

**PIEDMONT UNIFIED SCHOOL DISTRICT  
Board of Education**

**SPECIAL BOARD MEETING**

**OPEN SESSION**

Thursday, March 3, 2011  
5:00 – 7:00 p.m.

Council Chambers, Piedmont City Hall  
120 Vista Avenue, Piedmont

**AGENDA**

- 5:00 p.m. I. CALL TO ORDER
- A. Call to Order
  - B. Establishment of Quorum  
A majority of the Governing Board must be present in order to establish a quorum, allowing the Board to conduct business
  - C. Pledge of Allegiance
- 5:05 p.m. II. REVIEW AND ACTION ITEMS
- A. Review of Contract Agreement Between the District and the Association of Piedmont Teachers (APT) for July 1, 2011 through June 30, 2014  
(Superintendent Hubbard)  
The Board will review the Agreement and provide an opportunity for public input, in anticipation of a vote by the Board at the regular Board meeting of March 9, 2011
- Materials regarding the fiscal implications to the District, will be available on the District web site no later than 5:00 p.m. on Tuesday:  
<http://www.piedmont.k12.ca.us/board-of-education/meeting-materials>  
Click on Special Board Meeting of March 3, 2011
- Will be on the District web site no later than 5:00 p.m. Tuesday
- 5:20 p.m. Provide Direction to Staff for the Final Particular Kinds of Services (PKS) List to be Brought Back for Action at Regular Board Meeting of March 9, 2011  
(Superintendent Hubbard)  
The Board will be requested to provide final direction.
- 7:00 p.m. III. ADJOURNMENT

Public Comment: Members of the public may only comment on the items on the agenda.  
The Board President may restrict the length of time for these comments.

Board Meeting of  
March 3, 2011

TO: Board of Education

FROM: Constance Hubbard, Superintendent

SUBJECT: **REVIEW OF CONTRACT AGREEMENT BETWEEN THE DISTRICT  
AND THE ASSOCIATION OF PIEDMONT TEACHERS (APT)  
FOR JULY 1, 2011 THROUGH JUNE 30, 2014**

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I. **SUPPORT INFORMATION**

The District has a tradition of using the Interest-Based Bargaining (IBB) model in the negotiations process with employee groups. The model emphasizes mutual interests and problem solving together in addressing issues. The discussions remain focused on issues, not people/individuals. The Association of Piedmont Teachers (APT) and the District entered into negotiations this Fall with the mutual interest in reaching agreement in time for the fiscal implications of the agreement to be considered in the budget planning process.

The effects of the unprecedented reduction in revenue from the State the past three years and the continued volatility for expectations of revenue for the next three years has resulted in the need for the District to increase reserves and determine ways to implement reductions in expenditures and explore possible increases in revenues. Piedmont has a tradition of the community, parents and employees working together to meet budget challenges. The District relies on local revenue from Parcel Taxes and donations from the fund-raising of Parent Clubs, Support Clubs and the Piedmont Educational Foundation, as well as grants from organizations such as the Lois Blair Rawlings Foundation, Bechtel, and various grants.

To get us through the past three years together:

- The community passed an emergency parcel tax (Measure E) in 2009 for annual revenues to the District of \$997,000 per year for three years that is scheduled to expire at the end of the 2011-12 school year.
- Parent organizations increased their fund raising ask to \$1,500 per family.
- Support Clubs, Educational Foundation, and Lois Blair Rawlings Foundation contributed with the Parent Clubs to the Program Preservation Fund.
- Employees agreed to reduce salary increases by freezing the salary schedule and implementing staff furlough days for the current year.

The collective bargaining process this year was particularly challenging, given the fiscal issues that continue to face the District and all of California and that the entire APT agreement was set to expire on June 30, 2011.

Agreement

The following constitutes the Tentative Agreement between the Piedmont Unified School District ("District") and the Association of Piedmont Teachers ("APT"), collectively referred to as the "Parties." If approved by the School Board and by a majority of the APT membership, the Agreement Between the Governing Board and The Piedmont Certified Employee Organization, ("Collective Bargaining Agreement" or "Agreement") shall be amended to be consistent with this Tentative Agreement.

Article I: Agreement

- A. *The articles and provisions contained herein constitute an agreement ("Agreement") by and between the Governing Board of the Piedmont Unified School District and the APT/CTA/NEA Association, an employee organization.*
- B. *This Agreement is entered into pursuant to the provisions of the Rodda Act, and incorporates all provisions thereof.*
- C. *The terms of the Collective Bargaining Agreement ("Agreement") between the Parties and each of the articles contained therein shall continue from July 1, 2011 through June 30, 2014.*
- D. *The Parties shall automatically reopen negotiations on Benefits (Article XVI) and Salaries, including Furlough Days, (Article XVII) for each of the 2012-2013 and 2013-2014 school years. Both the District and APT shall also have the option of opening for negotiation two additional articles-each as part of the 2012-2013 and 2013-2014 reopeners, with negotiations to commence on the same time schedule as the negotiations on Benefits and Salaries.*
- E. *The Calendar for 2012-2013 and 2013-2014 will be negotiated separately by the Parties as delineated in Article XXII. The Parties intend to agree on calendar issues as quickly as possible. The goal is to have a 2-year calendar.*

Article V: Assignment, Reassignment, Transfer and Classification of Permanent, Probationary and Temporary Teachers

- I. *Elementary Combination Classes*  
*Effective July 1, 2011, teachers who are assigned to an elementary combination class will receive a co-curricular stipend under Level IV of the Co-Curricular Schedule under Appendix C of the Agreement. The Parties agree that the following supports will be placed in combination classes whenever possible.*

District; and (b) and immediately begin taking benefits under either the State Teachers Retirement System (STRS) or the Public Employees Retirement System (PERS). Unit members obtaining medical/dental benefits under this paragraph shall receive such benefits no longer than the date when the retiree reaches Medicare eligibility age or for a maximum of five (5) years, whichever occurs first.

