideration, but that the tennis courts at Beach can be pursued. Undergrounding is a big issue for Hampton Field consideration.

It was moved by Board Member Raushenbush and seconded by Vice President Gadbois to approve the recommendation for interim housing needs with the change that we will not pursue placing the

entire displaced school population on a the Witter baseball/Witter softball field.

Board Member Raushenbush amended his motion to approve the recommendations of the Superintendent regarding interim housing needs with the following two changes: 1) that we not pursue placing the entire school on a Witter Field/Witter softball field combination; and 2) in exploring a split school, if the Superintendent and staff decide that working on the Wildwood blacktop and Beach tennis courts blacktop has problems and they wish to explore further options for a split school, that they are authorized to do that.

Vice President Gadbois accepted the amendment to the motion.

The motion passed unanimously.

Superintendent Hubbard said that, in pursuing Emery, she may have to have discussions with the City Council and do some things on behalf of the Board, which was fine with the Board.

2. Approve Supplemental Agreement Between the District and ATI Architects & Engineers for Hardscape and Landscape Site Work, Ellen Driscoll Theater

Assistant Superintendent Brady advised that the Ellen Driscoll Theater and Havens are two separate projects, with two separate architects and DSA numbers. When the two projects come together, there needs to be some coordination and interface. The District is asking for one of the architects to take the lead in this coordination and ATI will be taking the responsibility.

There was no one wishing to speak.

It was moved by Vice President Gadbois, seconded by Board Member Jones and passed unanimously to approve the supplemental agreement between the District and ATI Architects & Engineers for hardscape and landscape site work at the Ellen Driscoll Theater.

3. Approve Fee Proposal Between District and *murakami*/Nelson Architects to Provide Contractor Selection, Permitting and Construction Administration Services for the Maintenance Facility Replacement Project

Assistant Superintendent Brady stated the Board is being asked to approve this final phase for construction administration. There was a change in design that was a retaining wall originally part of the design. We have now gone to a soil nailing wall system which will save the project about \$100,000 but it will require some additional time to inspect the work being done to make sure it is to specification. The Maintenance facility is expected to be finished by the end of February.

There was no one from the public requesting to speak.

It was moved by Board Member Tolles, seconded by Board Member Jones, and passed unanimously to approve the fee proposal between the District and *murakami*/Nelson to provide contractor selection, permitting and construction administration services for the Maintenance Facility Replacement Project.

Approve Recommendation for CEQA Consultant and Authorize Superintendent/Designee to Enter Into Negotiations with Consultant for the District's Proposed Development of a

Assistant Superintendent Brady advised that Requests for Proposals were submitted by three firms and the recommendation is to select consultant Amy Skewes-Cox. Her proposal was very comprehensive and she was highly recommended. The RFP's were reviewed by

Temporary Campus

Assistant Superintendent Brady, Vila Construction, and John Nelson of *murakami*/Nelson.

Superintendent Hubbard advised that now that Witter Field has been taken off as a location to pursue, the District may not have to do an environmental impact report. It may have to do an initial study as it affects Beach.

There was no one from the public wishing to speak.

It was moved by Vice President Gadbois, seconded by Board Member Raushenbush and passed unanimously to approve Amy Skewes-Cox as the CEQA consultant, and to authorize the Superintendent or designee to enter into negotiations with the consultant for the District's proposed development of a temporary campus.

Review 2008-09 First Interim Financial Report and Approve a Positive Certification of the District's Ability to Meet Financial Obligations for Current Year and Subsequent Two Fiscal Years, and to Authorize Appropriate Budget Transfers

The budget document is a reflection of the District's goals and philosophy, and is consistent with our top priorities of providing a breadth and depth of program experience for all students while maintaining highly qualified staff by providing a competitive compensation package.

The Budget is fluid and therefore under constant revision as revenues and expenditures are clarified. As we progress through the 2008-09 school year, there is much speculation regarding mid-year budget cuts proposed by the Governor. These proposals include serious reductions in revenue limit funding with modest flexibility in the use of categorical funds. It must be noted that these are only proposals as of this writing. While it is evident that continued decline in the State economy will certainly result in cuts in K-12 education, the assumptions used for this First Interim report follow current law and current conditions. If and when proposed mid-year cuts become part of the 2008-09 operating budget, they will be incorporated into the District's subsequent regular financial reports. For the purposes of multi-year projection reports, we have been directed by the Alameda County Office of Education to estimate 0% COLA for 2009-10. Regardless of how the State economy moves forward, the District is confident it will have sufficient funds to meet its financial obligations for 2008-09, and will present a balanced budget for the 2009-10 school year in June of 2009. Achieving a balanced budget will require a combination of revenue enhancement and expenditure/program reductions.

