

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

MINUTES OF  
Regular Meeting of the Governing Board

December 14, 2011

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CALL TO ORDER	Board President Roy Tolles called the meeting of the Board of Education to order at 6:33 p.m.
ESTABLISHMENT OF QUORUM	President Roy Tolles; Vice President Rick Raushenbush; Board Members Martha Jones, Ray Gadbois, June Monach
Adjourn to Closed Session	The Board adjourned to Closed Session at 6:34 p.m. to discuss:  A. Conference with District Labor Negotiator Randall Booker Regarding Negotiations with the Association of Piedmont Teachers (APT) (Government Code Section 54956.6)
Others Present in Closed Session	Assistant Superintendent Randall Booker Assistant Superintendent Michael Brady
Reconvene to Regular Session	President Tolles called the Regular Session of the Board of Education to order at 7:10 p.m. led the Board and audience in the Pledge of Allegiance.
Others Present at Regular Session	Michael Brady, Assistant Superintendent, Business Services Randall Booker, Assistant Superintendent, Educational Services  President Tolles announced that Superintendent Hubbard would not be in attendance at tonight's Board meeting.
Report of Action Taken in Closed Session	None
Agenda Adjustments	None
COMMUNICATIONS/ANNOUNCEMENTS Association of Piedmont Teachers (APT)	APT President Harlan Mohagen thanked the Piedmont Educational Foundation for funding a grant for K-12 teachers to have a staff development day on January 30, 2012 that will include the opportunity for additional evaluation process work.  She advised the Board that the CTA-sponsored Annual School Board Breakfast is coming up on Saturday, January 21, 8:15 a.m. in Walnut Creek.
California School Employees Association (CSEA)	None
Parent Clubs	None
Student Representative to Board of Education	Karina Chan, Student Representative to the Board, reported that: <ul style="list-style-type: none"><li>• Today was the Winter Rally for the basketball and soccer teams and the announcement of the Alameda County Food</li></ul>

Bank drive winner, PHS teacher Bill Marthinsen. The entire school collected a total of more than 8,000 lbs. of food

- Last weekend the drama class put on "End Days" and "A Streetcar Named Desire"
- The Winter Fair was held last Friday; it is an opportunity for clubs to fund raise
- Last weekend, the girl's varsity basketball team won their tournament
- Tomorrow the holiday grams will be passed out during Periods 2 & 4
- January 14 is the Winter Ball; the theme is the Roaring 20's

Persons Wishing to Speak to Any Item Not Listed on the Agenda

Priscila Soares, a resident of Albany, and member of a newly-formed group called "Parent Partnerships for Children's Success" an advocate group for deaf and hard of hearing children, advised that the Berkeley Unified School District Special Day Class that included sign language was terminated after twenty-five years. Her concern is for the current lack of an appropriate special education day class for elementary students in this SELPA (Special Education Local Plan Area) region. She asked the Board to support their concern for the reopening of the special day class at John Muir Elementary School in Berkeley by August 2012.

Jill Ellis, whose background is with the Center for Early Intervention on Deafness, explained that children come from all over the Bay Area to their Center. The John Muir Program in Berkeley acted as a regional program for the area. The Center would like to see a program back in the North Region SELPA. She is bringing this to the attention of all school boards in the North Region SELPA so that the school boards would work with their Superintendent to urge the restoration of this program. The SELPA Director has indicated that she is working on a plan.

Ms. Ellis read a letter from parent Susan Phillips, whose son greatly benefitted from the educational program and learning environment he experienced through the John Muir Program in Berkeley.

Assistant Superintendent Brady stated that there are some people you meet in the course of your career that you consider a hero and Jill Ellis is one of those persons.

Superintendent Announcements

Tomorrow is the last day of school before the Winter Break. School will resume on Tuesday, January 3, 2012.

Board President Announcements

President Tolles advised that a Citizens' Advisory Committee to the Parcel Tax Program is being held tomorrow at 4:00 p.m. at the District Office.

Educational Services Report:  
Spotlight On Student Learning

The Spotlight on Student Learning serves as a platform for information and recognition of our instructional priorities and academic success in the Piedmont Unified School District.

## A. National Board Certification

Assistant Superintendent Randall Booker shined the spotlight on a group of Piedmont High School teachers who are currently participating in the National Board Certification process, a rigorous and collaborative process of reflecting on one's classroom instructional practices within the context of national teaching standards. The faculty participants include:

Assistant Superintendent Booker thanked the PHS Parents' Club for their generosity in supporting the professional growth of the high school teachers. The Board lauded PHS English teacher Rosie Reid, who received her National Board Certification in 2006, and the eleven high school faculty members who have begun the 10-part performance assessment process that includes video portfolios, analysis of student work, evidence of leadership and collaboration in the school, and intensive reflection on one's own teaching practice.

## REVIEW & ACTION ITEMS

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

Since 2008, the District has lost in excess of \$6.4 million in state funds, a 20 percent cut in per pupil funding over the past three years.

The District has built its reserve level in 2011-12 to 9.8% of its operating budget to address limited growth in expenditures relative to an overall decline in projected revenues. By the Second Interim Report, Assistant Superintendent Brady noted that a plan must be developed to address the \$1.2 million shortfall estimated in 2013-14. He also explained that all estimates and assumptions will be revised based on information as it becomes available. As recently as today, the shortfall estimates were revised downward given fewer K-12 cuts than anticipated to Piedmont's budget. Assistant Superintendent Brady noted that, based on this information, the estimated shortfall of \$1.2 million may potentially be reduced in half.

