

TO: Board of Education

FROM: Constance Hubbard, Superintendent

SUBJECT: **CONDUCT FIRST PUBLIC HEARING ON CHARGE OF THE
INDEPENDENT OVERSIGHT COMMITTEE FOR THE SCHOOL
SUPPORT TAX (JUNE, 2013- JUNE, 2021)
PROVIDE DIRECTION TO STAFF - NEXT STEPS**

I. **SUPPORT INFORMATION**

The full text of the Resolution calling for the election on March 5, 2013 for the renewal of the School Support Tax can be found in the packet for the December 11, 2012 Board Meeting at <http://www.piedmont.k12.ca.us/board-of-education/meeting-materials>. Below is an excerpt from the section on Accountability that references the independent School Support Tax Advisory Subcommittee of the longstanding Budget Advisory Committee (BAC):

e) School Support Tax Advisory Subcommittee: An annual written report shall be prepared and submitted to the Board of Education by the School Support Tax Advisory Subcommittee ("Subcommittee") of the Budget Advisory Committee ("BAC"). All residents of the Piedmont Unified School District are eligible to apply for membership on the BAC on an annual basis. Members of the Subcommittee must be homeowners in the Piedmont Unified School District community and subject to the School Support Tax and not current employees of PUSD. Each year there shall be no fewer than three (3) and no more than five (5) volunteers identified by November of each year to serve on the Subcommittee. It is the responsibility of the District Superintendent or designee to verify eligibility of the volunteers. The President and Vice President of the Board of Education shall approve all nominees to the Subcommittee. The Subcommittee shall work directly with the Chief Business Officer of the District to review School Support Tax uses and report to the Board of Education at the first public hearing held each year to determine the subsequent year's levy. Members of the Subcommittee commit to regularly attend meetings of the BAC. The Board will adopt the specific charge of the School Support Tax Advisory Subcommittee no later than May 5, 2013, after two public hearings at Regular School Board meetings. Any change to the charge of the Subcommittee will require public hearings at Regular Board meetings and must be approved by the Board.

The BAC serves as a community forum for interested community members to receive up-to-date information about the District's budget. All stakeholder groups including the Parent and Support Clubs, Employee Associations (APT, CSEA and APSA), Piedmont Educational Foundation and the community at large are invited to participate in the BAC. There are 6-8 meetings held each year, with the schedule set and publicized at the beginning of each year. The schedule is set based on milestone budget reports/information (e.g., Interim Reports and "May Revise") and are held in the District Office from 3:30-5:00 p.m. (alternative times are scheduled

on an as-needed basis). The intent of Subcommittee members to be part of BAC is so that members will be well versed in the current District budget information to best facilitate the development of their independent report.

The Subcommittee will operate independently of the BAC and report directly to the Board of Education at the First Public Hearing held annually to determine the following fiscal year's levy of the School Support Tax up to its maximum allowable level. The Subcommittee will be free to meet as often as required by its membership. In addition to the budget information provided at the BAC, the Assistant Superintendent for Business Services will be the point of contact for information requested by the Subcommittee.

This is the First Public Hearing for the Board to receive input from the community as to the specific charge from the Board to the Subcommittee regarding information/recommendations to be included in the annual report to the Board. For reference, attached is a copy of the charge to the current Parcel Tax Advisory Committee (CAC) and the application required.

Member of the public are invited to the next scheduled BAC meeting on January 24, 2013. The January meeting agenda will include a review of the Governor's January Budget for the State and its implications for Piedmont's 2013-14 budget.

The Board is requested to provide direction to staff in preparation for the Second Public Hearing including schedule and any draft documents. The ballot language requires that the charge of the Subcommittee is approved no later than May 5, 2013.

II. **RECOMMENDATION: CONDUCT PUBLIC HEARING – PROVIDE DIRECTION**

Attachment

PIEDMONT UNIFIED SCHOOL DISTRICT

CHARTER FOR THE CITIZENS' ADVISORY COMMITTEE ON PARCEL TAX MEASURES B AND E JUNE 2, 2009 ELECTION

(Original Charter adopted at Board Meeting of 5-27-09;
Proposed revisions to Charter presented & approved at Board Meeting of 12-8-10)

Charge to the Committee

The Committee shall serve in an advisory capacity to the Board of Education to help review and project the financial needs of the PUSD with respect to the levy of voter-approved parcel taxes, Measures B and E. The Committee shall conduct an independent examination of the District's budget and related documents prior to making formal recommendations in its annual report to the Board.

The scope of work for the Committee shall be limited to advice on whether and to what extent to levy parcel tax Measure E, and to what extent to levy parcel tax Measure B, as set forth below. If the Board wishes to expand the Committee's charge to consider other items, the Board must do so by majority vote.

As part of the District's annual budget development process and during the term of each parcel tax measure, the Committee shall submit an annual report to the Board of Education showing:

- The amount of funds collected and expended from the proceeds of school parcel taxes in the current fiscal year and projected for the next fiscal year, as well as the status of any projects or programs required or authorized to be funded from the proceeds of the parcel taxes as described in the Full Text of the June 2, 2009 Ballot for Measures B and E (Exhibit A).
- A high level, comprehensive analysis of the District's budget, including relevant metrics, historical trends, and comparisons with similar school districts, that provides an analytical basis for the Committee's recommendations.
- Measure E: For the purpose of determining whether the Measure E parcel tax should be assessed, the Committee shall determine how the level of PUSD General Fund revenues from state and federal sources per student for the year of the annual report compares to the base amount of restricted and unrestricted funds per student reported in the Revised Budget, September 2008.
 - Unrestricted funds (Revenue limit): Whether the revenue limit per student shown in the Second Interim Report of the fiscal year of the annual report is less than the revenue limit per student shown in the Revised Budget issued in September 2008 (which was \$5,837.55 per student, using the Average Daily Attendance figure of 2,482 students as reported in the P-2 Apportionment, attached hereto as Exhibit B).
 - State and Federal categorical, other than Special Education: Whether the amount of categorical funds (other than Special Education) per student shown in the Second Interim Report of the fiscal year of the annual report is less than categorical revenues per student (other than Special Education) shown in the Revised Budget issued in September 2008 ($\$2,200,730 + \$106,941$) / 2,482 ADA

= \$930 per student), as shown in the Revised Budget issued in September 2008, attached hereto as Exhibit C).

- o Given these levels of state and federal funding, the Committee shall recommend to the Board whether and at what level to levy the supplemental Measure E tax. The Committee shall explain the basis for its recommendation, including the fiscal impacts of recommended and alternative funding levels on the District's budget.
- *Measure B*: A recommended Measure B parcel tax levy amount up to the maximum allowable for the subsequent year's tax.
 - o On an annual basis, the Committee shall recommend to the Board whether to maintain the existing Measure B parcel tax levy; increase the existing Measure B parcel tax levy up to a maximum of no more than five percent; or decrease the existing Measure B parcel tax levy. The Committee shall explain the basis for its recommendation, including the fiscal impacts of recommended and alternative funding levels on the District's budget.

Board of Education Responsibility

- Establish the committee no later than September 30, 2009, assuming passage of either Measure B or Measure E.
- Appoint members from appropriate constituencies (see Mandated Membership Categories below) and with appropriate finance and education expertise.
- Revise and/or clarify interpretation of the Charter as necessary at regular meetings of the Board.

