

REVISED

Memorandum of Understanding Between The Piedmont Education Foundation and Piedmont Unified School District

This Memorandum of Understanding (MOU) is entered into by and between The Piedmont Education Foundation (hereinafter referred to as PEF) and Piedmont Unified School District (hereinafter referred to as PUSD or the “District”). This MOU provides a framework under which present and future leaders of PEF and PUSD may coordinate with one another to support the mission and goals of PUSD.

PEF is a not-for-profit entity governed by an independent board of directors. Its mission is to promote academic excellence, champion innovation, and provide sustained financial support to PUSD. The purpose of this MOU is to outline our mutual understanding regarding the respective roles of PEF and PUSD in ensuring that funds raised by PEF are used most effectively to provide sustained financial support for academic excellence and innovation in PUSD.

Types of Funding from PEF

PEF provides the following types of grants to PUSD:

1. Tier I grants: Per-capita funding to each school site in PUSD for a variety of ongoing site-based needs jointly determined by principals, school parent clubs and district leadership, including staffing (e.g., teachers, teacher’s aides, reading specialists & counselors); district-wide grants to purchase equipment, upgrade technology and develop curriculum; and grants to individual or small groups of teachers to fund classroom projects.
2. Tier II grants: Block grants to support short-term district-wide and site-specific needs that allow the district to pilot new instructional, professional development or other learning strategies that will further PEF’s mission of promoting academic excellence and innovation in PUSD.

SECTION I: DETERMINING FUNDING PRIORITIES

A. Policy:

1. PEF provides funding solely for programs, activities and acquisitions approved for funding or conducted by PUSD.
2. PEF does not provide funding to outside organizations or educational institutions except as mutually agreed by PEF and PUSD.
3. PEF is the primary PUSD authorized district-wide fundraising organization for district-wide programs. Donations received by individual schools, parent clubs, and PUSD sanctioned support clubs for site-specific needs are not covered by this agreement.

4. In order to ensure educational equity and to maintain long-term fiscal solvency and the core program, District funds shall be used for certificated and classified personnel as guided by the California Education Code. All schools may use:
 - a. Site allocations, including general and categorical funds, for salaries and employee benefits, supplies and non-personnel costs.
 - b. Centrally raised funds for any educationally related purposes (before, after or during the school day), including salaries, stipends, professional development –related costs, and employee benefits.
5. PUSD will not seek to create or endorse the creation of an additional PUSD fundraising organization that duplicates PEF’s mission and role.
PUSD agrees to participate in an annual process in collaboration with PEF to recommend funding priorities.
6. PEF establishes its funding goals in accordance with an agreed-upon timeline.
7. PEF decides on any special funding request from PUSD within 90 days of receiving the request from the Board of Education.
8. PUSD provides PEF with the information necessary to determine the viability of raising funds for the prioritized programs and activities.
9. PUSD and PEF will work together to develop strategy and procedures for large scale fundraising campaigns to support district wide programs. The fundraising strategy will seek to avoid “duplicative appeals” from a donor’s perspective.

B. Process for Setting Funding Priorities & Fund-Raising Goals:

PEF and PUSD will work together to agree on PEF’s fund-raising goals and funding priorities through the following processes:

1. In coordination with PUSD leadership, school principals and parent clubs.
2. On an annual basis starting in the Fall, it will be PUSD leadership’s responsibility to ensure that principals, in order to develop their funding priorities, work with their school’s PEF Grant Committee reps, their respective parent clubs and site councils to review funding priorities for Tier I grants for each school site.
3. In addition, it will be PUSD leadership’s responsibility to develop district-wide PEF funding priorities for Tier II grants after considering priorities from each school site and best estimates regarding state funding for the school budget; and
4. Priority-setting and fund-raising goals for PEF Tier I and Tier II grants will occur in the fall for the fundraising campaigns to be held during that school year to fund Tier I and Tier II grants to PUSD in the subsequent school year.
5. PEF’s grants committee is responsible for reviewing and considering Tier I and Tier II grant requests from PUSD’s leadership and recommending such grants for approval by the PEF Board. Grant recommendations are to be approved by the PEF Board of Directors prior to fund distribution.
6. No later than the April PEF Board meeting, unless PEF and PUSD mutually agree to an alternative schedule, the PEF Board will approve a slate of Tier I and Tier II Grants for the subsequent school year.
7. By first BOE meeting in May, except in the case of special requests, PEF will announce its board approved Tier I and Tier II grants for the subsequent school year.