Employee concessions through temporary salary reductions from furlough days and hard caps on medical benefits, has contributed over \$3.87 million in savings to the District over the next three years (addressed primarily through \$2.4 million in health benefit caps and \$1.35 million from furlough days). Parents' Club funding to the District has increased by \$100 per student, generating a need to sustain an annual fundraising goal of \$1.55 million in parent donations. Community support through the school parcel tax is an essential and ongoing part of the 3-legged stool that supports the K-12 educational priorities. The multi-year projections show an approximate \$1.2 million shortfall by 2013-14 with spending exceeding revenues in 2011-12, 2012-13, and 2013-14 in the amounts of \$763,000, \$1.57 million, and \$1.7 million respectively.

The most significant issue affecting the District's budget at this "snap-shot" in time is the State economic budget crisis. The Legislative Analyst's Office (LAO), which provides non-partisan fiscal and policy advice to the State legislature, recently issued a

revenue forecast opinion that it believes will translate into \$2 billion vs. the \$4 billion worth of "trigger cuts" as outlined in the 2011-12 State Adopted Budget, which includes cuts to public education. Until the "trigger cuts" go into effect, PUSD will not know the exact per pupil amount of reductions. Compared to last year, when the LAO projected a \$6 billion deficit in 2010-11 and a \$19 billion gap between projected revenues and spending for 2011-12, today the forecast is for a \$3 billion deficit for 2011-12 and a \$10 billion gap for 2012-13. The LAO report notes that "the Legislature and Governor have strengthened the State's fiscal condition considerably," though adds that "the likelihood of mid-year cuts and/or deferrals in State funding... remains high." Furthermore, the report assumes "no inflation increases for many state programs and assumes that the trigger cuts and most recent program reductions remain in place in future years."

All indications are that the challenges facing public education will be with us for at least the next three years. By examining current conditions, taking early action, and focusing on long-term fiscal strategies consistent with the Board's educational philosophy, the District will continue to bring its budget into balance. In January, staff will present "budget scenarios" to see how various changes ripple throughout the multi-year projections. The scenarios will be used to assist the Board in putting budget priority discussions in context, particularly with respect to funding one-time program enhancements and/or limited program restoration. The First Interim Report establishes a "base" that is accurate and matches what is known and on record with the County Office and the State.

First Interim (as of October 31, 2011) – Revenue: + \$509,011

- Revenue is based on an Average Daily Attendance (ADA) of 2,479 as confirmed from the P-2 Report from 2010-11. Enrollment is projected to be relatively flat over the next two to three years. The District's enrollment as indicated on its annual CBEDS (California Basic Educational Data System) report from October, 2011 is 2,548 students. 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 a final disbursement of \$47,000 in ARRA federal stimulus funding, and a \$0.10 per pupil adjustment in the base Revenue Limit, totaling \$6,000. State funding includes a one-time receipt of mandated costs (\$71,000), lottery funds (\$41,000), coupled with a reduction in categorical funding to offset \$9,000 in overpayments for oral health testing. Local funds include receipt of \$178,000 in AB3632 mental health services funding; \$20,000 in parent donations and Associated Student Body (ASB) accounts; \$9,000 in donations to the Wellness Center; \$15,000 in contributions from PRAISE; and \$119,000 in receipts from parent club contributions, Piedmont Educational Foundation grants, and library receipts (all the aforementioned booked as expenditures).

First Interim (as of October 31, 2011) – Expenditures: +\$479,536

- Certificated salary expenditures reflect a modest increase of \$12,581 in personnel costs as certificated positions reflect actual placements, and slight adjustments to confirmed Step

and Column calculations in October. There is an increase in classified salaries of \$93,204, the bulk of which is in support of mandated programs. Changes in employee benefits (\$67,065) include employee-initiated changes to medical benefits plans and benefits for personnel increases. Services and operating expenses are booked against revenues of \$307,000.

First Interim (as of October 31, 2011) – Ending Fund Balance:  
\$3,018,917

- The total ending balance on June 30, 2012 is projected to be \$3,075,676 which represents 9.8% of total expenditures. AB 1200 requires each district to maintain a 3% reserve for economic uncertainty. Adjustments to the Ending Fund Balance include the identification of the maximum \$644,540 in potential mid-year “trigger cuts” as outlined in the State Adopted Budget Act of 2011. A designated balance of \$2,077,169 used to support programs in 2012-13 remains after meeting the 3% requirement.

Multi-Year Projections (as of October 31, 2011) - 2012-13

Assumptions

Revenue:

- No State COLA on any programs, including categorical funding. The revenue planning COLA is 0.00% with a 19.754% deficit factor. These projections will be updated as part of the Governor’s January budget proposal
- A slight reduction in ADA for students from the 2011-12 year (2468). The Second Interim will reflect ADA based on the current year’s certified P-1 Report
- No mandated cost reimbursements are included as part of 2012-13
- All Federal Stimulus funds fully expended
- Piedmont Educational Foundation Endowment contribution of \$168,769
- State revenues for Adult Education & Deferred Maintenance are received and transferred from the General Fund
- Transfer of \$120,000 from Adult Ed to General Fund for support of K-12 programs
- Parent Club contributions of approximately \$1.55 million through direct District-funded support (including a \$255,400 “Associated Parents Clubs of Piedmont [APCP] Contribution” line item) and parent club-funded personnel with additional benefits costs
- No transfer to or from the Parcel Tax Special Reserve
- Parcel Tax Measure B is projected at the same level as 2011-12 (no increase). The Parcel Tax Advisory Committee will present recommendations in February 2012 as to the levy of the Measure. The Board will hold two public hearings in March and April before deciding on the levy for 2012-13
- No one-time “Program Preservation” funds from support groups
- Emergency Parcel Tax Measure E has expired

#### Expenditures:

- Step and column increases for 185.63 certificated employees and 109.50 classified employees estimated at approximately \$240,000
- No salary increase for any employee group
- Continuation of employee furlough days as in 2011-12
- 0% increase in health & welfare benefits; 5% increase in post-employment benefits costs; 1.2% overall increase in H&W and statutory benefits costs
- Unexpended funds in categorical programs are reserved for "sweep" to the General Fund where flexibility for unrestricted use is approved by the State
- \$20,000 transfer to the Capital Facilities Fund toward the replacement of sports fields