Operations of the Committee

- All meetings shall be held in accordance with the Brown Act. Agendas shall be posted and include time, place of meeting and discussion items.
- The Committee shall select officers by majority vote.
- Offices shall be limited to a Chair and Secretary, who are elected annually at a meeting of the Committee.
 - The Chair is responsible for preparing agenda materials, administering meetings, and ensuring that the Committee's charge and expectations for the annual report are fulfilled by the Committee each year.
 - The Secretary is responsible for preparing minutes of the meetings and administering meetings when the Chair is absent.
- Meetings shall be held a minimum of four times per year and otherwise as the Committee decides.
- Recommendations shall be made by majority vote, provided, however, that a minority recommendation may be submitted.
- A quorum shall consist of a majority of the full Committee.
- A Board liaison will be appointed to the Committee.
- The Committee should coordinate with District administration and staff to secure information and input in ways that are not unduly burdensome.
- Timing of Recommendations – the Committee's annual report to the Board will be submitted at least one month before the Board votes on the parcel tax levies for the following budget year. In general, the report would be due in January or February.

Standards of Conduct of Committee and its Members

- Although each Committee member may have differing perspectives on the financial budget information, analysis and recommendations made by the Committee, individual members will conduct themselves in ways that reflect mutual respect for different perspectives, and work collaboratively to develop the Committee's annual report.

Committee Composition and Length of Service

- Term of Service: Two years, except that three of the members first appointed to the Committee should be prepared to serve for three years to allow staggering of membership terms.
- Removal: Repeated absences, failure to prepare and participate in meetings, health matters or professional or personal demands
- Compensation/Reimbursement: None
- Membership: At least seven individuals, with Board option to expand

Membership

- Members must be Piedmont residents and property taxpayers.
- Current PUSD employees or consultants are not eligible to serve on the Committee.
- All Committee members are encouraged to attend the Budget Advisory Committee meetings as often as possible.

Mandated Membership Categories – Minimum (categories may overlap and not all members need be within a designated category)

- At least 2 – Parent of current PUSD student(s)
- At least 1 – Parent of former PUSD student(s)
- At least 2 – Members of Budget Advisory Committee
- At least 1 – Age 60 or older
- Additional members from the community who express interest in serving.

Application Procedure

- Must submit application by facsimile, mail, email or in person to the Office of the Superintendent, 760 Magnolia Avenue, Piedmont, CA 94611. Applications will be available at the District Office or from the District website: www.piedmont.k12.ca.us

Selection of the Committee

- Board will appoint a sub-committee to review applications and interview potential candidates for new and open positions on the Committee.
- The Board will work with the Superintendent's office to set a reasonable timeframe for filling openings on the Committee.
- Nominees are confirmed by the Board of Education at a Board Meeting.
- Number of committee members in addition to mandated positions to be determined based on applications. It is recommended that the Advisory Committee not exceed a total of nine members.

PIEDMONT UNIFIED SCHOOL DISTRICT
Application
for
Citizens' Advisory Committee on
Parcel Tax Program Measures B and E (CAC)

Due to recent vacancies, the Piedmont Unified School District is seeking applicants to fill seats on its Citizens Advisory Committee to the Parcel Tax Program Measures B and E, passed by the voters on June 2, 2009.

During the term of each Measure, the Committee shall serve in an advisory capacity to the Board of Education to help review and project the financial needs of the District with respect to whether and in what amount to levy voter-approved parcel taxes. Please refer to "Charge of the Committee of the Citizens' Advisory Committee on Parcel Tax Program Measures B and E" - [www.piedmont.k12.ca.us/Board of Education/Measures B & E Citizens Advisory Committee](http://www.piedmont.k12.ca.us/Board%20of%20Education/Measures%20B%20&%20E%20Citizens%20Advisory%20Committee), for complete information on composition of committee, length of service, etc. An application is also provided within the link.

Applicants can hand-deliver or mail their applications directly to: Office of the Superintendent, Piedmont Unified School District, 760 Magnolia Avenue, Piedmont, CA, 94611, or email them to bfeusier@piedmont.k12.ca.us, or fax to the attention of the Superintendent's Office at 510-654-7374. **All applications must be received by no later than 4:30 p.m. on _____.** Applications will be reviewed by a subcommittee of the Governing Board and District administrators, and applicant selections recommended for approval at the Board meeting of Wednesday_____. Applicants will be notified of the final decisions by email or U.S. mail.

Name: _____

Address: _____

Day Phone: _____ Evening Phone: _____

Email: _____ FAX: _____

Please mark your area(s) of expertise:

- | | |
|--|---|
| <input type="checkbox"/> Financial/Business Experience | <input type="checkbox"/> Parent of Former PUSD student(s) |
| <input type="checkbox"/> Legal Experience | <input type="checkbox"/> Senior Citizen (60 or over) Representative |
| <input type="checkbox"/> Taxpayer's Association Rep | <input type="checkbox"/> District Resident Interested in Serving |
| <input type="checkbox"/> Parent of Current PUSD student(s) | <input type="checkbox"/> Member of Budget Advisory Committee |

Please explain why you would like to serve on the Parcel Tax Advisory Committee (CAC)e:

If you are not chosen for this round but would like to be considered for the pool for future service on this Committee, please mark below:

Yes, please keep me in pool for consideration

1-13-2011

PIEDMONT UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 11-2012-13

**AUTHORIZING INFORMAL CONTRACTING
FOR ROOF REPLACEMENT AT TWO SCHOOLS DUE TO EMERGENCY**

WHEREAS, the Piedmont Unified School District (“District”) has determined, through its Board of Education, that portions of the roofs at Beach Elementary School and Wildwood Elementary School are in need of significant maintenance, repair, and upgrading as described in the Request for Proposals and other documents (“Roofing Projects”);

WHEREAS, the District pursued state modernization funding in conjunction with its seismic safety bond program and portions of projects such as the roofs in the older sections of Beach and Wildwood schools were delayed because of State funding delays;

WHEREAS, the District was notified in December, 2012, that certain amounts of funding were approved and would be received by March, 2013 and the roofs were included as priority projects to be funded in summer 2013 upon receipt of State funds;

WHEREAS, the unprecedented rain storms in December 2012 resulted in damage to District property and leaking from the roof of Wildwood School that was constructed in the 1990’s;

WHEREAS, during the emergency repairs performed in December 2012 it was discovered that the building paper on the roofs of both the Beach and Wildwood schools had almost completely disintegrated, creating a clear and imminent danger of further damage to District property;

WHEREAS, significant leaks could cause damage to the new carpet, cabinets and wall systems that were just installed as part of the seismic upgrade projects completed at Beach in 2012 and Wildwood in 2011;

WHEREAS, waiting for the end of another school year to implement the Roofing Projects would further subject students and teachers at the both schools to further discomfort and other impacts of the roofs in their current condition, and would likely result in higher costs for the Roofing Projects;

WHEREAS, the Roofing Projects cannot be performed while school is in session, due to noise and interference with operations that are necessary for student and teacher comfort and health;

WHEREAS, to secure contracts to perform the Roofing Projects if possible to be done during the next scheduled student week-long breaks in February or April, there is not sufficient time for formal public bidding per the Public Contract Code;

WHEREAS, in order to obtain the best possible pricing for the Roofing Projects without formal public bidding, the District will obtain competitive price proposals from three contractors who were researched as qualified to perform the Roofing Projects, and had the proposals reviewed by its construction manager, Vila Construction, for completeness and reasonableness in pricing;

WHEREAS, the bids will include the ability of the contractor to perform the work as weather permits as soon as possible with the least disruption to students;