All unit members receiving benefits under Article XV shall receive no more than the District's identified capped contribution amount to the "Employee-Only Benefits Coverage" (medical and dental inclusive) set forth in Article XVI. In order to qualify for benefits in retirement under Article XVI, unit members must be enrolled in the District's benefits during their final year of service.

Remainder of Article remains status quo.

- B. Part-time teachers teaching fifty (50) percent or more of a year may count the entire year toward the ten (10) years of service. A year's leave of absence will not count as a year of service. Except as set forth in Paragraph C of this Article, unit members whose years of service include part-time years shall receive any applicable benefits under Paragraph A of this Article prorated to the level of the District's contribution toward medical/dental benefits received by such unit member of the time of retirement.
- C. Part-time teachers whose years of service total 15 full-time years of service to the District based under Paragraph B of this Article shall be eligible for any benefits for which they otherwise qualify under Paragraph A of this Article.
- D. Status quo
- E. Employees with a minimum of twelve (12) years of service in the District who become disabled and who qualify for STRS disability allowance shall receive fifty (50) percent of the District's identified capped contribution amount to the "Employee-Only Benefits Coverage" (medical and dental inclusive) set forth in Article XVI. This benefit will be available up to five (5) years or until the employee reaches Medicare eligibility, whichever comes first.

Remainder of the article : status quo

*may opt, at his or her expense, to continue coverage under the District's medical and dental plans in which the deceased member had been participating at time of death until the end of the current benefit year.*

Dated:

Dated:

Association of Piedmont Teachers

Piedmont Unified School District

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Side Letter – Contingency Plan for Salary Reduction

As the State of California and school districts in California, including the Piedmont Unified School District (“District”), face the unprecedented budget crisis, the following constitutes a Side Letter between the District and the Association of Piedmont Teachers (“APT”). The intent of this Side Letter is to create contingency language that would assist the District with its ongoing financial obligations in 2011-2012 should the state budget impose additional cuts and/or reductions on school districts.

1. The District and APT agree that if, on or before August 15, 2011, the District's revenue is reduced by two hundred dollars (\$200.00) per student from the level of funding (excluding Special Education Categorical Funding) as projected by the Governor's January 10, 2011 education budget, then the District may reduce each of the daily rates on the PUSD salary schedules for APT members (Appendices A and B to the Collective Bargaining Agreement) by one and one half percent (1.5%). This pay cut will only be in effect for the 2011-2012 school year.

2. The salary reduction will be calculated by reducing the per diem for each unit member by one and one half percent (1.5%).

For example:

Employee's 2010-2011 per diem rate = \$479.04

Employee's 2011-2012 per diem rate with salary reduction=

\$479.04 x 98.5% = 471.85

3. The District and APT agree that, if implemented during the 2011-12 school year, then the salary schedule will be readjusted to the 2010-2011 levels in the 2012-2013 school year, subject to any future collective bargaining between the Parties.

For example:

Employee's 2011-2012 per diem with paycut = \$471.85

Employees 2012-2013 per diem = \$479.04

The restoration of the per diem will not be conducted by merely adding a one and one half percent (1.5%) to the 2011-2012 reduced per diem rate.

The Parties agree that this Side Letter shall sunset on June 30, 2012. This Side Letter is created for the purpose of having no “precedential” value.

Date: \_\_\_\_\_

Dated: \_\_\_\_\_

Association of Piedmont Teachers

Piedmont Unified School District

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TO: Board of Education

FROM: Constance Hubbard, Superintendent

SUBJECT: **PROVIDE DIRECTION TO STAFF FOR THE FINAL PARTICULAR KINDS OF SERVICES (PKS) LIST TO BE BROUGHT BACK FOR ACTION AT REGULAR BOARD MEETING OF MARCH 9, 2011**

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I. **SUPPORT INFORMATION**

The "Particular Kind of Services" (PKS) list specifies services currently provided by certificated employees that may be reduced in the 2011-12 school year. The list must be approved by the Board of Education in time to provide lay off notices to permanent staff who may be laid off in 2011-12 by the March 15, 2011 statutory deadline. In addition to notices of permanent staff lay off, certificated staff who are temporary employees and administrators who may have a change in title or duties must receive notice by March 15 of the prior year (2011) for any changes that may occur in the subsequent school year (2011-12.)