#### Multi-year Projections (as of October 31, 2011) - 2013-14

##### Assumptions

##### Revenue:

- Cost of Living Statutory COLA of 0% over the 2011-12 level, with an applied deficit factor of 19.754% including categorical programs
- Average daily attendance (ADA) of 2,480
- No mandated cost reimbursement is projected in the budget
- All parent and support group contributions at the same level as in 2012-13: approximately \$1.55 million (direct District-funded support and parent club-funded personnel with additional benefits costs) + PEF contribution of \$168,769
- State revenues for Adult Ed/Deferred Maintenance are received and transferred from the General Fund
- A transfer of \$120,000 from Adult Ed to the General Fund for direct support of K-12 programs
- Transfer of \$246,850 from the Parcel Tax Special Reserve to the General Fund as required in the final year of Measure B.
- Parcel Tax Measure B projected at the same level as 2011-12

##### Expenditures:

- Step and Column increases for all employees estimated at \$245,000
- No salary increase for any employee group
- 0% increase in health & welfare benefits; 5% increase in post-employment benefits costs
- a 1.1% overall increase in health & welfare and statutory benefits costs over 2012-13 levels (or roughly a 2.3% increase over 2011-12 levels)
- No transfer from the General Fund to the Parcel Tax Special Reserve Fund
- Continuation of furlough days as in 2011-12

#### Status of Other Funds Operated by the District as of First Interim (October 2011)

- Adult Education  
The Adult Education Fund shows a positive Ending Balance for the 2011-12 school year and for all years in the Multi-Year Projection (MYP). 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 solvent and will continue to serve students seeking a high school diploma. The Business Services Department maintains full control over all aspects of the Adult Education program and budget. 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 1.5% increase in salaries (longevity) for 2012-13 and 1.5% in 2013-14.

- Deferred Maintenance Fund

The First Interim Report reflects support of the Seismic Safety Bond Program, as well as expenditures to meet the goals of the District's Five-Year Deferred Maintenance Plan. There are virtually no changes in Multi-Year Projections, with current trends showing expenditures equal to roughly half of revenues received.

- Parcel Tax Reserve Fund

The Parcel Tax Reserve Fund is established for funds from the first year of the current voter-approved Parcel Tax to support programs as necessary in later years during the term of the tax. There are no transfers into the fund for 2012-13, but the required transfer out in 2013-14 does occur.

- 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 Seismic Safety Bond sales approved by the voters in March, 2006. Additionally, the Citizens Oversight Committee reviews all District expenditures since the inception of the PUSD Seismic Risk Reduction Program. The COC will report to the Board in early February 2012. Multi-Year Projections show funds fully expended in 2011-12, though it is clear that construction at Beach Elementary School will continue beyond the 2011-12 fiscal year. Funds to finish the Beach project will be transferred from the State School Facilities Fund as State matching funds become available. Funds transferred for current construction commitments will be identified in the Building Fund as "State Revenues."

- Capital Facilities Fund

The Capital Facilities Fund is a fund for capital projects as identified by the Board of Education. Changes in the Multi-Year Projections reflect ongoing transfers of \$20,000 for future field replacement needs. A transfer of \$200,000 to this fund was made last year as part of an authorized sweep of

Deferred Maintenance funds to the General Fund.

- 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.

Resident Jon Elliott, on behalf of the Citizens' Advisory Committee to the Parcel Tax Program, shared that the CAC meeting was moved from January 10 to January 6 and the process for developing a recommendation on the parcel tax levy will be under discussion.

Resident George Childs thanked the Board for the suggestion in the Positive Certification that reflects a "no increase" on the parcel tax levy.

It was moved by Vice President Raushenbush and seconded by Board Member Gadbois to approve the First Interim Report as presented and approve a *Positive Certification* as to the District's ability to meet its financial obligations for the current year and subsequent two fiscal years.

Vice President Raushenbush amended his motion to include the authorization of the appropriate budget transfers.

Board Member Gadbois agreed to the amendment and the motion passed unanimously.

These continue to be extraordinarily challenging times. Although California's economic future remains uncertain, the Piedmont Unified School District has spent the past four years positioning itself to both anticipate and counter the vagaries of public education funding. Examples of this proactive work include the passage of Emergency Parcel Tax Measure "E" in 2009 (which took place months ahead of the State Budget's first major cuts to education); the Associated Parents Clubs of Piedmont's call for "Program Preservation" funding (first on a one-time, then multi-year basis); and the coordination and cooperation of the Piedmont Educational Foundation to support professional development even when professional development days were eliminated from the District calendar. There can be no underestimating the impact of these community-supported efforts. They have helped stabilize revenue fluctuations; staved off draconian cuts, and most importantly afforded PUSD the gift of time to plan in ways other school districts wished for. Moreover, PUSD has employed these measures openly, inviting public oversight through the Board's establishment of the Parcel Tax Program Citizens' Advisory Committee and the ongoing work of the District's Budget Advisory Committee.

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. Additionally, a Citizens' Advisory Committee on Parcel Tax Program Measures B and E (June 2, 2009 Election) serves in an advisory capacity to the Board 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.

B. Conduct Public Hearing and Adopt  
2012-13 Instructional Calendar

The Instructional Calendar is a component of the collective bargaining requirements between the District and the Association of Piedmont Teachers (APT). Piedmont has a tradition of negotiating the calendar separately from other issues to facilitate the needs of families in terms of planning. The goal has been to adopt a calendar at least a year in advance but the inclusion of furlough days and the interest to have flexibility to add back to the calendar makes it such that it is only practical to have one year at a time. The District and APT agreed to a process with the goal of bringing a calendar for adoption this evening.

In February of this year, the Association of Parent Clubs of Piedmont (APCP) conducted a survey of all parents to collect feedback on the calendar development issues. There were 715 respondents. The report was provided to the Board in March 2011.