WHEREAS, District staff and the District's construction manager plan to bring for Board approval a contract for the price proposal for the Roofing Projects that is the most reasonable in terms of timing and price;

WHEREAS, Public Contract Code section 20111 states that a school district is required to competitively bid any public works project with a contract value over \$15,000;

WHEREAS, Public Contract Code section 20113 provides that when repairs are necessary to any facility of District property in order to avoid clear and imminent danger to life or property, the Board may by unanimous vote, make a contract for the performance of emergency repairs without advertising for or inviting bids;

WHEREAS, formally bidding the Roofing Projects will not affect the final result to the District except to force work on the Roofing Projects to be delayed until summer 2013 and increase the likelihood of damage to District property;

NOW THEREFORE, the Board of Education of the Piedmont Unified School District hereby resolves, determines, and finds the following:

1. That the foregoing recitals are true.
2. That there exists a clear and imminent danger to District property which compels the District to perform roofing repairs on an emergency basis without advertising for or inviting bids.
3. That the District's Board hereby unanimously approves and authorizes the Superintendent and designees to take all steps and perform all actions necessary to solicit at least three bids for the Roofing Projects with the intent to bring a recommendation to the Board for approval at the next Board Meeting on January 23, 2013.

PASSED AND ADOPTED by the Board of Education of the Piedmont Unified School District, City of Piedmont, County of Alameda, State of California, this 9th day of January, 2013, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

I certify that the above Resolution was adopted and passed by the Board of Education on the date indicated above.

Constance Hubbard, Secretary
Board of Education
Piedmont Unified School District,
Alameda County, State of California

TO: Board of Education

FROM: Constance Hubbard, Superintendent
Michael Brady, Assistant Superintendent, Business Services

SUBJECT: **REVIEW LETTER OF ANALYSIS REGARDING THE IMPACT ON
GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB45)
COSTS AND LIABILITIES RESULTING FROM CHANGES IN THE
DISTRICT'S RETIREE HEALTH BENEFIT PLANS**

I. **SUPPORT INFORMATION**

GASB45 is an accounting and financial reporting provision requiring government employers to measure and report the liabilities associated with post-employment benefits (excluding pensions) for active and retired employees. GASB45 reports articulate post-employment benefits (noting who is eligible, how many employees and retirees are covered), and determine the liability for benefits as well as the assets that are available to offset the liability. The Piedmont Unified School District currently uses a "pay as you go" method to address its post-employment liabilities. GASB45 reports enable the District to communicate the financial implications of retiree health benefits to the Board and to the community.

Since 2007, the Piedmont Unified School District has engaged Total Compensation Systems, Inc. (TCS) to analyze liabilities associated with its current retiree health program. The last report the District received from TCS reflected post-employment liabilities as of September 1, 2011 (the most recent "valuation date"). The report was submitted to the Board for review in May, 2012, but did not reflect the impact of changes in collective bargaining agreement language among all employee associations that effectively cap retiree medical benefits at the same level as active employees. The attached letter of analysis reflects these changes, using the same assumptions (including number of retirees and active employees) as defined in 2011. The analysis is a "snapshot" of conditions as of September 1, 2011, and as such is not definitive with respect to current costs and liabilities. It is meant to take what was previously reported and apply current conditions as reflected in collective bargaining agreements. The District's next full GASB45 actuarial report will be conducted as required in 2013.

The attached letter of analysis is based on the following assumptions: District contributions are capped at \$6,500 per retiree; maximum duration of benefits does not exceed 5 years; benefits for disability retirements are limited to \$3,250 per year, not to exceed 5 years. Figures provided under the *Actuarial Present Value of Total Projected Benefits* are divided into two columns: the first column ("Current") is as reported in May of 2012; the second column ("Alternate Benefit")

provides the comparison using the most recent assumptions under collective bargaining agreements. Note that changes take effect on calculations for active employees (both pre-65 and post-65), whereas retiree projected benefits do not change. The effect on the total *Actuarial Accrued Liability* (which represents the present value of projected future benefits earned by employees to date) is a reduction of \$700,828 versus that which was reported as of September 1, 2011. This total will again adjust in 2013 when a new study is conducted.

/mb
Attachment

December 7, 2012

Michael Brady
Assistant Superintendent Business Services
Piedmont City Unified School District
760 Magnolia Avenue
Piedmont, CA 94611

Dear Michael,

This is to provide you with our analysis of the impact on GASB 45 costs and liabilities of changing the District's retiree health benefit plan as follows:

- 1) Cap the District contribution at \$6,500 per year with no expectation of future increases. It is important to note that, under GASB 45's "substantive plan" rules, any future increase in this cap may require assuming future periodic increases which would increase the estimated costs and liabilities in this opinion letter exponentially. Should the District consider enhancing retiree benefits at a future date, we strongly advise doing so by adding a supplemental plan that would qualify under GASB 45 as a "defined contribution" plan.
- 2) Effective 7/1/2014, the maximum duration of benefits would not exceed 5 years.
- 3) Benefits for certain disability retirements would be limited to \$3,250 per year.

The following numbers are based on the most recent GASB 45 valuation.

**Actuarial Present Value of Total Projected Benefits
September 1, 2011**

| | <u>Current</u> | <u>Alternate Benefit</u> |
|-----------------|----------------|------------------------------|
| Active: Pre-65 | \$3,483,725 | \$1,966,360 |
| Post-65 | \$730,737 | \$0 |
| Subtotal | \$4,214,462 | \$1,966,360 |
| Retiree: Pre-65 | \$642,048 | \$642,048 |
| Post-65 | \$2,591,640 | \$2,591,640 |
| Subtotal | \$3,233,688 | \$3,233,688 |
| Grand Total | \$7,448,149 | \$5,200,049 |

Normal Cost Year Beginning September 1, 2011

| | <u>Current</u> | <u>Alternate Benefit</u> |
|-------------------------------|----------------|------------------------------|
| # of Employees | 280 | 178 |
| First Year Normal Cost | | |
| Pre-65 Benefit | \$243,626 | \$75,401 |
| Post-65 Benefit | \$5,418 | \$0 |
| Total | \$249,044 | \$75,401 |

**Actuarial Accrued Liability
as of September 1, 2011**

| | <u>Current</u> | <u>Alternate</u> |
|--------------------------|----------------|------------------|
| Active: Pre-65 | \$1,321,102 | \$1,316,056 |
| Post-65 | \$695,780 | \$0 |
| Subtotal | \$2,016,882 | \$1,316,056 |
| Retiree: Pre-65 | \$642,048 | \$642,048 |
| Post-65 | \$2,591,640 | \$2,591,640 |
| Subtotal | \$3,233,688 | \$3,233,688 |
| Grand Total | \$5,250,572 | \$4,549,744 |
| Unamortized Initial UAAL | \$4,304,008 | \$4,304,008 |
| Residual AAL | \$946,564 | \$245,736 |

I have not shown a comparison of the Annual Required Contribution (ARC). GASB 45 provides that application of the standard should not result in accrual that is slower than cash basis. This constraint would require restructuring of amortization which would shorten the amortization period while maintain the ARC at a level at least as high as current retiree premiums. I would be happy to discuss this at your convenience.

If the District adopts the above changes, I will be happy to cast the findings in a report format that will support GASB 45 compliance.

Please let me know if you have any questions.

Sincerely,

Geoffrey L. Kischuk, FSA, FCA, MAAA
Consultant
Total Compensation Systems, Inc.