The approval of the tentative agreement by the Association of Piedmont Teachers (APT) prior to March 15, 2011 ensures that fewer reductions in personnel will need to be made next year. This is due to the estimated fiscal impact of the agreement on the District's budget over the next three years. The reduction in compensation for certificated staff is included as part of the fiscal disclosure required for collective bargaining between the District and the APT. Negotiations are in progress with CSEA and APSA, with the goal to reach agreement prior to May 15, 2011, which will influence the lay off for services provided by this group of employees. These groups traditionally agree to similar fiscal packages (to APT) as part of the contract or memorandum of understanding process. For purposes of budget planning in developing the Second Interim Report, we assume that CSEA and APSA will reach agreements similar to APT. By the end of June, adjustments to the 2011-12 Adopted Budget will reflect the actual fiscal implications from confirmed agreements between the District and the other employee groups.

Given the uncertainties in the State budget this year, certain contingencies have been built into the budget development process and contract negotiation terms. The Second Interim Report will use the assumptions for State revenue as presented by the January 2011 Governor's Budget for 2011-12 for K-14 education. The Board provided direction to the staff to develop the list of program reductions based on the revenue assumptions in the Governor's Budget; the Parcel Tax Advisory Committee recommendations for the levy of Measures B and E; Parent and Support Club fund raising receipts/commitments; and the fiscal impact of the APT Collective Bargaining Contract provisions. We will not know until after the District adopts its 2011-12 budget what the final K-12 State Adopted Budget will be. The District's Adopted Budget will include reserves

Based upon the disclosed fiscal impact from the APT Collective Bargaining Agreement (anticipated for approval on March 9, 2011) the Board is requested to confirm the draft PKS List above, which also will be brought to the Board for review and approval at its regular meeting on March 9, 2011.

The attached chart outlines the factors and timeline for the District's multi-year budget development.

II. **RECOMMENDATION: REVIEW & ACTION**

Provide direction to staff

CH/bf  
Attachment

**SUMMARY BY FTE / PEOPLE AFFECTED BY  
PROGRAM REDUCTIONS/REORGANIZATION  
FOR 2011-12**

GROUP CATEGORY	# FTE	# PEOPLE	TIMELINE	COMMENTS
A People receiving notice: (layoff, release, reassignment)	20.21	31 (Total)	March 9, 2011	Protocols require groups of employees in categories receive same notices
B Anticipated retirements, leaves, reassignments (individuals) CONFIDENTIAL as of 3/9/2011 unless in a Personnel Action Report to the Board	4.2	5 (in addition to Group A)	February 15 – May 11, 2011	Personnel transactions are confidential until approval by Board action
C People/Programs anticipated to return in 2011-12	6.8	14 (of Group A)	March 9 – May 15, 2011	Categorical programs such as ROP are expected to continue next year
D Under consideration "in flux" for reduction / reassignment / layoff )	9.2	12 (of Group A)	March 9 – June 1, 2011	Pending enrollment/final leave requests/ retirements
E Targeted final program reduction of current employees involuntarily not returning	4.0	1-4 (of Group D)	March 9 – June 30, 2011	Staffing determined by end of school year

**PIEDMONT UNIFIED SCHOOL DISTRICT  
2010-2011 SECOND INTERIM  
MULTI-YEAR PROJECTION REPORT  
GENERAL FUND**

**03/09/11**

<b>BUDGET</b>	<b>2010-11 Budget 03/09/11</b>	<b>2011-2012 Projected Budget</b>	<b>2012-2013 Projected Budget</b>
<b>A) REVENUES:</b>			
REVENUE LIMIT SOURCES	13,266,979	13,218,823	13,451,918
FEDERAL REVENUES	1,134,118	620,087	620,087
STATE REVENUES	2,171,536	2,024,204	2,047,520
STATE REV. (ADULT ED.)	276,556	276,556	281,534
LOCAL REVENUES	12,937,923	12,429,797	11,507,599
TRANSFER FROM NODA FUND	3,575	-	-
<b>TOTAL REVENUES:</b>	<b>29,790,687</b>	<b>28,569,467</b>	<b>27,908,658</b>
<b>B) EXPENDITURES:</b>			
CERTIFICATED SALARIES	14,722,132	14,577,963	14,796,632
CLASSIFIED SALARIES	4,621,526	4,590,849	4,659,712
EMPLOYEE BENEFITS	6,387,005	6,483,880	6,483,880
BOOKS AND SUPPLIES	1,037,780	812,374	826,996
SERVICES/OPERATING EXP.	2,518,032	2,350,778	2,421,302
CAPITAL OUTLAY	105,000	-	-
TRANSFER TO CAPITAL FACILITIES	200,000	-	-
TRANSFER TO ADULT ED.	276,556	276,556	281,534
DIRECT SUPPORT/INDIRECT COSTS	(120,000)	(120,000)	(120,000)
<b>TOTAL EXPENDITURES:</b>	<b>29,748,031</b>	<b>28,972,400</b>	<b>29,350,056</b>
<b>C) NET INCREASE (DECREASE)</b>			
IN FUND BALANCE (A-B)	<b>42,656</b>	<b>(402,933)</b>	<b>(1,441,398)</b>
<b>D) FUND BALANCE, RESERVES</b>			
BEGINNING BALANCE	2,994,046	3,036,702	2,633,769
ADJUSTMENT TO BEG. BALANCE			
NET BEGINNING BALANCE	2,994,046	3,036,702	2,633,769
<b>E) ENDING BALANCE JUNE 30</b>	<b>3,036,702</b>	<b>2,633,769</b>	<b>1,192,371</b>

**COMPONENTS OF ENDING BALANCE:**

a) Reserved Amounts:			
Revolving Cash	25,000	25,000	25,000
b) Designated Amounts:			
Econ Uncertainties (3%)	892,441	869,172	880,502
c) Designated for 2011-12	2,119,261		
d) Designated for 2012-13		1,739,597	
e) Designated for 2013-14			286,869
*****			
f) Reserve for AB 3632		(305,916)	(305,916)
g) Reserve 5% of Parcel Tax B		(406,555)	
h) If Tax Extensions Fail		(816,750)	(816,750)

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Board of Education**

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Please be advised that any communication sent to the Board of Education is subject to the Freedom of Information Act and can be viewed by the public, unless it is of a confidential issue covered under the Brown Act.