The proposed calendar presented included the identification of student and staff furlough days that, if budget constraints allowed, could be reinstated. The decision on any reinstatement of days to the 2012-13 Instructional Calendar would need to be approved by the Board of Education no later than June 2012 and would not involve changes in the start or end date of the school year for students.

Three calendar options were presented to the APT membership and the calendar presented received the approval of most of the membership. It most closely mirrors the current year as to start, end and vacation days. There is a professional development furlough day that could be easily added if funding becomes available. One of the student furlough days coincides with the National Columbus Day holiday and the other is in March. It is placed in the middle of the week in hopes that there will be funds to add that day back. It is the time of the year most helpful to students and the hope is that if not connected to a weekend, can be reinstated with the least disruption.

Board Member Gadbois is a proponent of a shorter summer with more smaller breaks during the school year. He is concerned that proposed student furlough days in mid-March and Columbus Day could be highly productive school days and some other days should be chosen that would be less impactful to students. He

questioned the three professional development days inserted rather than two as last year. He felt the November 1 and 2 proposed professional development days were not a good time and should perhaps be placed with the Thanksgiving break.

Vice President Raushenbush was also conflicted. Although he would like to get the calendar adopted this evening, the calendar as presented gives the appearance and expectation that the furlough days will be able to be redeemed. He understands the reasoning why, but if not redeemed, the March 20 date is sitting in the middle of the week. Why not place the November 1 and 2 proposed dates with the Thanksgiving break?

Board Member Jones agreed with Board Members Gadbois and Raushenbush regarding the furlough day distribution. The three professional days and two student days are not what are shown in the Memorandum of Understanding. Four of the proposed days are before the November election. If the governor puts measures on the ballots for revenues, the calendar seems to be set up for buy-back but not much may be known by then. The three professional furlough days are unfortunate, given the evaluation process and the importance of professional development. Four of the days are not days that most parents have off, so that is going to be a problem for many parents – October 8, November 1, 2, and March 20.

Board Member Monach, although understanding other Board members' concerns, is more optimistic that the potential for fund raising for these days is pretty high. She likes an earlier release of the calendar separate from the rest of negotiations. It pains her to see the presence of the three professional development furlough days on the calendar because of high impact on instruction and learning in a year when everyone is working so hard to support the piloting of the teacher evaluation system. She prefers to see not much change in a calendar from year to year. However, she is balancing between being realistic and doing forward planning without squelching the enthusiasm for fund raising.

President Tolles shared Board Member Monach's optimism about the buy-backs.

Resident Sarah Pearson, with children at Wildwood and Piedmont Middle School, stated the Board has raised concerns that would be shared by the parents. It is not shown on the calendar that in the month of November, at the elementary level, a Friday and a Monday are already being taken off for parent conferences so those would be additional days off. From a working parent's perspective, November 1 and 2 would not be a good time for students to be off.

APT President Harlan Mohagen advised that the Friday before a holiday break is a full day so it is still 1-1/2 student furlough days, not two. October 10 this year was a student furlough day, as well as being Columbus Day. For October 8, 2012, it is the same principle. In the past, the calendar has had professional development days in the middle of a month so it is not unusual. November 1 and 2 were considered by the committee as being

good days because they are right after Halloween when many students lose their concentration. Also, the staff development days and furlough days needed to be balanced out to get down to 180 teacher days.

Ms. Mohagen was under the impression that the Memorandum of Understanding said 3 staff days and 2 students days; she did not think it was specific as to a work day. So three staff days and 2 student days is what was looked at. The mid-week was scheduled specifically so that it would not become a five-day weekend. It is something APT can work with. If the furlough day can be bought back for March, that is a good time for high school students because they are working hard on AP tests and this gives them a day's rest.

Parent Jon Elliott commented that it sounds like the District is talking about: how much are we thinking about trying to encourage people to buy back furlough days – and that should be made explicit to the community.

Board Member Raushenbush felt that the committee should take another look at the proposed calendar. He would prefer to know that the buy-back days will be funded before adopting the calendar.

Board Member Gadbois prefers setting up the calendar with the assumption that no furlough days will be bought back. He also feels that the day before Christmas or the last day of school would seem less of an impact.

Ms. Mohagen cautioned the Board that the APT membership would have to vote on any changes to the calendar, as it was negotiated with the District, and that it is a three-day process. It would not be possible for the Board to only vote to agree on the first day of school for students: the entire calendar would have to be voted on in its entirety.

Given the reservations of the Board, Vice President Raushenbush recommended that the calendar be returned to the committee to discuss what would happen if furlough days were not redeemed, and in that case, to have it designed to be less impactful to students and parents by looking at days such as the days before Christmas vacation rather than in the middle of the week. He also recommended that some professional development days remain in the schedule. Another alternative would be if the District had some inkling that furlough days were going to be redeemed.

It was moved by Vice President Raushenbush and seconded by Board Member Monach to table adoption of the 2012-13 Instructional Calendar.

Board Member Gadbois proposed an amendment to the motion, which was to table the adoption of the calendar and ask staff to reopen discussions/negotiations with APT in an attempt to address some of the concerns addressed tonight. If the negotiation team brings back the same calendar, the Board will then conduct an up or down vote at that time.

is anticipated that the project and program contingencies will be adequate to address any unknown conditions.

Portions of projects that were deferred will be considered in priority order based on funds available after the completion of the final structural seismic project at Beach. The Bond Program Steering Committee will review outstanding projects and provide a recommendation for funding in Spring of 2012.

There was no one from the public requesting to speak.