TO: Board of Education

FROM: Constance Hubbard, Superintendent
Michael Brady, Assistant Superintendent, Business Services
Randall Booker, Assistant Superintendent, Educational Services

SUBJECT: **UPDATE - HEALTH AND SAFETY AT PIEDMONT SCHOOLS**

I. **SUPPORT INFORMATION**

Recent tragic events in Connecticut have prompted many inquiries to the issues of health and safety at Piedmont Schools. We have a tradition of providing a healthy and safe learning environment for all students.

The Board adopted commitments include:

- We are committed to providing a safe, nurturing learning environment where every member of the Piedmont schools feels respected. We strive to increase everyone's sense of inclusion in our community. Our practice of safety and inclusion begins with our policy of prohibiting discrimination on the basis of age, disability, ethnicity, gender, language, marital status, nationality, race, religion, sexual orientation, and socioeconomic status.

The Board's Vision statement also confirms:

Developing Resilience

Create a culture of learning in the schools, where students feel safe taking risks, being flexible, innovative, and adaptable, and taking on new challenges. In addition to following students through assessments and benchmarks, offer social skills development and counseling support, so students are prepared to meet real world challenges in their lives with resilience.

Goals number 3 and 6 for 2012-13 address health and safety:

Goal #3 – Provide a Safe Learning Environment: Provide students with a safe and healthful learning environment where respect, inclusion, resilience, responsible citizenship, self discipline, and personal responsibility are thoughtfully practiced.

Goal #6 – Invest In & Preserve School Facilities & Infrastructure: Develop and implement a plan to ensure the long-term safety, accessibility, usability, and value of school facilities and infrastructure within budget limitations and in collaboration with the City of Piedmont where appropriate.

We are taking this opportunity to communicate the safety supports and protocols that we have in place, as well as those we are in process of upgrading and/or need further discussion. Piedmont schools are an integral part of the community and represent the best aspects of the concept of “Schools as the Center for Community Life.” As such, a culture of access to facilities by community and staff at all times of the day, all times of the week, and all weeks during the year has been an expectation of the Piedmont community and has been provided by the District as much as possible.

Social Emotional Support

Students have the right to feel emotionally and physically safe at school. Because of the incredible support of the community by the School Support Tax and the contributions from the Fund Raising campaigns of the Piedmont Educational Foundation, Parent Clubs, and Support Groups, Piedmont schools have retained qualified counselors at all levels, the Wellness Center and other supports for students and parents. The adult-to-student ratio provides an immeasurable resource to students to be in a safe, emotionally nurturing environment.

Building Safety

Physical safety has been dramatically improved by the seismic upgrades that were just completed so that all buildings are engineered to the level of “life safety” in the event of a major earthquake. Locks that allow teachers to secure their classrooms without having to go outside their room have been installed in all classrooms. The fire alarms are all upgraded and integrated with Schoolmates at the elementary sites. Perimeter fencing at each elementary site was installed as part of the Seismic Safety Bond Program, though securing elementary sites (providing a single point of entry while providing multiple points of egress) remains an ongoing concern.

Communication

The ability to communicate within and among our schools is among the immediate priorities on which we are focusing. No matter the emergency situation, the ability to communicate is at the core of safety procedures. We have upgraded the ability for sites to communicate with each other in the event of an emergency or natural disaster (such as an earthquake) by making sure there are multiple portable radios at each site. The lessons most recently learned in Connecticut are that schools’ ability to communicate to all classrooms immediately saved lives. We have upgraded intercom systems at all three elementary schools as part of the seismic upgrade work. We are in the process of upgrading the PMS, PHS, and MHS systems to mirror those used at elementary sites to insure there is the capability to communicate to all classrooms at once and that each classroom has the ability to communicate with the main office.

Protocols and Procedures

Starting in 2008-09, all staff and visitors were requested to wear an identification badge so as to be “cleared” to be on campus (see further discussion on this). The District conducts both FBI and Department of Justice background and fingerprint checks on all regular employees, temporary employees (including coaches), substitute employees, and volunteers who have extended contact with students.

We conduct monthly fire drills at every site so that students know what to do in the event evacuation is required. The Piedmont Fire Department observes at various times to help us improve our procedures. We conduct earthquake drills at least once a year. We periodically conduct “intruder drills” and plan to increase frequency. PHS and MHS share a full-time campus supervisor who is on and about the site during school hours. The Piedmont Police designates an officer to be a liaison with the schools when needed. The Piedmont Police and Fire Departments respond quickly to all emergencies.

Areas for Further Discussion

Site Access – During School Day:

- The campuses are relatively open to the public during the school day. All campuses have multiple points of entry.
- Community and some staff do not follow the protocol for wearing badges and checking in at the offices. Parents and volunteers often access classrooms and yards without any formal check-in.
- Efforts to close the campuses have not been successful in part because the community views the schools as a community asset. For example, the Witter Field Complex (which provides open access to Wildwood, PMS, and PHS students) is technically “closed” during the school day, though many access the dog park via the El Cerrito Avenue entrance, the Winsor Avenue entrance, the Wildwood Avenue entrance, and the Piedmont Community Center entrance; parents routinely bring children to the “tot park” at Beach via the Linda Avenue gate; people access the park and Witter via the 99 steps at Wildwood; we have community members who use “P.E. Hill” as a shortcut through town; we have “regular walkers’ who use the stairs around and about the PHS and MHS campus as their workout routine.

Site Access – Non-School Hours:

- Staff regularly accesses sites on weekends and at night (a testament to their dedication and commitment to students). However, we have had issues with staff setting off alarms, failing to reset alarms, and doors and windows left unlocked, leaving campuses vulnerable to break-ins. We remind staff not to be in buildings without having at least one other District employee on site for their own safety, though the practice remains.
- Requests for gym and fields use go from 6:30 a.m. to 10:00 p.m. seven days a week. Despite limiting “permitted” access during certain hours and weekend times, enforcement has been problematic.
- The expectation that keys are made available to many user groups remains high. We are aware that there are many unauthorized keys to gyms, and gates and other facilities. We have spent an enormous amount of time and staff resources on the “key chase.”

Personnel/Volunteers:

- All staff is fingerprinted per protocols required by Education Code and not allowed to be with students unsupervised until cleared. We have numerous volunteers who work with students in various capacities. Our “rule” is that there is always to be a staff person with students when volunteers are working with students. The school staff is diligent about this practice. The issue is the number of volunteers that work in after-school programs that may not be monitored.
- Facilities permit holders are not required to be fingerprinted, nor is their staff. Parents are often not aware when a school program ends and an afterschool program begins. The District has no way of monitoring staff of groups who are issued permits and pay to use our facilities.

Next Steps

Staff is proceeding immediately with the upgrade of communication equipment that will include Schoolmates at each of the elementary campuses. Included in the proposals is the ability for District-wide communications that include playgrounds and outdoor courtyards. Protocols for visitors will be more strictly enforced, including requiring all volunteers to complete the Volunteer Clearance Form. District Administrators will attend staff and parent meetings to discuss and hear safety concerns at each of the school campuses.

The agenda this evening is intended to be the first of an extensive community dialogue to discuss the issues that affect safety in our schools. The Superintendent and City Manager have begun the process of setting up meetings to discuss ways in which we can improve safety practices at our schools. The new Police Chief, who starts on January 22, 2013, has confirmed her interest in meeting with Principals of each site. This is a community issue in which the District and City personnel are committed to working together. The Board is requested to discuss and provide direction for next steps to staff.