Governing Boards are required to certify the financial condition of each school district at two intervals during the school year. A *Positive Certification* means that the District will be able to meet its financial obligations for the remainder of the current fiscal year and subsequent two fiscal years. A *Qualified Certification* indicates a district may not be able to meet these financial obligations. A *Negative Certification* is used when school districts are not able to meet financial obligations for the remainder of the year or for the subsequent fiscal year. *Qualified or Negative Certifications* act as an "early warning device" and are transmitted to the County Office, California Department of Education, and the State Controller for possible intervention by these agencies.

Certification is based on the General Fund Summary of Revenues and Expenditures as presented in the First Interim Report. Based on actual expenditures through October 31, the First Interim Report reflects updated projected year-end totals and becomes the Approved Budget. The Second Interim Report is presented in March of each year and is based on actual expenditures through the previous January 31st. Should the proposed 2008-09 mid-year cuts become a fiscal reality, the District will change its current certification from *Positive* to *Qualified* at the Second Interim report.

A financial summary of the First Interim was included in the Board packet. An excerpt is provided below:

“It is important to note the assumptions in place at that point in time at which each budget revision and multi-year projection is developed.

The most significant issues affecting the District’s budget at this “snap-shot” in time are the State’s economy and enrollment trends. The District’s ability to put forth a recommendation for a *Positive* Certification at this First Interim is the direct result of the overwhelming support by the community for Measures B and C from the June, 2005 ballot. This is the third year of the Parcel Tax. Multi-year projections include the full expenditure of the Special Parcel Tax Reserve Fund, set aside for the final year of the current Parcel Tax. Mid-year cuts could necessitate the use of these funds earlier than projected; however, assumptions used in the development of this First Interim Report and multi-year projections reflect existing conditions:

First Interim (as of October 31, 2008) – Revenue: +
\$258,535

Revenue is based on an Average Daily Attendance (ADA) of 2482 as confirmed from the P-2 from 2007-08. We anticipated decline in enrollment of 20+ students for the current year. The District’s enrollment as indicated on our annual CBEDS (California Basic Educational Data System) report from October 3, 2008 is 2528 students (down from 2552). Because the District is funded on the current or previous year’s ADA, the previous year’s confirmed number is used for current year calculations. There was an increase in the revenue limit (0.68% in COLA) plus \$100,000 in restored categorical funds from the recently adopted State budget. Local funds include the receipt of \$30,000 in anonymous donations, \$26,000 in donations to the Wellness Center (simultaneously booked as expenditures), and \$6,000 in Special Education increased apportionments.

First Interim (as of October 31, 2008) – Expenditures:
+\$25,492

Total expenditures reflect a modest increase of \$25,492. This includes slight adjustments to confirmed step and column calculations in October, employee- initiated changes to medical benefits plans, and approximately \$26,000 in booked expenses for the Wellness Center from donations.

First Interim (as of October 31, 2008) – Ending Fund
Balance: \$1,288,312

The total ending balance on June 30, 2009 is projected to be \$1,288,312, which represents a total of 4.36% of total expenditures. AB 1200 requires each district to maintain a 3% reserve for economic uncertainty. An undesignated balance of \$378,800 is what remains after meeting the 3% requirement. The \$233,043 increase represents mostly new revenue that was generated from the adoption of the State Budget. As stated at the Board meeting of September 24, 2008, this new revenue has been directed to the “bottom line” in an effort to build reserves for 2009-10 and 2010-11. The Board of Education’s goal and prudent fiscal practices stipulate that a reserve of 4% should be considered minimal, especially in unpredictable economic times such as those we are currently experiencing.