D. Approve List of Donor Opportunities (Beach Capital Campaign) for Beach Elementary School Project

Under Board Policy 3290, "Gifts, Grants & Bequests", with the Board's approval, the Superintendent or designee is authorized to accept construction-related grants and gifts that:

- Are consistent with the District's *Facility Design Standards*
- Are consistent with the District's policies concerning sustainability and energy efficiency
- Are consistent with the District's construction plans, goals and priorities
- Include all necessary and related costs of incorporating the gift into the District's design and construction plans. These costs may include, but are not limited to, architectural fees and permit fees
- Do not commit the District to maintenance or continuing expenses that the District would not be able to continue or sustain in the future
- Do not imply an endorsement of a business or product

On November 10, 2009, the Board approved a list of capital enhancements to the Seismic Safety Bond Program. By approving this list of enhancements, the Board allowed the parent clubs to raise funds to pay for these specified enhancements. The list included all school sites. For Beach, the Board approved:

- Stage lighting
- New stage and window curtains
- Shade trees
- New play structure and matting
- Kindergarten mural removal and reinstallation
- LCD projectors and smartboards

Now that the District anticipates completing Beach in one phase, the Board is being requested to review the proposed enhancements. The Beach Parent Organization proposes to revise the list of approved enhancements to the Beach project to include:

- Lunch area, playground, and classroom shading from new trees and umbrellas
- General planting and irrigation enhancements for beautification and sustainability, including native and climate-appropriate plants
- Aesthetic and environmental enhancements such as a rain garden and permeable paving
- Renew edible teaching garden that is accessible and includes

- raised beds, an overhead entry arbor, seating, and drain pipe connecting to a future rainwater cistern (existing garden is displaced by other modernization site work)
- Replacement/upgraded playground equipment with provisions for shade
  - Auditorium improvements including wiring, a long beam projector and speakers to support everyday use and special school functions such as the Beach Revue
  - Stage enhancements including upgraded electrical outlets and lighting.
  - Miscellaneous replacement furnishings such as chairs, storage racks, folding tables, and bookshelves

Some items from the 2009 list remain (theatre enhancements, shade trees), while others have been omitted (reinstallation of the Kindergarten mural). Some items have already been funded by the Piedmont Education Foundation (projectors). The current requested additions are related site work and garden enhancements.

Under Board Policy 3510, the District supports "green initiatives," and promotes Environmental Education with an emphasis on student participation "when feasible and effective." More specifically, under the PUSD Green Initiative Action Plan, the elementary schools are required to review "the use of school gardens within the curriculum, and provide the opportunity to develop and integrate garden based lessons more thoroughly into the general curriculum." Consistent with this policy, the Beach community is seeking and developing opportunities to incorporate environmental education into the actual Beach site, with an enhanced garden and sustainable features such as a rain garden and permeable paving.

Beach parent John Gibbs expressed appreciation to the Board and added that it has been an exciting project to watch.

Beach parent Patricia Andrews is also excited about the opportunity the Beach parents have to fund raise for the Beach auditorium, since she is involved with the Beach Revue.

It was moved by Board Member Monach, seconded by Board Member Jones, and passed unanimously to approve the list of donor opportunities (Beach Capital Campaign) for the Beach Elementary School Project.

#### REVIEW & DISCUSSION ITEMS

- A. Discuss Possible Contract Reopener Proposals for 2012-13 Negotiations Between the District and the Association of Piedmont Teachers (APT)

Assistant Superintendent Booker explained that this issue was first presented at the November 9, 2011 Board Meeting, and tonight is another opportunity for parents/community members to provide input to the Board of Education in preparation for identification of the articles of the contract between the Association of Piedmont Teachers and District.

The information as previously presented is:

The District and Association of Piedmont Teachers have a contract agreement that is effective through June 30, 2014. The provisions

for negotiations for 2012-13 school year include the re-opening of:

- Article XVI – Benefits
- Article XVII – Salaries
- Additional up to two articles of choice by APT and up to two articles of choice by the District

The Instructional Calendar for the 2012-13 school year is negotiated separately to expedite planning for students, parents and staff.

The process requires that the re-openers be “sunshined” for the purpose of providing the public with an opportunity to provide comment prior to the Board approval of the articles to be considered. Once an article is identified as “open” by either party and is “sunshined”, the negotiations process begins. The specifics of the negotiation discussions are confidential until such time that they are brought to the Association and Board of Education for approval.

Following tonight’s meeting, there will be two more opportunities for the public to communicate issues related to Articles XVI. and XVII. for Board consideration in their direction to the negotiators and to recommend other articles for consideration to be identified as part of the “sunshine” process. A formal public hearing will be conducted at the regular Board meeting of January 11, 2012 of proposed re-openers to be “sunshined”. The public will have the opportunity to comment on the articles designated by the District and APT for consideration. As part of the interest-based bargaining process, the goal is to have mutually agreed-upon articles, but it is not required.

A final public hearing will be held at the regular Board Meeting of January 24, 2012, at which time the Board will be requested to approve the proposed openers. This action signals the start of the confidential negotiations process.

Specific information about Articles XVI. “Benefits” and XVII. “Salary” may be accepted through January 24, 2012.

District Staff recommends that the articles for consideration, in addition to Benefits and Salary, be Article VI. “Hours and Professional Responsibility”, and Article XIX. “Employee Evaluation”, in order to continue the work of the Evaluation Committee in progress and the review of the school site bell schedules.

There was no one from the public requesting to speak.

B. Information: Definition(s) of  
“Enrollment Capacity”

This item is a followup from the Special Board Meeting of November 1, 2011 concerning Interdistrict Transfers for Grandchildren of Piedmont Grandparents, the Open Enrollment Act (Romero Bill) Interdistrict Transfers, and the Interdistrict Transfer Process.

Information regarding the factors related to the District’s Interdistrict Board Policy 5117 was reviewed at the Special Board

Meeting of November 1, 2011. Information included the numbers of students currently enrolled as interdistrict transfers and the implications for changing the policy to allow the grandchildren of Piedmont residents to attend Piedmont schools. The obligations regarding Romero Bill transfers were also discussed.