II. RECOMMENDATION: REVIEW AND DISCUSSION

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

MINUTES OF

Special Meeting of the Governing Board

December 11, 2012

| | |
|--|--|
| CALL TO ORDER | President Rick Raushenbush called the meeting of the Board of Education to order at 6:15 p.m. |
| ESTABLISHMENT OF QUORUM | Vice President Andrea Swenson; Board Members Ray Gadbois, Sara Pearson and Roy Tolles were present. |
| Adjourn to Closed Session | The Board adjourned to Closed Session at 6:16 p.m. to discuss: Conference with Legal Counsel Mark Williams, Fagen Friedman & Fulfrost LLP – Anticipated Litigation regarding significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: 1 case. |
| Others Present in Closed Session | Superintendent Hubbard Michael Brady, Assistant Superintendent, Business Services Randall Booker, Assistant Superintendent, Educational Services |
| Convene to Open Session | President Raushenbush called the Regular Session of the Board of Education to order at 7:02 p.m. and led the Board and audience in the Pledge of Allegiance. |
| Others Present at Regular Session | Superintendent Constance Hubbard Michael Brady, Assistant Superintendent, Business Services Randall Booker, Assistant Superintendent, Educational Services |
| Report of Action Taken in Closed Session | No action was taken in closed session. |
| APPROVE RESOLUTION | Adopt Resolution 13-2011-12 10-2012-13 “Modification and Amendment to Qualified Special Tax and Establishing Specifications of the Election” A decision by the Court of Appeals governing Alameda County in the case <i>Borikas v. Alameda Unified School District</i> , was issued on Friday (12/7/2012) afternoon. The Court's decision requires the Board to consider a change to the Piedmont Unified School District's (PUSD) proposed school support tax measure, scheduled to appear on the March 5, 2013 special election ballot. The Board will consider modification of the tax rate structure to a flat rate of \$2,406 per parcel. Superintendent Hubbard thanked the City of Piedmont for accommodating us and having KCOM broadcast the meeting as it is very important that the meeting is televised so we can keep the community informed. Last Friday, December 7, our attorney let us know about the decision of an appellate court decision about the structure of their parcel tax in the case <i>Borakis vs. Alameda City Unified School District</i> . The court did not find in favor of the way that Alameda Unified School District structures their parcel tax, which is very similar to ours and many other districts in the state. On November 28, the School Board passed a resolution calling for |

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an election on March 5, 2013. We have until tomorrow, December 12, to file any changes to the election order. So the election order stands and we have until tomorrow to file any changes to the election order regarding ballot wording or any components of the measure. We have called a special meeting so that we can modify the terms of the measure. The proposal is to change to tax to be in compliance with the appellate court ruling, which requires a flat tax. We would want it to be an 8-year tax that would supersede Measure B and take effect in July, 2013 so that we can be in compliance with the ruling as soon as possible.

There have been some questions about whether we should have acted so quickly. It is in the best interests of the community and the school district to comply with the ruling as soon as possible. We came to the rate by taking the total amount of parcel tax revenue our budget is dependent upon and our projections built on. The amount we are proposing provides the same amount that Measure A would have collected. It is the programmatic needs of the District that drive the amount needed from the parcel tax. We are already struggling and any significant reduction in parcel tax revenue would affect programs and require layoffs. We really wanted to start with the base, and that is how we arrived at the flat number.

Mark Williams, an attorney with Fagen Friedman & Fulfroost, explained that Government Code Section 50079 allows school districts to impose parcel taxes. This is a very short statute passed almost 27 years ago and it speaks of "uniformity of tax rates." There has never been a case on it or a challenge until now. Many districts decided that uniformity of use meant as long as you apply a uniform formula you can distinguish between usage (commercial, non-commercial, undeveloped); this accords with common sense. The case *Borakis v. Alameda Unified School District* challenged this notion. The Alameda City Unified School District differentiated between businesses and residences and within businesses based on size. The Court struck that down: this is not a tax of empowerment that can vary according to parcel size or use. The ruling says this is a tax of limitation, applicable to all parcels regardless of size. It spoke about exemptions for disabled and senior citizens. This ruling was made last week and it puts us in a position to be able to revise the measure by tomorrow. Under statutory code, we have up to 83 days prior to the election to revise the measure.

A number of districts passed taxes in November that they cannot revise quickly. The timelines give the district the opportunity to come into compliance. Many questions have arisen. *Borakis* talks about business versus residential: can we make a distinction? *Borakis* says we are going to assess taxes per parcel at a flat rate. Many have asked if we can do a partial exemption. Our best look is no, because the statutory language talks about exemption or no exemption; we do not believe it will allow partial exemptions given the tone and findings based on *Borakis*. There has been discussion about when we should do this: now or when Measure B expires in 2014. From a legal point of view, it makes more sense to amend it sooner.

Katie Korotzer, co-chair of the School Support Tax Committee,

spoke on behalf of the campaign and her co-chair, Doug Ireland. In light of the proposed changes to the structure of the tax due to the *Borakis* decision, she would like to share their point of view. All homeowners equally and regardless of parcel size enjoy the opportunity and benefits of a Piedmont education. The need to locally fund our schools by collecting \$9.5M has not changed. In light of the need, our District needs to modify the structure and swiftly revise the parcel tax measure to conform to the decision, which can be accomplished in the March election.

President Raushenbush said that the decision before the Board this evening is to whether to revise the adopted parcel tax measure to conform with the court ruling. We were all comfortable with the structure of the parcel tax and its progressive nature but this is not allowable under *Borakis*. We do have the opportunity to revise it to conform to the court decision. We need to stick with the March 5 election date so we can be in compliance with the ruling as soon as possible. Our needs have not changed. This issue has been forwarded to Senator Hancock's office. Hopefully there will be some assistance but there are those, including all businesses, who will benefit from this decision. While I do not think a legislative fix is a certainly, we are working on it.

Vice President Swenson received 45 emails in support of the flat tax; a few wanted the District to raise more money. Three emails expressed concern about the senior exemption and other issues previously addressed and resolved. The reason we are here is the State has neglected its responsibility to educate its children and it has fallen on us to solve this problem locally. The \$9.5M raised by the parcel tax is central to the District's ability to educate. It funds math, science and technology, music, visual and performing arts. These are not frills; they are crucial for our Piedmont education. She does not think any member of the Board is supportive of a regressive tax, but the legislation is clear and we need to adhere to current law. If the legislation is changed, a later board can change the structure and replace this parcel tax.

Board Member Pearson states that our need for the \$9.5M has not changed. She supports the flat tax and changing the effective date to July 1, 2013 to comply with the ruling. She struggled with the senior exemption but knows that legally we cannot offer a partial exemption for seniors and believes our schools benefit the entire community and should be supported by all. She agrees with an exemption for SSI. It makes sense to revise the measure and hold the election on March 5 to be in compliance as soon as possible. It helps administration to know the election results before layoff notices are due on March 15. If the decision is changed in the future, we can go back and create a differentiated tax structure. It is important to remember that the tax is levied annually and an advisory committee will be making a recommendation to the Board. The Board is not compelled to levy the entire amount every year. The \$9.5M is a reasonable amount and has been reviewed, though we will still need to have some cuts. She is willing to help work on a legislative or judicial remedy to the court decision.