Board Agenda Material

*(in compliance with Senate Bill 343)*

The entire Board agenda packet may be accessed on the Piedmont Unified School District web site at:

[www.piedmont.k12.ca.us](http://www.piedmont.k12.ca.us)  
Click on "Board of Education"  
Click on "Agendas and Minutes"

Supporting agenda documentation of a non-confidential nature that has been distributed to the Board less than 72 hours before a meeting can be viewed in the Superintendent's Office at the District Administration Building, 760 Magnolia Avenue, Piedmont, CA between the hours of 8:00 a.m. and 4:30 p.m. and at the District web site: [www.piedmont.k12.ca.us](http://www.piedmont.k12.ca.us); click on "Board of Education"; click on "Agendas and Minutes"

ADA Assistance

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Superintendent's Office at (510)594-2614. Notification by Monday morning preceding the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

*The scheduling time for the agenda issues is approximate.*

Board Meeting of  
March 3, 2011

TO: Board of Education

FROM: Constance Hubbard, Superintendent

SUBJECT: **REVIEW OF CONTRACT AGREEMENT BETWEEN THE DISTRICT  
AND THE ASSOCIATION OF PIEDMONT TEACHERS (APT)  
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The Board of Education provided the opportunity for public input on the collective bargaining process with APT in the Fall of 2010. The Board provided direction to the District negotiators based on the public input received and the fiscal realities facing the District in the near and long term. The District Budget reflects the priorities of providing depth and breadth of program to students to cultivate a learning community where students are engaged on their learning, strive for excellence, and are supported to achieve to their fullest potential. To support student achievement and success, the District continues to work to attract and retain the most qualified staff to provide programs. The combination of quality programs for students provided by highly qualified people is reflected in the fact that 90% of the General Fund Budget expenditures is in the area of personnel.

The IBB negotiations process resulted in the identification of the mutual interests of continuing to provide the highest quality of programs that the District could sustain fiscally long term. In the spirit of the community working together, the Parcel Tax Advisory Committee recommended the levy of the voter-approved Parcel Tax Measure B for 2011-12 be increased by five percent (5%). The Advisory Committee also confirmed the conditions were in place for the full levy of Measure E for the 2011-12 school year. The public hearing on the levy of the Parcel Tax Measures B and E is scheduled for March 2011 with action to be taken in April 2011. Based on the recommendation, however, the Second Interim Report will reflect the increased revenue for 2011-12. No increases in the Parcel Tax levy are assumed for 2012-13 or beyond at this point. The Giving Campaign raised more funds for use next year to support the General Fund and the Piedmont Educational Foundation confirmed the contribution of \$168,769 from the Endowment Fund.

Attached are Exhibits I, II, III, and IV that are the provisions of the Tentative Contract Agreement that was approved by the APT membership by a "yes" vote of approximately 90%. The attached chart indicates the fiscal implications of the tentative contract agreement with APT. The chart also includes the projected impact on the budget based on all employee groups reaching similar agreements on health benefits and furlough days.

## II. **RECOMMENDATION: REVIEW & DISCUSSION**

Review tentative contract agreement and chart of fiscal implications; and receive public input. Board approval of the Collective Bargaining Agreement is scheduled for March 9, 2011.

Agreement

The following constitutes the Tentative Agreement between the Piedmont Unified School District ("District") and the Association of Piedmont Teachers ("APT"), collectively referred to as the "Parties." If approved by the School Board and by a majority of the APT membership, the Agreement Between the Governing Board and The Piedmont Certified Employee Organization, ("Collective Bargaining Agreement" or "Agreement") shall be amended to be consistent with this Tentative Agreement.

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- E. *The Calendar for 2012-2013 and 2013-2014 will be negotiated separately by the Parties as delineated in Article XXII. The Parties intend to agree on calendar issues as quickly as possible. The goal is to have a 2-year calendar.*

Article V: Assignment, Reassignment, Transfer and Classification of Permanent, Probationary and Temporary Teachers

- I. *Elementary Combination Classes*  
*Effective July 1, 2011, teachers who are assigned to an elementary combination class will receive a co-curricular stipend under Level IV of the Co-Curricular Schedule under Appendix C of the Agreement. The Parties agree that the following supports will be placed in combination classes whenever possible.*

- Letting teacher of combo class work with administration to decide which supports best suit the class
- 4<sup>th</sup>/5<sup>th</sup> Grade level partners taking ½ class for science and social studies because the curriculum is so different
- Scheduling more opportunities for small group instruction so class can be split (teacher works with one grade while special teacher works with the other grade).
- Adding additional aide time
- Giving priority to combo classes when scheduling prep
- Pairing up special teachers (i.e., art, computers) with classroom teacher's prep period or lunch or end of day to provide longer prep time for classroom teacher

Article XIV: Retirement Incentive Program

A. Retirement Consultant Program

This provision shall terminate, and no retired teacher shall have any rights to benefits hereunder, as of June 30, 2011.