Multi-year Projections (as of October 31, 2008) - 2009-10
Assumptions

Revenue:

- Cost of Living estimated Statutory COLA of 5.60% as projected by School Services of California and the State Legislative Analyst’s Office, with an applied deficit factor of 9.766%. The revenue planning COLA is 0%. These projections will be updated as part of the Governor’s January budget proposal.
- A decline in ADA for students from the 2008-09 year to 2470. This is based on current year enrollment figures of 2528 with an approximate 97.5% attendance rate. The Second Interim will reflect ADA based on the current year certified P-1.
- Categorical program revenue at the 2008-09 rate plus a COLA of 0%.
- No mandated cost reimbursements are included as part of 2009-10.
- A 5% increase in parcel tax revenues from Measures B and C as approved by the voters in June 2005. The Board must hold a public hearing to determine the levy amount for the Parcel Tax for 2009-10. Ballot language authorizes up to a 5% increase over the 2008-09 rate as the maximum amount that may be levied. The Public Hearing will be held in March of 2009 to determine the 2009-10 levy. Revenue from a potential parcel tax increase of 5% is approximately \$390,000.
- Piedmont Educational Foundation Endowment contribution of \$158,684.
- A reduction from \$90,000 to \$0 for designated anonymous donations.
- Parent Club contributions of approximately \$1.30 million (direct District funded support and parent club funded personnel with additional benefits costs)
- Full transfer from the Parcel Tax Special Reserve of \$565,000.

Expenditures:

- Step and column increases for all employees (equivalent to 1.5% salary cost).
- No salary increase for any employee group (salary rate to be determined as part of the collective bargaining process)
- 8% increase in health and welfare benefit cost. Collective bargaining agreements have not been negotiated beyond 2008-09.
- Savings of \$72,000 from a projected 4.0 FTE certificated retirements.
- Unexpended funds in categorical programs are reserved for the program from which funding originated, unless the State allows flexibility for unrestricted use
- Transfer of \$90,000 to Deferred Maintenance Program to maximize eligibility for projected State matching funds.

Multi-year Projections (as of October 31, 2008) - 2010-11 Assumptions

Revenue:

- Cost of Living Statutory COLA of 3.5% over the 2009-10 level as projected by School Services of California in December, 2008, with an applied deficit factor of 9.766% . The revenue planning COLA is 3.5%.
- Same ADA figure used for 2009-10.
- Categorical program revenue at the same rate as in 2009-10 plus a 3.5% COLA.
- No mandated cost reimbursement is projected in the budget.
- All Parent and support group contributions at the same level as in 2009-10: approximately \$1.30 million (direct District funded support and parent club funded personnel with additional benefits costs) and PEF contribution of \$158,684
- No increase in the parcel tax revenues over the 2009-10 projected level. A parcel tax renewal election is scheduled for June of 2009.

Expenditures:

- Step and column increases for all employees (equivalent to 1.5% salary cost).
- No salary increase for any employee group (salary rate to be determined as part of the collective bargaining process)
- 8% increase in health and welfare benefit cost. Collective bargaining agreements have not been negotiated beyond 2008-09.
- Savings of \$72,000 from a projected 4.0 FTE retirements.
- Transfer of \$90,000 to Deferred Maintenance Program to maximize eligibility for projected State matching funds.
- No Transfer from the General Fund to the Parcel Tax Special Reserve fund

Status of Other Funds Operated by the District as of First Interim (October 31, 2008)

Adult Education

The Adult Education Fund shows some deficit spending for the 2008-09 year. There are sufficient reserves to offset this anticipated decrease in revenue. The law requires that the Adult Education program be self-sufficient and in no way supported financially by the District's General Fund. The Adult Education Fund remains fiscally solvent. The Business Services Department works closely with the current Director to monitor all aspects of the Adult Education program and budget. The Director has made every effort to augment existing programs and has made significant advances in parent education programs serving families of students in grades K-12. There are no significant changes in the multi-year projections. If proposed mid-year cuts take effect, revisions will be provided at the Second Interim report.

Cafeteria Fund

The Cafeteria Fund is a separate fund for which the District tracks all food services operations. Food services at the elementary sites are exclusively operated by parent volunteers. Food service at the High and Middle schools require 3-5 employees whose salaries are accounted for through this fund. All costs associated with the operation of the food services provided to the students are wholly supported by the Parent Club organizations. This fund does not receive contributions from the District General Fund. Revenue is anticipated to increase by the cost of salary and benefits for employees in the multi-year projections. Expenses include a 3.5% increase in salaries (2.0% + 1.5% longevity) for 2008-09 and 1.5% (longevity only) in 2009-10. Additional staff have been hired to support the PHS cafeteria program in 2008-09, which accounts for the increase since the 9/24/08 adopted budget.