Board Member Gadbois agrees with the other Board members. We are fortunate that we have the opportunity to do something about the ruling. We have already deliberated on all the issues: revenue, senior exemption, terms of the tax. Our work tonight is to

change the structure to comply with the ruling. We have three options. One is to keep the current structure, which is my preference and although I disagree with the ruling, it would not be prudent to not comply with the ruling. Another option is to postpone the election, which would delay compliance. I do not think the decision will be resolved in a few months. The third option is to stay on schedule, comply with the decision, hold the election in March and begin the measure one year earlier in 2013, to not change the total amount of revenue, and to do what we can to pursue legislative change to allow a more progressive structure.

Board Member Tolles thanked the Superintendent and staff for moving so quickly on this issue. He wants to start the new tax in 2013 as it is a fiscal risk to the District. The court decision is unfortunate as the way the Board set it up with a progressive tax structure is preferred. The court made clear that we cannot do that. Over 25% (those with the smallest parcels) are going to take the brunt of this decision, which is not what the Board wants. The State has reduced funding in each of the past 5 years, and our revenue is 22% less than what the State is supposed to pay us. We make it up locally. We have already made cuts by increasing class sizes, reducing the number of teachers' aides and increasing library hours. My argument was that we needed a larger escalator. My first thought was we needed more time for discussion and public comment. When I understood the issues behind the decision, I agree with moving forward quickly as we may be risking tax revenue. We are assuming we are bumping the levy by 5% now and not in March-April. I wish there was some way to get around this structure but I support the measure as stated and feel like we need to keep moving and get in compliance as soon as we can.

George Childs, Piedmont resident, is really angry that this change is being thrust upon the community at this late date as a matter of urgency and he feels he is being denied full public discourse. He thinks the way to rectify this is to put it off until the June ballot. He asks why the outcome [the court decision] could not have been anticipated sooner and incorporated into the original resolution. He disagrees with the interpretation of the *Borakis* ruling and believes we could uniformly levy the same amount per square foot. Those with small parcels who can least afford it are hardest hit. This could drive a few people out of town. He believes the SSI exemption is meaningless for Piedmont and a senior exemption makes good sense. He thinks an annual levy of less than the full amount is not going to happen. He is not happy and hopes the Board takes into consideration alternatives.

Helen Steers left before speaking.

Jon Elliott, speaking as a resident, said that as a compliance attorney for 30 years, he knows is extremely disruptive when a court steps in and disbands an ongoing practice. He counsels people what will happen if they do or don't comply. We are here tonight deciding whether to buy insurance. We don't know if the decision will be revised. The cost of guessing wrong could be millions of dollars to the District at a time we need every dollar. It would be imprudent not to consider revising the parcel tax measure to comply with the ruling. When it is sorted out, the Board may be able to revise the structure of the parcel tax. In the meantime,

he supports the decision of the Board to approve the resolution.

Rick Smith, Piedmont resident, supports the direction of the Board to move forward with a new structure for the parcel tax. The need for \$9.5M will not go away and he believes the households of Piedmont will approve the tax and do so in a supporting way. He hopes the board moves forward with the resolution.

Rick Schiller, resident, agrees with Mr. Childs that the situation is unfortunate. He believes a senior exemption is necessary. Many districts have them. He has a different interpretation of *Borakis* and thinks the Board is taking a conservative point of view that puts a greater burden on those least able to pay, young families and seniors. Portola Valley has more seniors than Piedmont and less than 20% opt out of the \$458 tax. San Ramon has a lower number of seniors and only 28% take the exemption of the \$144 tax. An SSI exemption is merely symbolic. A partial senior exemption would result in a minimal loss of revenue and would be made up by the significant tax break for larger lots due to Measure A because those people will donate more to the schools. He believes a partial senior exemption would be allowed as it is in Section 5007.1, which allows community colleges to offer partial exemptions and to base tax on the square footage of dwellings. He agrees that the money is needed by the schools and thinks this the time is right for a partial exemption of \$400 for seniors.

President Raushenbush says it would have been nice to know about the *Borakis* decision earlier. He notes that Alameda USD won in the trial court and lost at the appellate court. He is sure it was a surprise to many school districts that have similar structures. He cannot read the decision as allowing a square foot rate tax. He finds it contradictory to be concerned about the impact on the smallest parcels and then advocate a senior exemption, which would raise taxes for everyone else more. The danger with a partial exemption is that the court in the *Borakis* decision picked the lowest rate in the tax for everyone; a partial exemption would be a risk for us and not prudent. Section 50079.1 has some alternative language but unfortunately, that is not the section we are under. That section is for community colleges. Right now we have a choice of a flat tax and we can decide what that amount will be. With the tax we will still have deficit spending that will require either more state money additional cuts.

Ms. Pearson asked administration the implications of putting the election off until June. Superintendent Hubbard explained it would be problematic to change the tax rate for 2013-14 with an election the first week in June. Also we want to get into compliance as soon as possible. We need to make sure we have fiscal stability as soon as possible and if we put the election off, the Second Interim Report would show we cannot pay bills the third year. It would be unlikely we could file an acceptable budget, which would result in a reduction in our credit rating because in 2014-15 we would have no guaranteed income for the budget hole.

Mr. Tolles responded to several things Mr. Childs said. We cannot do a tax by square foot and a partial exemption would result in a lower rate and would be a big risk. Prop 13 is a significant senior exemption. The driving factor behind tonight's action is a legal case brought by businesses who wanted to pay so much. We

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have very few businesses and those districts that relied on parcel tax on businesses are in much deeper trouble than us.

Mr. Gadbois asked about the interpretation of uniform square foot. Alameda USD had a square foot rate structure for the tax on businesses. Mr. Williams said the first page of the decision differentiates between the size of commercial structures. Footnote 24 on page 24 states that the legislature prohibits variable tax rates based on size of the parcel. The corollary is that they will take the same position of size of structure, so, yes, they directly address that.

Mr. Tolles would recommend that the Board revise the tax and go back to a progressive structure if there are legislative changes to this decision. President Raushenbush said if the legislature gives the Board some discretion, that would be the time for the public hearings.

Vice President Swenson moved that the Board approve Resolution 10-2012-13 Modification and Amendment to Qualified Special Tax and Establishing Specifications of the Election." The motion was seconded by Ms. Pearson.

The motion passed as follows:

AYES: Tolles, Gadbois, Pearson, Swenson Raushenbush
NOES: None
ABSENT: None
ABSTAIN: None

Adjournment

There being no further business, and with no objection by the Board, Vice President Raushenbush adjourned the meeting at 8:06 p.m.

RICK RAUSHENBUSH, Board President
Piedmont Unified School District
Board of Education

CONSTANCE HUBBARD
Secretary, Piedmont Unified School District
Board of Education

PIEDMONT UNIFIED SCHOOL DISTRICT

Council Chambers, City Hall

120 Vista Avenue

Piedmont, California 94611

MINUTES OF

Regular Meeting of the Governing Board

December 12, 2012

CALL TO ORDER

Board President Richard Raushenbush called the meeting of the Board of Education to order at 6:30 p.m.

ESTABLISHMENT
OF QUORUM

President Richard Raushenbush; Vice President Andrea Swenson and Board Members Sarah Pearson, Ray Gadbois and Roy Tolles were present.