C. Retirement Non-Consultant Program

This provision shall terminate, and no retired teacher shall have any rights to any benefit hereunder, as of June 30, 2014.

Article XV: Retirement/Disability Benefits

A. 1. Effective July 1, 2011, the District shall provide medical/dental benefits, in accordance with Article XVI of the Agreement to unit members who: (a) retire from the District before July 1, 2014 at the age of fifty-five (55) or more with ten (10) or more consecutive years of service with the District; and (b) and immediately begin taking benefits under either the State Teachers Retirement System (STRS), or the Public Employees Retirement System (PERS). Unit members obtaining medical/dental benefits under this paragraph shall receive such benefits no longer than the date when the retiree reaches Medicare eligibility age.

2. Effective July 1, 2014, the District will provide medical/dental benefits in accordance with Article XVI of the Agreement to unit members who:(a) retire from the District at the age of fifty-five (55) or more with ten (10) or more consecutive years of service with the

District; and (b) and immediately begin taking benefits under either the State Teachers Retirement System (STRS) or the Public Employees Retirement System (PERS). Unit members obtaining medical/dental benefits under this paragraph shall receive such benefits no longer than the date when the retiree reaches Medicare eligibility age or for a maximum of five (5) years, whichever occurs first.

All unit members receiving benefits under Article XV shall receive no more than the District's identified capped contribution amount to the "Employee-Only Benefits Coverage" (medical and dental inclusive) set forth in Article XVI. In order to qualify for benefits in retirement under Article XVI, unit members must be enrolled in the District's benefits during their final year of service.

Remainder of Article remains status quo.

- B. Part-time teachers teaching fifty (50) percent or more of a year may count the entire year toward the ten (10) years of service. A year's leave of absence will not count as a year of service. Except as set forth in Paragraph C of this Article, unit members whose years of service include part-time years shall receive any applicable benefits under Paragraph A of this Article prorated to the level of the District's contribution toward medical/dental benefits received by such unit member of the time of retirement.
- C. Part-time teachers whose years of service total 15 full-time years of service to the District based under Paragraph B of this Article shall be eligible for any benefits for which they otherwise qualify under Paragraph A of this Article.
- D. Status quo
- E. Employees with a minimum of twelve (12) years of service in the District who become disabled and who qualify for STRS disability allowance shall receive fifty (50) percent of the District's identified capped contribution amount to the "Employee-Only Benefits Coverage" (medical and dental inclusive) set forth in Article XVI. This benefit will be available up to five (5) years or until the employee reaches Medicare eligibility, whichever comes first.

Remainder of the article : status quo

Article XVI: Benefits

The following shall replace all existing language in Article XVI:

A. Effective July 1, 2011, the District shall provide unit members a total contribution to medical and dental benefits collectively referred to as "Benefits," that is capped at the following amounts for full-time employees:

Employee Only Benefits Coverage:	\$ 6,500.00
Employee Plus One Benefits Coverage	\$13,000.00
Family Benefits Coverage	\$18,000.00

The District's amount of contribution for Benefits will be prorated for unit members working less than full-time based on the ratio that his or her service bears to full-time service (FTE). Effective July 1, 2011, any increase in the cost of Benefits beyond the capped amount will be assumed by the unit member, unless negotiated otherwise.

- B. All unit members must be covered by a medical plan. Unit members who choose not to participate in the District's medical plan must submit proof of coverage under another plan. Unit members who opt to not participate in the District's medical plan will be eligible for a one thousand dollar (\$1,000.00) entitlement that may be used to purchase vision care, income protection, life insurance, Delta Dental, Tax Sheltered Annuity or other plans that the unit member may select. The cash-in-lieu option will be provided to all eligible unit members only if permitted under the provisions of the medical plan.
- C. Under the current District dental plan, all unit members employed 0.3 FTE or more, must be covered by the District dental plan. The District and the Association may mutually agree on an alternative dental plan.
- D. The District will offer a general benefit plan under IRC section 125 to all unit members.
- E. Survivors and dependent children of deceased unit members, at their expense, may opt to continue coverage under the District's medical and dental plans in which the deceased member had been participating at the time of death. This option is available for the length of time permitted by the plan to cover dependent children. The surviving spouse or domestic partner who has no dependent children

*may opt, at his or her expense, to continue coverage under the District's medical and dental plans in which the deceased member had been participating at time of death until the end of the current benefit year.*

Dated:

Dated:

Association of Piedmont Teachers

Piedmont Unified School District

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Memorandum of Understanding

ATTACHMENT 2

The following constitutes a Memorandum of Understanding ("MOU") between the Piedmont Unified School District ("District") and the Association of Piedmont Teachers ("APT"). The terms of the MOU are for a limited term as outlined in each provision. At the expiration of each term contained in the MOU, the District and APT, collectively referred to as the "Parties," agree that the default language will be the provisions agreed to and contained within the Collective Bargaining Agreement ("Agreement") between the Parties.