Deferred Maintenance Fund

The First Interim Report reflects the proposed transfer from the District General Fund required for the District to receive the maximum matching funds from the State, as well as expenditures to support the District's Five-Year Deferred Maintenance Plan. There are no significant changes in the multi-year projections. Use of Deferred Maintenance funds in support of Measure "E" projects is ongoing.

Parcel Tax Reserve Fund

The Parcel Tax Reserve Fund was established for funds from the first year (2006-07) of the current Parcel Tax approved by voters to support programs as necessary in later years of the term of the tax. \$500,000 was transferred from the General Fund into this account in 2006-07 to help support programs in the last year of the current authorization (2009-2010). With earned interest, \$565,000 will be transferred back to the General Fund. There are no transfers in 2010 as the parcel tax renewal election has not been held.

Building Fund

The Building Fund is the established fund for which all voter-approved Bond measure proceeds are accounted. These funds may be used in support of voter-approved projects only. All current funds are derived directly from Measure E funds approved by the voters in March, 2006. Additionally, the Citizens Oversight Committee reviews all District expenditures related to Measure E since the inception of the PUSD Seismic Risk Reduction Program. The COC will report to the Board in early February, 2009. Changes in the multi-year projections for the Building Fund show a second issuance of bonds in the amount of \$15,000,000. This figure is a place-holder, and the authorization for issuance must be first approved by the Board.

Capital Facilities Fund

The Capital Facilities Fund is a fund for capital projects as identified by the Board of Education. There are no changes in the multi-year projections; Efforts to set aside \$45,000 per year for future capital projects has been suspended given the current State budget crisis. Originally, the goal was to have a balance of nearly \$175,000 by 2010, with an overall goal of \$400,000 on deposit in the Fund when the current Witter Field warranty expires in 2015.

NODA Fund

The NODA Fund was established by the Board of Education to use the proceeds from the sale of a mural by the artist Noda to establish a fund to support visual arts at the secondary level. Arts grants are funded through interest earned. The NODA account is fully funded, and there are no changes to report at the first interim nor significant changes in the multi-year projections.

Summary and Recommendation

It is recommended that the Board of Education review and approve the First Interim Report as presented and that they provide a **Positive** Certification of the District's ability to meet its financial obligations for the current year and subsequent two fiscal years. Although multi-year

projections do not show Ending Fund balances meeting designated reserve levels, the District has access to resources sufficient to meet its financial obligations.

The uncertain economic times facing the State and national economy may have an adverse affect on the District's budget. The staff, Board of Education and community at large are very aware of the effects of enrollment fluctuations and State budget uncertainties and are planning accordingly. Piedmont is committed to the long-term tradition of solid fiscal responsibility in the management of the District's finances. The District Business Services staff continues to work closely with the Business Services Department at the Alameda County Office of Education and in consultation with School Services of California. The Alameda County Office of Education is dedicated to supporting Piedmont to assure all requirements of AB 1200 and the Daucher Bill are met.

The Budget Advisory Committee (BAC), which is a standing committee with representatives from all stakeholders in the District, is a vehicle for dissemination of information to as many parents, students, staff and community members as possible. Its purpose is to review the District's budget, share the information with constituent groups and generate recommendations for Board consideration in the budget development process. It provides frequent opportunities for the Piedmont educational community to review the District's budget and identify trends and make recommendations for Board consideration in the budget development process. The Committee is advisory in nature and does not have decision-making responsibilities."

The Board is committed to making adjustments to the areas of deficit for its multi-year projections, specifically looking at revenue enhancement and program cuts in the amount of \$910,000.

Vice President Gadbois expressed his concern that the District may not be able to meet its financial obligations for the remainder of this year and the subsequent two years. He feels the Board needs to begin the process of figuring out how to cut 3-5% from the annual budget in anticipation of State budget cuts. Discussion ensued regarding this issue. By the February Board meeting, information is requested regarding a contingency plan for cutbacks.

There was no one from the public wishing to speak.