It is important to note that ANY change in the current policy would require that the Board approve changes in our current capacity definitions. The acceptance of additional children will have a financial impact that may be adverse. In these economic times, the risk is significant and must be considered in the context of the long-term health of the District.

The term "capacity" has meaning that varies in terms of the context in which it is applied. As a result of the information presented at the November 1, 2011 Special Board Meeting, media reports and inquiries from individuals reflect that there is confusion as to the meaning of the term "capacity." Following is clarification as to what "capacity" means in varying contexts:

Physical/Facility: Each school has a finite number of classrooms and spaces for specialty programs that have capacity constraints. Spaces like library, multi-purpose and auditoriums are not as affected by capacity except as it applies to the scheduling of programs in these spaces.

For example, there are 13 "regular" classrooms at Wildwood school that house 14 classes of children. Kindergarten classrooms are set up to accommodate two classes of 20 children each in one room – one class in the morning and one in the afternoon. Capacity at the current class ratio of 20 students to one teacher in Grades K-3, and up to a maximum of 28 students in Grades 4 and 5, limit the total number of students that can be assigned to Wildwood school. The specialists need space for music, library, art, computers and physical education. There is capacity for a finite number of programs that can be scheduled in a day, while there is flexibility in the number of students in each specialist's class that are served at the same time. The library can accommodate 2 classes of 20 students at once but not 2 classes of 30 students at once. The "capacity" is therefore constrained by numbers of children at a time and numbers of opportunities in a day. Per our current guidelines Wildwood Elementary School (and Havens and Beach) are at capacity.

Another example is the classroom numbers and facility limits at the High School. We have had up to 150 more students attend Piedmont High School than our current enrollment. At that time, we had capacity in the numbers of classrooms available, but had trouble providing adequate laboratory space for all of the students who needed/wanted to take a science laboratory class. The current staffing level at Piedmont High School is at capacity so that in spite of the "room" to add students, there would be costs associated with the required additional cost of personnel and books/supplies that would likely exceed the revenue stream from State and Federal sources. There are arguably opportunities that are not quantifiable in a fiscal sense with the addition of students such as increased diversity, expanded class opportunities, etc.

Staffing/District Ratios: The term "capacity" for staffing also has varying implications based on the agreed staffing ratios set by the District. Student-to- teacher ratios affect quality of educational programs, in addition to having collective bargaining implications and State regulatory requirements.

The *Guidelines for Enrollment Capacity* adopted by the Board on April 27, 2011, were based on the belief that "lower class sizes are desirable for providing a high quality educational program", and that the "following capacity standards are essential to providing the current program". Our current guidelines target 20:1 for Grades K-3, 25:1 for Grades 4 and 5; and an average of 26:1 in Grades 6-12. Thus, in the example used at the Special Board meeting, with the established ratio of 20 students to one teacher in Grade 2 and a class in which there are 18 students enrolled, there would be the "capacity" for an additional 2 children with no additional staff implications. However, per our guidelines, the addition of 3 children or more would require the establishment of a new classroom, which would require an additional teacher, specialists and supplies that may exceed the "physical capacity" to accommodate.

Staffing/Ratios State Mandates/Collective Bargaining:

The APT agreement allows for an "average" by site of 28 students to 1 teacher.

Current State ratios for districts that do not participate in Class Size Reduction are set at: Kindergarten: average 31 students and no single class greater than 33 students; and Grades 1-3 average not to exceed 30, with no single class larger than 32 students. As part of the District's participation in the K-3 Class Size Reduction Program, however, the limit is an average of 20 students to 1 teacher. Grades 4-8 are required to average of 29.9, with no limit on the number in a single class. Music, art, drama and physical education classes are not subject to these limits.

Special Education Resource Teachers have a maximum of 28 students for whom they may be assigned as a case manager. Similarly, there are restrictions for case loads for various specialists, including speech and adaptive physical education. The District can be at a program/staffing "capacity" while having physical space to accommodate more children in the school.

It is important to understand the constraints of capacity as the District reviews the Interdistrict Policy because capacity must be accommodated for resident District students who require services. In other words, if a child moves to Piedmont and enrolls in school, as a public school we are required to provide a Free and Appropriate Education (FAPE) to ALL students *in our District*. If it requires additional space, programs or staffing to serve a *resident* child, we must do so. We have a history of a relatively stable population and in what is considered a "built out" community, and therefore have not experienced the capacity challenges many other districts have. The effects of fast growth or decline in enrollment can be significant for districts to accommodate.

The discussion of the issues related to interdistrict transfer practices will continue with the understanding that any changes will need corresponding changes in our capacity definitions.

Board President Tolles looks at this presentation as information and in the near future, it can be discussed whether there is a means for increasing capacity. The Board is also considering grandchild enrollment.

Vice President Raushenbush said Board President Tolles' summary is how he understands the situation and he wanted to clarify that currently, there are no empty seats at our schools such that students could finish the curriculum at our schools. The only way to get to that point would be to change our existing guidelines, which were adopted last school year based on the recommendation of staff as to appropriate educational class sizes and staffing ratios, which he is not looking to revisit, unless there has been a change in what has been considered educationally appropriate. If we were considering a change in our staffing ratios and hence our class sizes, we would have to make that very clear to the public and invite public comment. What we are otherwise talking about is trying to figure out: if we have the money to hire additional teachers, or if we would get enough revenue from incoming students, would there be physical capacity, and if so, where, and in what kind of classrooms, and enough to get the students from wherever they enter until they graduate. If that is what we are bringing back in the future, he would want to see that. It is his understanding that there is no physical capacity in the elementary schools. This would leave only the Middle School and High School. Aside from hearing anecdotally that there are a few classrooms that are not utilized every single period of the day, that, to him, is not enough information to know whether the District can have incoming students and set up enough new classes to get a student from 9<sup>th</sup> grade to 12<sup>th</sup> grade with a full curriculum to graduate and go on to college. The second issue would be the cost anticipation and how much revenue would be generated.