Adjourn to Closed Session

The Board adjourned to Closed Session at 6:31 p.m. to discuss: Conference with District Labor Negotiator Constance Hubbard Regarding Negotiations Association of Piedmont Teachers (APT) (Government Code Section 54956.6)

Others Present in Closed Session

Superintendent Hubbard
Michael Brady, Assistant Superintendent, Business Services
Randall Booker, Assistant Superintendent, Educational Services

Reconvene to Regular Session

President Raushenbush 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 Session

Superintendent Constance Hubbard
Michael Brady, Assistant Superintendent, Business Services
Randall Booker, Assistant Superintendent, Educational Services

Report of Action Taken in
Closed Session

No action was taken in closed session.

Agenda Adjustments

Superintendent Hubbard said that are several minor corrections to the budget summary, on page 5 in the number of step and column costs and on page 50 the legend reads State revenue rather than local revenue. The version on the web and in the packet available this evening is correct. There are some slight changes in the minutes on the consent calendar and a change in date on a retirement acceptance on the Personnel Action Report.

COMMUNICATIONS/ANNOUNCEMENTS

Association of Piedmont Teachers (APT)

APT President Harlan Mohagen introduced Diane Feiger, a Wildwood teacher attending the meeting this evening. Ms. Mohagen was sorry to miss last night's meeting. She announced that there was an article about Kim Taylor in the *Chronicle* for her date rape play. The CTA magazine *California Educator* is going to highlight her work in the next issue.

CSEA

None

Parent Clubs

None

Student Representative to Board

Elise Lasky reported that Friday night there will be a Boys' Soccer Game with Tennyson here and a Girls' Soccer Game at Tennyson. Next week there will be a Winter Sports Rally at the high school. This Friday is the last day of the ASU food drive. On Sunday there will be a Twenties Night Out for juniors. They will learn about Twenties'

culture including the lindy hop. There is a Winter Band Concert tonight.

Persons Wishing to Speak to Any Item Not Listed on the Agenda None

Board President Announcements

Superintendent Announcements

Superintendent Hubbard said there was a Special Board Meeting last night regarding changes to the School Support Tax in response to an appellate court finding on how parcel taxes may be structured. There are copies of the amended resolution and a Q&A flier in the back of the room. We found out about the ruling on Friday night, sent emails to over 400 people to announce the meeting and gave the requisite 24-hour notice of a special meeting. If you have questions, feel free to email us.

EDUCATIONAL SERVICES REPORT:
SPOTLIGHT ON STUDENT LEARNING
Digital Literacy

Stephanie Griffin, PUSD Instructional Technology Coordinator and PMS Technology Coordinator, presented Piedmont Unified's steps in building a broad-based culture of digital literacy among its students.

Digitally literacy is a person's ability to perform tasks in a digital environment. Students are being asked to do more than word processing, to be comfortable with varying media, to create and produce images, and to apply knowledge in a digital environment. They often work in teams.

The forces bringing digital literacy to the forefront are:

- Students use digital media without much guidance
- Common Core demands use of technology in creating, publishing, collaboration and responding
- 20/20 Vision through Tech: visioning meeting with staff and teachers have defined goals: more access to technology, a 21st century curriculum, a robust infrastructure and a confident and competent staff
- A new law that requires education about online behavior including social networking, chat rooms and cyberbullying.

Current curricular materials in use include Commonsense Media, which offers projects that support digital literacy; posters on digital footprint and digital issues; Ignition, a self-paced curriculum; and google app accounts.

Steps forward include continuing to provide and expand opportunities to use technology, use of mobile devices at school, develop curriculum and teachers so that technology can be used effectively to support learning, identify digital literacy as a curricular goal and provide an infrastructure that works.

Action items include Instructional Tech Plan, Infrastructure Modernization, Common Core/Technology professional development, curricular goal-setting in site councils and Tech Team and stakeholder policy discussion.

Common Core is a basis of content standards required for teaching and testing nationwide. Right now they include English and math and require more rigorous reading in non-fiction and more emphasis on how students demonstrate knowledge.

Assistant Principal Booker said an MIT study shows that students cannot maintain concentration for more than one minute and digital devices make it worse. In working with teacher and professional

development the goal is for student to use digital tools for part of a task and part of the time. Ms. Griffin explained that classroom management is affected and certain apps lend themselves to classroom use.

Mr. Gadbois asked about the use of ebooks and Ms. Griffin said we are watching this development, and a lot of our texts have pdf versions.

In late January there will be a report to the Board on infrastructure (equipment). The next step will be professional development and support, wrapped as part of the instructional technology plan, which will probably be brought back in May. Forty percent of teachers have participated in a survey. Later there will be student and parent surveys.

REVIEW AND ACTION ITEMS

- A. Approve 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; and Authorize Appropriate Budget Transfers

Assistant Superintendent Brady explained that budget is a reflection of our goals and priorities. Our goal is to provide a depth of experience for students and retain highly qualified staff. The report is based on General Fund expenditures and revenue through October 31, although it includes results of the November election and Prop. 30. The First Interim Report is a means to look back and update our projections for the future.

With the passage of Prop. 30 we have avoided \$1.1M in cuts or \$441/student. Prop. 30 restores a COLA of 3.24% for 2012-13. The deficit factor (what is owed versus paid) remains at 22.272%. This means that if we are owed \$1, the State gives us 77.828 cents. The current budget restores the 2012-13 COLAs and they are included for 2013-14 and 2014-15. It is anticipated that the District will maintain a positive certification through the Second Interim Report in March, which covers income and expenditures through 1/30/13. We have taken many measures to maintain fiscal solvency: staff have agreed to hard caps on medical benefits to preserve jobs and program; parents have committed a greater share of their budgets to direct support of programs; and donors and taxpayer have increased giving and passed emergency parcel taxes.

The Governor's Budget presentation on Jan. 15 will give us a better idea of what lies ahead. We have an increase in revenue of \$940,000. The increase in COLA brought in an additional \$412k and an increase of 40 students brought in an increase of \$117k in ADA.

President Raushenbush asked if the Capital Facilities Fund is for Witter or all facilities. Mr. Brady explained that we can use deferred maintenance for some things such as replacement bleachers and that the Capital Facilities Fund applies to all facilities. Mr. Raushenbush asked if we are receiving the \$25/head fee collected by the Recreation Department. Superintendent Hubbard explained that she will be meeting with Geoff Grote to discuss how to implement this.

There was no public comment.

Vice President Swenson asked if we will have a lot more information in January and Mr. Brady explained that we will have some new info. We hope it will be better, which will depend on Prop. 30 revenue – how much is deferred, how much invested. The Governor has communicated his intent to reinstate the concept of a "Student Weighted Formula" for school funding Superintendent Hubbard explained that the Governor's first budget iteration of the new formula would have had a negative effect on PUSD but there is a push that

every district be held harmless (not negatively affected) although that does not mean permanently.

Mr. Gadbois said the good news is Prop. 30 and the COLAs and no big new cuts; the bad news is that we are still deficit spending and will not meet the 3% reserve in the third year. We will need parcel tax revenue and it is critical that we have the 5% increase included in the tax and continue the tax. We will still need fundraising by parents and the community.

Assistant Superintendent Brady reviewed all other funds operated by the District.

The recommendation is to approve a *Positive Certification*.

Board Member Gadbois moved and Board Member Tolles seconded that the Board Approve the 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 and Authorize Appropriate Budget Transfers. The motion was unanimously passed.

B. Approve Contract with Quattrocchi Kwok Architects for Design Development Services for the Alan Harvey Theater Building

The Board was asked to approve a contract with Quattrocchi Kwok Architects (QKA) to provide architectural services for the possible renovation and addition to the Alan Harvey Theater Building (AHT). QKA will develop a schematic design study, including architectural, structural, mechanical, electrical, civil, and landscape specifications. QKA will also provide a revised construction cost budget associated with the schematic design study.