Step	Responsibility	Timing	Deliverable
<ul style="list-style-type: none"> PUSD provides written report describing the outcomes from Tier I and Tier II grant funds disbursed during the prior academic year. A financial report accounting for the use of all Tier I and Tier II grant funds disbursed during the prior academic year 	PUSD Leadership and PEF Grants Committee	October	Report and accounting of the use of Tier I & Tier II grant funds disbursed during the prior academic year
<p>PUSD will determine its Tier I and Tier II funding priorities for PEF funds raised during the current school year:</p> <ol style="list-style-type: none"> Priorities will be defined K-12 and District-wide Priorities will be identified at each school level 	<ol style="list-style-type: none"> Site principals in consultation with relevant school site staff, site council, parent clubs, and PUSD leadership and PEF Grant Committee co-chairs 	January and March	<ul style="list-style-type: none"> By December 15, principals will have reviewed/discussed proposed site-specific & PUSD funding priorities for following year with parent club presidents/boards (Completed Form will be shared). By January 15, Superintendent: <ol style="list-style-type: none"> delivers to Grants and Fundraising Committee Co-Chairs a preliminary list of Funding Priorities & estimated expenditures by School Site & district wide for Tier I and Tier II In March, reports on outcomes from PEF grants disbursed for the current academic year
<ul style="list-style-type: none"> PEF Grants Committee reviews PUSD's Tier I and II Funding Priorities & has discussions as needed w/ PUSD leadership 	<ul style="list-style-type: none"> PEF Grants Committee & Co-Chairs PUSD leadership 	March	PEF Grants Committee formulates a recommendation regarding Tier I and Tier II grants to the PEF Board
<ul style="list-style-type: none"> PUSD Superintendent reports on use of PEF grant funds received for the current academic year and presents PUSD funding priorities for the next academic year to PEF Board as recommended by the PEF Grant Committee 	<ul style="list-style-type: none"> PEF Board Parent Club presidents PUSD Superintendent PUSD Business Services 	April	
<ul style="list-style-type: none"> PEF Board Approves Tier I & Tier II Grant recommendation 	PUSD leadership & Grants Committee Co-Chairs	May PEF Meeting	PEF Board approves Tier I and Tier II Grant recommendations
<ul style="list-style-type: none"> PEF Board announces Grant Amount for subsequent school year at BOE meeting 	PEF Leadership	June BOE	
<ul style="list-style-type: none"> PEF disburses Tier I & Tier II funds to PUSD 		September	These are funds raised in the prior academic year for use in the current academic year

SECTION II: PEF GRANT DISBURSEMENTS TO PUSD

1. After PEF's Board has approved the Grant Committee's Tier I and Tier II grant recommendations to PUSD, PEF will disburse Tier I and II grants to the district according to the following schedule based on priorities identified by the district and recommended by the Grants Committee:
 - a. The first grant payment for the current academic year will be made by PEF to PUSD by September 30 based on funds raised from the prior academic year's fundraising campaigns and earnings from PEF's endowment.
 - b. If there are available funds and/or additional priorities identified by the district and school sites, a second and final grant payment for the current academic year may be made by December 1.
 - c. The timing for any special requests outside of the schedule described above will be determined by the Grant Committee co-Chairs and PEF executive committee on a case-by-case basis.