Board Member Jones added that, for instance, if there were 30 more students and you had to hire x number of teachers, how would that even out with any extra money from the State and the cost of extra teachers, if we are keeping the staffing ratios fixed, and do we have the physical space to do this?

Board Member Gadbois said the Board needs to weigh the level of risk against the potential benefit and make a decision. He would like to see the next level of analysis – he understands that presently the District is maxed out on all the ratios that were already approved and he is not suggesting that be changed – but if the District was to increase enrollment at the Middle School or High School: a) do we have the physical capacity to do this? And b) how much additional staffing would we need to add? and c) how much would that cost, knowing that there may be some unpredictable costs for students with special education needs? This issue has been brought up to the community as a potential and it needs to be brought to some sort of closure. He is referring to allowing the grandchildren of Piedmont grandparents to attend Piedmont schools.

Vice President Raushenbush said there are other factors to consider such as FTE, health and welfare benefits, the cost of instructional materials, etc. that would have to be estimated. Staff would have to give the Board information on how firm the assumption of revenue is.

Board Member Monach stated it is important to recognize the fragile financial environment that we are in. We have done an excellent job of our multi-year projections and forecasting, but it becomes difficult to measure potential adverse impact because our program is based on individual need and service to all students. Therefore, it makes it a more complex analysis of assessing risk and that is an important context to have.

President Tolles added that the District has had more High School students in the past and it is his impression that the High School was on the overcrowded side. He would like to know what the conditions were like in the past when the High School had about 150 more students. Because of the cuts in the last three years, our student-to-staff ratio has gone up and we are pinched on staffing capacity. He would like to get feedback from staff on, if we had a larger student body, would it provide an opportunity for additional classes? Are the numbers we are talking about (150 students) create an unfavorable impact there, or a chance for greater educational opportunity?

Board Member Jones wanted to know what classes at the High School could use a few more students, such as higher level language classes? What other classes are like that?

[Regarding grandchildren of Piedmont grandparents]: Resident George Childs asked if there is some means whereby a survey would be done of the grandparents in town to find out the possible potential of grandchildren that would be interested in attending Piedmont schools. There would be a difference between a few dozen vs. several hundred. There needs to be a means for evaluation.

Resident Jon Elliot has been interested in increasing enrollment for a couple of years. He is hoping the Board can look ahead to: what do we need to know, to know what to do? Is there physical space at the Middle School or High School? Is it ten additional students? Twenty? What would be plausibly positive? There is little risk if, in the 2,500 student enrollment, numbers go up by a large handful in a given grade in a given year, that is not affected by whether you have students come in. If 10 students come in and you think they have gone through this big drill and 9 are going to come back next year, the fact that 10 other students come or go is an independent risk so the probability that you would say you are glad that you brought in the 10 additional students because that fills up the class that just emptied, or gives us the 20 students to hit our enrollment capacity that we wouldn't have otherwise, is not any different than the risk that those are the 10 students that "break our back" because the numbers without them don't change. Mixing the uncertainties just makes it scary in a way it does not need to be. Knowing what the uncertainties actually are that are added to or subtracted from, like X number of students, lets you

nearer the analysis and make it much more useful. This is a recapitulation of the same uncertainties of two years ago. No actionable data has been added. Given the capacity numbers, which six months ago when they were adopted, was the District's best guess, if we are at capacity, capacity goes up in units. If we add 29 students to the high school, how would those mix around? What if we add 58? At what number do the numbers work? Separate that out from the uncertainty that our overall population goes up and down. The District's legal counsel stated that, at least in the case of Romero Bill students, there is an explicit ability to look at financial hardship which potentially does away with a lot of the uncertainty about what if we get a child who costs \$50,000 to educate. We can avoid that risk by stating that is a criterion. A lottery can be held if more than what can be absorbed applies.

He looks ahead at the next Parcel Tax where the District wants the community to give \$8 million a year to run the District: does it help/not help to have the possibility that ten, five, fifty of those families can have students attend Piedmont schools? He thinks that is worth taking a certain amount of risk.

Ms. Mohagen agreed that there is a potential risk of losing some of our community members if we don't push forward with this more. She would like to think that any future grandchildren of hers who live in the area could attend Piedmont schools.

Vice President Raushenbush clarified that, under the Romero Bill, once we have accepted a student and then it is discovered after that the student needs special education services, the District is liable for keeping the student through high school.

#### INFORMATION / ANNOUNCEMENTS

A. Announcement of Regular Board Meeting to be Held on Tuesday, January 24, 2012

The second regular Board meeting in January will be held on Tuesday, January 24, 2012 due to the Superintendent's planned attendance at the Annual Statewide Superintendents' Symposium from Wednesday, January 25, through Friday, January 27, 2012.

B. Announcement of Special Board Meeting, February 29, 2012

Assistant Superintendent Brady announced that the Board will conduct a Special Board Meeting on Wednesday, February 29, 2012, from 4:00-5:00 p.m. in the District Administration Office Conference Room for the swearing-in of new Board members and reorganization of the Board, in order to meet the timeline set by Education Code.

#### CORRESPONDENCE

Board Member Monach reported that the Board received:

- One email from a community member about relaxing the interdistrict transfer policy for grandchildren of Piedmont residents
- One email from a parent with questions on the background material on enrollment capacity and defining capacity
- One email from Piedmont Patch Amy Jeffries announcing her departure
- One email from the Piedmont Middle School staff sharing its library newsletter
- One email from a Beach parent supporting the capital enhancements on tonight's agenda

## BOARD REPORTS

Board Member Gadbois attended the Piedmont High School Parent Club meeting and the drama class performance of "A Streetcar Named Desire".