1. All APT unit members will be subject to the following number of furlough days between July 1, 2011 through June 30, 2014, thereby reducing the 185 paid work days during each school year to 180 paid work days:

- 2011-2012: Five (5) unpaid furlough days
- 2012-2013: Five (5) unpaid furlough days
- 2013-2014: Five (5) unpaid furlough days (if California law permits)

The five furlough days shall comprise of two (2) professional development days, one (1) teacher workday and two (2) student days. The exact placement of the furlough days on the instructional calendar will be determined as the Parties work on calendar year issues for each year.

This provision will sunset effective June 30, 2014.

2. Effective July 1, 2011 through June 30, 2014, the Co-Curricular Stipend Schedule contained in Appendix C of the Agreement between the parties shall be suspended. All employees eligible for receiving stipends under Appendix C, instead will receive a flat stipend of one thousand four hundred and fifty four dollars (\$1,454.00) per year during this three year suspension.

3. The District and APT will continue to develop a mutually acceptable Professional Common Planning Time model for the 2011-2012 school year. The Parties also agree that the mutually acceptable Professional Common Planning Time model shall be developed no later than April 15, 2011. The intent of this provision of the MOU is to create a sustainable and useful model(s) of Professional Common Planning Time that is effective at elementary, middle and high school levels and has the least impact on instructional delivery issues. The Parties further agree that the model may need to be revised and adjusted in the subsequent years of the Agreement and that nothing in this MOU shall preclude the Parties from collaborating on a revised model of Professional Common Planning Time.

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

Association of Piedmont Teachers

Piedmont Unified School District

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Side Letter – Contingency Plan for Salary Reduction

As the State of California and school districts in California, including the Piedmont Unified School District ("District"), face the unprecedented budget crisis, the following constitutes a Side Letter between the District and the Association of Piedmont Teachers ("APT"). The intent of this Side Letter is to create contingency language that would assist the District with its ongoing financial obligations in 2011-2012 should the state budget impose additional cuts and/or reductions on school districts.

1. The District and APT agree that if, on or before August 15, 2011, the District's revenue is reduced by two hundred dollars (\$200.00) per student from the level of funding (excluding Special Education Categorical Funding) as projected by the Governor's January 10, 2011 education budget, then the District may reduce each of the daily rates on the PUSD salary schedules for APT members (Appendices A and B to the Collective Bargaining Agreement) by one and one half percent (1.5%). This pay cut will only be in effect for the 2011-2012 school year.

2. The salary reduction will be calculated by reducing the per diem for each unit member by one and one half percent (1.5%).

For example:

Employee's 2010-2011 per diem rate = \$479.04

Employee's 2011-2012 per diem rate with salary reduction=

\$479.04 x 98.5% = 471.85

3. The District and APT agree that, if implemented during the 2011-12 school year, then the salary schedule will be readjusted to the 2010-2011 levels in the 2012-2013 school year, subject to any future collective bargaining between the Parties.

For example:

Employee's 2011-2012 per diem with payout = \$471.85

Employees 2012-2013 per diem = \$479.04

The restoration of the per diem will not be conducted by merely adding a one and one half percent (1.5%) to the 2011-2012 reduced per diem rate.

The Parties agree that this Side Letter shall sunset on June 30, 2012. This Side Letter is created for the purpose of having no "precedential" value.

Date: \_\_\_\_\_

Dated: \_\_\_\_\_

Association of Piedmont Teachers

Piedmont Unified School District

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**ATTACHMENT 4**

**FINANCIAL DISCLOSURE OF IMPACT OF TENTATIVE CONTRACT AGREEMENT BETWEEN DISTRICT AND ASSOCIATION OF PIEDMONT TEACHERS, JULY 1, 2011 – JUNE 30, 2014**

ITEM	2011-12		2012-13		2013-14	
	APT	*Estimated Impact: All Employee Groups	APT	*Estimated Impact: All Employee Groups	APT	*Estimated Impact: All Employee Groups
Furlough Days:	\$350,000	(\$450,000)	\$350,000	(\$450,000)	\$350,000	(\$450,000)
Health/Dental Benefits Cap:	\$275,000	(\$400,000)	\$550,000	(\$800,000)	\$825,000	(\$1,200,000)
Co-Curricular Schedule Freeze:	\$40,000	(\$40,000)	\$40,000	(\$40,000)	\$40,000	(\$40,000)
<b>TOTALS:</b>	<b>\$665,000</b>	<b>(\$890,000)</b>	<b>\$940,000</b>	<b>(\$1,290,000)</b>	<b>\$1,215,000</b>	<b>(\$1,690,000)</b>
<b>CUMULATIVE 3-YR IMPACT</b>	APT		APT		*Estimated Impact: All Employee Bargaining Groups	
			\$2,820,000		(\$3,870,000)	

\* Pending negotiations with remaining employee groups

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TO: Board of Education

FROM: Constance Hubbard, Superintendent

SUBJECT: **PROVIDE DIRECTION TO STAFF FOR THE FINAL PARTICULAR KINDS OF SERVICES (PKS) LIST TO BE BROUGHT BACK FOR ACTION AT REGULAR BOARD MEETING OF MARCH 9, 2011**

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I. **SUPPORT INFORMATION**

The "Particular Kind of Services" (PKS) list specifies services currently provided by certificated employees that may be reduced in the 2011-12 school year. The list must be approved by the Board of Education in time to provide lay off notices to permanent staff who may be laid off in 2011-12 by the March 15, 2011 statutory deadline. In addition to notices of permanent staff lay off, certificated staff who are temporary employees and administrators who may have a change in title or duties must receive notice by March 15 of the prior year (2011) for any changes that may occur in the subsequent school year (2011-12.)