The Board approved the expenditure of up to \$100,000 for conceptual design for Alan Harvey Theater. Assistant Superintendent Booker explained that the point of the conceptual design is to get a more realistic estimate of the cost of the work. Our ballpark figure is \$5M to cover structural issues, accessibility issues and limited theatrical improvements. The proposal from QKA includes our priorities, and the purpose of the action this evening is to approve the contract with this particular architectural firm. They are local, a pleasure to work with, and have considerable school and DSA experience.

President Raushenbush explained that we are not saying the District has \$5M to put into this project. Later we will look at how much the District can put in and how much needs to come from the community.

Superintendent Hubbard explained that AHT was in the original seismic bond plan, and has always been on the list. It was included in the original Tier 1 review but in the tier 2 review it was deferred to the end because it had accessibility and not life safety structural issues. Our first priority was to resolve life safety issues.

Ms. Pearson asked if there are seismic funds left for this project. President Raushenbush explained that our contribution would be from modernization funds, money we cannot spend in other ways or put into the General Fund. The first round of projects already approved in addition to AHT include roofs at Wildwood and Beach and HVAC systems for PMS, PHS, Wildwood and Beach. Several projects are also being considered. Superintendent Hubbard said before priorities are determined, everything on the table will be presented to the Board including refunding bonds, tech infrastructure, and gardens and playground enhancements.

George Childs said that when the presentation is made, he would

hope to see a breakout of necessary work versus enhancements, with a discussion of the consequences of not doing some of the upgrades.

Harlan Mohagen, speaking as a theater person, said she did not see a scene shop and hopes this is something that would be included.

A motion was made by Board Member Tolles and seconded by Vice President Swenson to approve the contract with Quattrocchi Kwok Architects for Design Development Services for the Alan Harvey Theater Building. The motion was unanimously passed.

INFORMATION/ANNOUNCEMENTS

None

CORRESPONDENCE

Ms. Swenson has received 50 emails in favor of the school tax and 3 opposed. She received an email about military recruiters on campus and a cheerleading issue, both of which were referred to the Superintendent.

President Raushenbush received a telephone call about lights on at Witter Field, which he referred to the District.

BOARD REPORTS

Board Member Tolles attended the November 26 Boy Scout meeting about the national policy allowing for discrimination against homosexuals. He was interested to hear how the local chapter dealt with their opposition to the national policy. It is both fascinating and frustrating to watch social progress, and we have seen a lot of changes over time regarding this issue.

Board Member Gadbois attended the same Boy Scout meeting and a well-done production of *August: Osage County*, the Kickoff of the School Support Tax Committee, a School Support Tax Planning Meeting and the Tri-School Site Council discussion on communication policy.

Board Member Pearson attended the Diversity Education Advisory Committee, and Dr. Wozniak's talk on improving boys' reading motivation. She and Ms. Swenson attended the California School Boards Association (CASBO) annual conference. She also attended the PHS Parent Club meeting where they gave an update on work they are doing on respect issues and the senior project, the Middle School Block Committee Meeting, a memorial for Tiffanie Kalmbach, a beloved parent. Congratulations to 4th grader Hannah Krenn, winner of the Wildwood spelling bee, and to teacher Martin Lewis for bringing in the spelling bee.

Vice President Swenson attended the CASBO Conference where there was a lot of talk about the budget and people feeling more positive. She attended the SST Kickoff, the Beach Parent Club meeting, the BAC, the CAC and the League of Women's Voters luncheon, where they came out in full support of the school parcel tax.

President Raushenbush attended one scouting meeting, the Bond Steering Committee, the CAC, an Associated Parents Club meeting, the SST Planning Meeting, the PMS Parent Council meeting where he and Katie Korotzer spoke on the School Support Tax.

CONSENT CALENDAR

Superintendent Hubbard recommended approval of the Consent Calendar with the following changes: in Item B. there are two small changes to the Board Minutes, which have been amended and are on the website, on Item F please note the number of teachers moved from temporary to probationary. The retirement date of one person listed should be June rather than December, and in Item I & J the

date of the field trip should be January, not December.

President Raushenbush thanked Frank Thomas for the donation of a violin in honor of Leonora Gillard.

Board Member Tolles moved to accept the items on the consent calendar, Board Member Gadbois seconded the motion and it was unanimously approved.

- A. Accept Donation
- B. Adopt Minutes of Regular Board Meeting of November 14, 2012 as amended
- C. Adopt Minutes of Special Board Meeting of November 28, 2012
- D. Approve Monthly Financial Report of the District for November, 2012
- E. Approve Warrant List Dated 12-5-12 for Goods and Services Rendered for September 1 through October 31, 2012
- F. Approve Personnel Action Report with the change of retirement date for Martha Morrow to June 14, 2013
- G. Approve 2012-13 Action Plan
- H. Approve Assignment Under Education Code 44256(b), 44258.2 and 44258.3 Authorization for Assignment Out of Credentialed Area
Education Code allows assignment of existing staff to areas outside of their credentialed teaching area under specific criteria. This must be done on an annual basis.
- I. Approve Overnight Field Trip for 95 Fifth-Grade students from Beach and Wildwood to attend a field trip to Camp Arroyo from Jan.8-9, 2013.
- J. Approve Overnight Field Trip for 97 Fifth-Grade students from Havens to attend a field trip to Camp Arroyo from Jan. 8-9, 2013
- K. Approve Overnight Field Trip for the Piedmont High School Boy's Varsity Basketball Team to participate in a tournament in San Diego from Dec. 26-30, 2012.
- L. Approve one reimbursement to parent for non-public school tuition for one student, effective January 26, 2012, through July 11, 2012, at a total cost not to exceed \$14,917.18. Funding: Special Education
- M. Approve one Independent Contractor Agreement with Carrie Kartman, M.F.A., ET/P, to provide reading intervention for one student, effective November 1, 2012, through June 30, 2013, at a total cost not to exceed \$5,100.00. Funding: Special Education
- N. Approve one Independent Contractor Agreement with Prindle Vaux, teacher of the visually impaired, to provide consultation to the district, effective November 1, 2012, through June 30, 2013, at a total cost not to exceed \$3,000.00. Funding: Special Education

FUTURE BOARD AGENDA ITEMS

President Raushenbush said the conversation about the use of State Modernization money will begin in January even though we will not have information on all projects. We need to set a date for the Special Education workshop, Tech infrastructure will be included as part of

the larger discussion on funding priorities.

Superintendent Hubbard said there will be an opportunity for the public to offer input to the Board on negotiations with APT and CSEA, probably in March or April. Right now we are working to get the current versions of the contracts corrected and published online. Layoffs are notably absent.

————> SUBJECT TO CHANGE <————

- Bond Program/State Modernization Funding Priorities (Jan.)
- Seismic Safety Program Budget Report (Jan.)
- Accept Closeout of Seismic Safety Program Projects:
Havens School, PHS Quad/Library and Student Center
Buildings, Wildwood and Beach Schools, Ellen Driscoll
Playhouse (TBD)
- Facilities Use (TBD)
- Special Education Program (TBD)

Adjournment

There being no further business, and with no objection by the Board, President Raushenbush adjourned the meeting at 9:20 p.m.

RICHARD RAUSHENBUSH, Board President
Piedmont Unified School District
Board of Education

CONSTANCE HUBBARD
Secretary, Piedmont Unified School District
Board of Education