Board Member Monach attended three community gatherings: the "Empty Nesters" party hosted by the Piedmont Educational Foundation; the Civic Engagement Panel sponsored by the Piedmont League of Women Voters; and a short lining in of the League of Women Voters luncheon with Senator Loni Hancock.

She also attended the District Technology Committee meeting planning session; the WASC organization focus meeting; the Special Education District Advisory Committee meeting, and the Diversity and Respect Task Force meeting.

Vice President Raushenbush attended the same League of Women Voters meetings as Board Member Monach, the Special Education District Advisory Committee meeting; a Bond Steering Committee meeting; the Piedmont Middle School Parent Club social meeting; a Beach Parent Organization meeting; and a Havens Dads Club meeting.

President Tolles attended a Curriculum Forum meeting; a Piedmont Educational Foundation Board meeting; and a Budget Advisory Committee meeting. He also attended a Piedmont Appreciating Diversity Committee meeting. On January 16, there will be a Martin Luther King, Jr. celebration.

Last year, several people attended a Wellness Center fund raiser at Yoshi's and one is planned for either March 22 or March 29. He will make an announcement when all the details are known. He also attended the Havens Winter Concert this morning.

## CONSENT CALENDAR

It was moved by Board Member Monach, seconded by Vice President Raushenbush, and passed unanimously to approve all items on the Consent Calendar as presented:

- A. Adopt Regular Board Meeting Minutes of November 9, 2011
- B. Approve Personnel Action Report
- C. Adopt Resolution 09-2011-12, "Authorization for Assignment Out of Credentialed Area"  
The adopted resolution will allow, for the 2011-12 school year, existing staff to teach in departmentalized classes out of their credentialed area in Grades 9 and below if the person has completed 6 upper division semester hours of 12 semester hours overall in the area to be taught.
- D. Approve Assignment Under Education Code 44258.3, Authorization for Assignment Out of Credentialed Area  
This approval will allow for Grades K-12 teachers, for the 2011-12 school year, to teach one or more courses in a departmentalized setting, upon local verification of the teacher's knowledge of the subject matter to be taught
- E. Approve Monthly Financial Report of the District for November 2011
- F. Approve Warrant Listed Dated December 9, 2011 for Goods and Services Rendered for the Months of September, October, November 2011

- G. Approve Overnight (2 nights) Field Trip for Girls' Varsity Basketball Team to attend tournament in Kelseyville, CA, December 1-3, 2011
- H. Approve one Master Contract and Individual Service Agreement with Behavioral Intervention Associates (BIA) to provide monthly consult for one student, effective November 9, 2011 through June 30, 2012 at a total cost not to exceed \$8,000.00. Funding: Special Education
- I. Approve one Independent Contractors Agreement with, A Work of Heart Child and Family Center, Audrey Boggs, Ph.D., to provide monthly consultation for one student, effective September 23, 2011 through June 30, 2012, at a total cost not to exceed \$1,500.00. Funding: Special Education
- J. Approve reimbursement to parent for two (2) hours of staff consultation provided by Dr. Steven Kurtz, Child Mind Institute, effective December 5 and 6, 2011, at a total cost not to exceed \$750.00. Funding: Special Education

#### FUTURE BOARD AGENDA ITEMS

Future Board Agenda items are listed below:

—▶ **SUBJECT TO CHANGE** ◀—

- Discuss Items for 2012-13 Contract Reopeners Between the District and Association of Piedmont Teachers (APT), Public Hearing #2 (Jan 11)
- Discuss Items for 2012-13 Contract Reopeners Between the District and the California School Employees Association, Chapter 60 (CSEA), Public Hearing #1 (Jan 11)
- Review of 2012-13 District Budget Development Calendar (Jan 11)
- Presentation and Acceptance of 2010-11 District Annual Financial Report (Audit Report); Presentation and Acceptance of 2011 General Obligation Bonds Financial Report (Audit Report); Presentation and Acceptance of 2011 General Obligation Bonds Agreed-Upon Procedures Report (Performance Report) (Jan 11)
- Budget Development Discussion for 2012-13 (Jan 11)
- Discuss Items for 2012-13 Contract Reopeners Between the District and Association of Piedmont Teachers (APT), Public Hearing #3; Board to Take Action (Jan 24)
- Discuss Items for 2012-13 Contract Reopeners Between the District and the California School Employees Association, Chapter 60 (CSEA), Public Hearing #2; Board to Take Action (Jan 24)
- Adopt 2012-13 District Budget Development Calendar (Jan 24)
- Approve Consolidated Application, Part II (Jan 24)
- Special Board Meeting for Swearing-In of New Board Members and Reorganization of Board @ District Office 4-5 p.m. (Feb 29)
- Special Board Meeting to Discuss "Common Assessments" (TBD)
- Use of Athletic Facilities (TBD)


- Review and Approve Facilities Funding Agreement for Upkeep of City and School District Athletic Facilities ("Preservation Fund") (TBD)
- Uniform Complaint Form Board Policies (TBD)
- Conduct First Reading of Proposed Revised Board Policy 6146.1, "High School Graduation Requirements" (TBD)
- Conduct First Reading of Proposed Revised Board Policy 5144, "Discipline" (title to be changed to "Student Discipline") (TBD)
- Conduct First Reading of Special Education Board Policies (TBD)
- Review of Board Bylaws (Section 9000) (TBD)
- Report of Professional Development (TBD)


Vice President Raushenbush questioned when the Board would be hearing another report from the Evaluation Committee. Assistant Superintendent Booker advised that the committee will meet again on January 30<sup>th</sup> so it would be after then.

Board Member Jones asked when the Board would hear back regarding the capacity study analysis and Board President Tolles said he would check with staff but anticipates it would be discussed at the January 24<sup>th</sup> Board meeting.

Adjournment

There being no further business, and with no objection by the Board, President Tolles adjourned the meeting at 10:50 p.m.

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

  
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 CONSTANCE HUBBARD  
 Secretary, Piedmont Unified School District  
 Board of Education