The approval of the tentative agreement by the Association of Piedmont Teachers (APT) prior to March 15, 2011 ensures that fewer reductions in personnel will need to be made next year. This is due to the estimated fiscal impact of the agreement on the District's budget over the next three years. The reduction in compensation for certificated staff is included as part of the fiscal disclosure required for collective bargaining between the District and the APT. Negotiations are in progress with CSEA and APSA, with the goal to reach agreement prior to May 15, 2011, which will influence the lay off for services provided by this group of employees. These groups traditionally agree to similar fiscal packages (to APT) as part of the contract or memorandum of understanding process. For purposes of budget planning in developing the Second Interim Report, we assume that CSEA and APSA will reach agreements similar to APT. By the end of June, adjustments to the 2011-12 Adopted Budget will reflect the actual fiscal implications from confirmed agreements between the District and the other employee groups.

Given the uncertainties in the State budget this year, certain contingencies have been built into the budget development process and contract negotiation terms. The Second Interim Report will use the assumptions for State revenue as presented by the January 2011 Governor's Budget for 2011-12 for K-14 education. The Board provided direction to the staff to develop the list of program reductions based on the revenue assumptions in the Governor's Budget; the Parcel Tax Advisory Committee recommendations for the levy of Measures B and E; Parent and Support Club fund raising receipts/commitments; and the fiscal impact of the APT Collective Bargaining Contract provisions. We will not know until after the District adopts its 2011-12 budget what the final K-12 State Adopted Budget will be. The District's Adopted Budget will include reserves

to address up to a \$350 reduction in per pupil funding in the event State revenue levels drop below those assumed in the Governor's January budget proposal. The APT agreement includes contingency language that will trigger in the event there is a reduction in State revenues of \$200 or more per pupil. There will not be sufficient reserves, however, to address the worst-worst case scenario for the loss of as much as \$1,000 per student, an estimate that has been released in some State projections.

At its last meeting, the Board directed staff to develop the particular kind of service list (PKS Resolution) to address a range of \$300,000 - \$500,000 in personnel cost reductions, assuming a significant reduction in compensation was achieved in the APT Collective Bargaining Agreement. After review of the Tentative Agreement and the financial impact on the District Budget, the Board must provide direction on the PKS list to be brought for approval on March 9, 2011. Following is the tentative list of program reductions for the Board's consideration. It includes an estimate of the number of employees who will receive some notice of lay off, be released from contract, or possibly be reassigned after all retirements and resignations are considered.

All positions are in terms of "Full Time Equivalents" (FTE), which means more than one person may fill a full time position. A 1.0 FTE accounts for one 100% position.

.8 FTE	English*
.6 FTE	Math**
.6 FTE	Music**
.4 FTE	Library Services***
.4 FTE	Reading Resource/EL ***
.6 FTE	Counseling ***
.2 FTE	Physical Education Specialist**
.6 FTE	Science/Math Resource Specialists***
.8 FTE	Administrative Services***

\* Requires lay off of permanent employee

\*\* Requires release of Temporary Employee and/or possible reassignment of permanent employees to different assignment/site

\*\*\* Requires re-assignment of permanent employees to different positions and/or site for which they are credentialed to provide services

We anticipate that 7 to 15 employees will receive some notice (lay off, release and/or reassignment) and that the reduction in programs for students provided by certificated FTE in 2011-12 from the current year will fall somewhere between 3.5 - 5.0 FTE. The PKS Resolution which will be presented for approval on March 9, 2011 will allow for flexibility during the legal notification process to adjust for student service requirements, enrollment and notifications of retirements and leave requests. Permanent employees who will be laid off must be approved by the Board by May 15, 2011. As in the past, every effort will be made to provide staff their assignments and to notify any temporary teacher of an offer for reemployment by the end of this school year for next school year.

Based upon the disclosed fiscal impact from the APT Collective Bargaining Agreement (anticipated for approval on March 9, 2011) the Board is requested to confirm the draft PKS List above, which also will be brought to the Board for review and approval at its regular meeting on March 9, 2011.

The attached chart outlines the factors and timeline for the District's multi-year budget development.