It was moved by Board Member Raushenbush and seconded by Board Member Tolles to approve a Positive Certification of the District's ability to meet financial obligations for current year and subsequent two fiscal years, and to adopt Resolution 05-2008-09, "Authorizing Budget Transfers of Funds". The Board was polled and the motion passed as follows:

AYES: Monach, Tolles, Jones, Raushenbush
NOES: Gadbois
ABSTAIN: None
ABSENT: None

Adopt Resolution 06-2008-09,
“Designation of Chief Business Official to
Serve on the Alameda County Treasury
Oversight Committee, if requested, under
Government Code Section 27131”

The resolution authorizes the Piedmont Unified School District to
nominate its Chief Business Official to the Alameda County Treasury
Oversight Committee under Government Code Section 27131.

There was no one in the audience.

It was moved by Board Member Jones and seconded by Board
Member Tolles to adopt Resolution 06-2008-09.

The Board was polled and the motion passed unanimously.

Nominations for California School Boards
Association (CSBA) Delegate Assembly,
2009-2011

The Board declined to make any nominations.

INFORMATION ITEM

List of Piedmont Educational Foundation
2008 Fall Grants Awarded

A list was provided of the Fall 2008 Grants awarded by the Piedmont
Educational Foundation, totaling \$45,589.

CORRESPONDENCE

The Board received 50 emails since the December 1, 2008 joint City-
School District meeting on interim housing; 1 email from a parent on
the AP Calculus BC proposal; 2 emails in response to
Superintendent Hubbard’s memo on the hate crime incident; 1 email
from a parent about the negotiations process; and 1 phone message
from a parent regarding interim housing. Board Member
Raushenbush noted that one email was received regarding crossing
guards.

BOARD REPORTS

None

CONSENT CALENDAR

Board Member Jones stated that several people have asked about
Item J. – why is the District obliged to pay when the child is not even
in school? Superintendent Hubbard responded that by law, a school
district is responsible for children, some from birth and others from
the age of two years, nine months, up to the day before a child turns
22, if they did not graduate from high school.

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

- A. Adopt Regular Board Meeting Minutes of October 22, 2008 and
November 12, 2008
- C. Approve Monthly Financial Report of the District for Goods and
Services Rendered for November 2008
- D. Approve Personnel Action Report
- E. Approve Memorandum of Understanding Between the District,
Contra Costa County Office of Education, and St. Mary’s
College Beginning Teachers Support and Assessment (BTSA)
Induction Program, effective July 1, 2008 through June 30,
2009, at a total cost not to exceed \$16,000 (includes \$2,000 per
teacher [8 teacher participants], program stipends, and support

costs).

- F. Approve CSEA Job Description for Special Education Occupational Therapist, and CSEA Revised Salary Schedule
- G. Approve Request for Overnight Field Trip for PHS Boys Varsity Basketball Team to participate in NCS Tournament, Kelseyville, CA, December 4-6, 2008
- H. Approve assignment Under Education Code 44258.3 and 44248.7(c) and (d)

- I. Adopt Resolution 07-2008-09, "Declaration of Surplus Property" (old, unused computers-Piedmont Middle School)
- J. Approve one Individual Service Agreement with BIA (Behavioral Intervention Associates, to provide therapy for one preschool student, effective October 7, 2008, through June 30, 2009, at a total cost not to exceed \$41,488.00. Funding Source: Special Education

FUTURE BOARD AGENDA ITEMS

(Subject to Change):

- Approve Consolidated Application, Part II
- Review (1st Jan mtg) and Adopt (2nd Jan mtg) Yearly Budget Development Calendar
- Presentation and Acceptance of Annual Financial Report (Audit Report)
- State Budget Update
- Adopt Resolution for Black History Month – February (Jan)
- Application Opening of Arthur Hecht Volunteer of the Year Award
- Approve Quarterly Report of Complaints Received Under Williams Settlement Agreement (1st mtg in Jan)
- Mid-year assessment on goals and objectives (Jan/Feb)
- SARCS (Student Accountability Report Cards) (Jan)
- California Physical Fitness Test Summary (Jan)
- Review of Board Bylaws (Section 9000) (TBD)
- Board Policy/Administrative Regulation 6163.4, "Acceptable Use of Technology" (TBD)

Board Member Tolles asked if there are going to be any Board Policies coming up as a Future Agenda Item regarding hate crime. Board Member Jones requested that an update on the science curriculum be added to the future agenda items list.

ADJOURNMENT

There being no further business, and with no objections by the Board, the meeting was adjourned at 1:20 a.m.

JUNE MONACH, Board President
Piedmont Unified School District
Board of Education

CONSTANCE HUBBARD
Secretary, Piedmont Unified School District
Board of Education