II. **RECOMMENDATION: REVIEW & ACTION**

Provide direction to staff

CH/bf  
Attachment

# FACTORS THAT WILL IMPACT PUSD'S MULTI-YEAR BUDGET DEVELOPMENT

March 3, 2011

JAN

Governor's Budget

FEB

Parcel Tax Levy Amounts - Measures B & E

Parents' Club / PEF / Support Group - Receipts/Commitments

MAR

Fiscal Impact - APT Contract Agreement

Retirements / Leave Requests

Particular Kind of Service (PKS) List

Temporary Employees

Reassignments

APR

Fiscal Impact - CSEA / APSA  
Contract Agreement / Memorandum of Understanding (MOU)

Retirements / Leave Requests

Service List

Reassignments

MAY

Program / Service Reductions

JUN

Special State Election - Voter Approval of State Tax Revenue Extensions

AUG

Contingency Triggers with Additional State Revenue Reductions

**SUMMARY BY FTE / PEOPLE AFFECTED BY  
PROGRAM REDUCTIONS/REORGANIZATION  
FOR 2011-12**

GROUP CATEGORY	# FTE	# PEOPLE	TIMELINE	COMMENTS
A People receiving notice: (layoff, release, reassignment)	20.21	31 (Total)	March 9, 2011	Protocols require groups of employees in categories receive same notices
B Anticipated retirements, leaves, reassignments (individuals) CONFIDENTIAL as of 3/9/2011 unless in a Personnel Action Report to the Board	4.2	5 (in addition to Group A)	February 15 – May 11, 2011	Personnel transactions are confidential until approval by Board action
C People/Programs anticipated to return in 2011-12	6.8	14 (of Group A)	March 9 – May 15, 2011	Categorical programs such as ROP are expected to continue next year
D Under consideration "in flux" for reduction / reassignment / layoff )	9.2	12 (of Group A)	March 9 – June 1, 2011	Pending enrollment/final leave requests/ retirements
E Targeted final program reduction of current employees involuntarily not returning	4.0	1-4 (of Group D)	March 9 – June 30, 2011	Staffing determined by end of school year

**Side Letter: Article XIX. Employee Evaluation**

The Parties agree to continue their work, through the Evaluation Sub-committee, to develop and implement a new evaluation instrument and process. The Committee, in consultation with the facilitator, Carol Boyd, will make suggestions for possible evaluation instruments and processes. The parties anticipate piloting the implementation by volunteers of parts of the new evaluation instrument and process during the 2011-12 school year. The opportunity to pilot will be available to any association member. In 2011-12, any employee scheduled for evaluation under Article XIX shall have the sole discretion regarding which, if any, of the provisions of the piloted evaluation instrument will be attached to the formal evaluation. The Parties' goal is to reach agreement on a new evaluation process that is consistent with the charge to the Evaluation Sub-Committee and California law. Following the pilot implementation, the Parties will amend the Agreement to reflect the agreed-upon evaluation process.

Dated:

Dated:

Association of Piedmont Teachers

Piedmont Unified School District

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**PIEDMONT UNIFIED SCHOOL DISTRICT  
2010-2011 SECOND INTERIM  
MULTI-YEAR PROJECTION REPORT  
GENERAL FUND**

**03/09/11**

<b>BUDGET</b>	<b>2010-11 Budget 03/09/11</b>	<b>2011-2012 Projected Budget</b>	<b>2012-2013 Projected Budget</b>
<b>A) REVENUES:</b>			
REVENUE LIMIT SOURCES	13,266,979	13,218,823	13,451,918
FEDERAL REVENUES	1,134,118	620,087	620,087
STATE REVENUES	2,171,536	2,024,204	2,047,520
STATE REV. (ADULT ED.)	276,556	276,556	281,534
LOCAL REVENUES	12,937,923	12,429,797	11,507,599
TRANSFER FROM NODA FUND	3,575	-	-
<b>TOTAL REVENUES:</b>	<b>29,790,687</b>	<b>28,569,467</b>	<b>27,908,658</b>
<b>B) EXPENDITURES:</b>			
CERTIFICATED SALARIES	14,722,132	14,577,963	14,796,632
CLASSIFIED SALARIES	4,621,526	4,590,849	4,659,712
EMPLOYEE BENEFITS	6,387,005	6,483,880	6,483,880
BOOKS AND SUPPLIES	1,037,780	812,374	826,996
SERVICES/OPERATING EXP.	2,518,032	2,350,778	2,421,302
CAPITAL OUTLAY	105,000	-	-
TRANSFER TO CAPITAL FACILITIES	200,000	-	-
TRANSFER TO ADULT ED.	276,556	276,556	281,534
DIRECT SUPPORT/INDIRECT COSTS	(120,000)	(120,000)	(120,000)
<b>TOTAL EXPENDITURES:</b>	<b>29,748,031</b>	<b>28,972,400</b>	<b>29,350,056</b>
<b>C) NET INCREASE (DECREASE)</b>			
IN FUND BALANCE (A-B)	<b>42,656</b>	<b>(402,933)</b>	<b>(1,441,398)</b>
<b>D) FUND BALANCE, RESERVES</b>			
BEGINNING BALANCE	2,994,046	3,036,702	2,633,769
ADJUSTMENT TO BEG. BALANCE			
NET BEGINNING BALANCE	2,994,046	3,036,702	2,633,769
<b>E) ENDING BALANCE JUNE 30</b>			
	<b>3,036,702</b>	<b>2,633,769</b>	<b>1,192,371</b>

**COMPONENTS OF ENDING BALANCE:**

a) Reserved Amounts:			
Revolving Cash	25,000	25,000	25,000
b) Designated Amounts:			
Econ Uncertainties (3%)	892,441	869,172	880,502
c) Designated for 2011-12	2,119,261		
d) Designated for 2012-13		1,739,597	
e) Designated for 2013-14			286,869
*****			
f) Reserve for AB 3632		(305,916)	(305,916)
g) Reserve 5% of Parcel Tax B		(406,555)	
h) If Tax Extensions Fail		(816,750)	(816,750)