SECTION III: REPORTING REQUIREMENTS

1. Every year, by October 1 and March 1 at PEF's October & March Board meetings, PUSD leadership will provide the following reports to PEF's Board:
 - a. A written report describing the outcomes from Tier I and Tier II grant funds disbursed during the prior academic year
 - b. A financial report accounting for the use of all Tier I and Tier II grant funds disbursed during the prior academic year
 - c. PEF Grants Allocation Committee will meet twice each year (Oct & Mar) to review and approve District proposal from Superintendent for Tier I and Tier II funds.
2. PUSD and PEF shall mutually agree to all financial reporting formats.
3. PUSD leadership will inform the Grants Committee co-chairs prior to any significant changes to the use of PEF funds from priorities previously articulated by PUSD. The Grants Committee co-chairs will then inform PEF's grants committee and executive committee of such changes. If the executive committee determines that such changes are of a magnitude that warrant board approval, PUSD leadership may not use PEF grant funds until such changes are approved by PEF's board.

SECTION IV: Communication and Outreach Activities

It is vital that PEF and PUSD communicate clearly, accurately and efficiently about their activities, both with each other and with the community. Following is the policy governing communications by and between PEF and PUSD regarding joint activities and programs:

PEF will:

1. Provide all PEF related content, in a timely manner and in an acceptable manner for PUSD school sites to distribute (fliers, website content, etc).

2. Provide volunteers and materials to promote PEF at PUSD community events (e.g. Back to School Night, kindergarten registration, forums, open house, etc).
3. All press releases or other formal communications with the press concerning joint PEF/PUSD programs or activities are reviewed and approved prior to release by designated representatives of both PEF and PUSD.
4. Meet with the Superintendent on a regular basis.
5. Keep PUSD representatives and Board of Trustees fully apprised of PEF activities and funding opportunities, including when requested to do so, providing written updates for inclusion in the Superintendent updates to the Board of Trustees.
6. PEF and PUSD shall each maintain at all times a link from their website home page to the other's website home page. Where possible, PUSD school websites shall also maintain links to PEF website homepage.

PUSD will:

1. Distribute mutually agreed PEF-provided materials to students and their families relating to PEF fundraising and program opportunities.
2. Promote PEF activities on PUSD website and individual school websites, including a direct link to PEF website.
3. Provide Infinite Campus messages to families that promote specific PEF opportunities on an occasional, as-needed basis, **only** as approved by the District Superintendent.
4. Aid in distributing press-releases and participate in special donor recognition events.
5. Refer individuals and support organizations that express an interest in supporting PUSD to PEF on an on-going basis.
6. Cooperate with PEF's outreach efforts to families and alumni.
7. Visibly identify PEF contributions at school sites with mutually agreed upon signage or labels.
8. The Superintendent to meet with PEF representatives on a regular basis and keep the Board and relevant committees apprised of PUSD activities.

SECTION V: Use of Data and Shared Information

PEF and PUSD share data and information on many programs and activities which in the opinion of the District promote the welfare of the students of the district (e.g., online registration, Walkthrough registration, PEF Student Directory, New Parent Events, Summer Program, Senior Events, Classroom Activities & Field trips). They have a responsibility to protect the personal information of students, parents, volunteers and donors and an obligation to use data in accordance with all applicable privacy laws. Following is the policy governing PEF's and PUSD's use of data and shared information.

Policy:

- Per Student Records/Access to and Release of Information District School Board policy, PUSD will provide to PEF the relevant information from the district database in a timely manner for use in PEF fund-raising, program and community education activities:

- Family IDs will remain unique
- PUSD will not share and PEF may not receive any data pertaining to student performance (including GPA), disciplinary actions, IEP designation or other educational information.
- PEF shall not use the PUSD parent database for any purpose other than fund-raising solicitation for PUSD, program-related communications and community education activities; (e.g.: Online registration, Walkthrough registration, PEF Student Directory, New Parent Events, Summer Program.)
- Unless a parent or adult student specifically denies permission, PEF directory information may be released to parent clubs for use with such programs and activities, which in the opinion of the District promote the welfare of the students of the district such as Senior Events, Classroom Activities & Field trips.
- PEF shall not sell or in any other manner provide any outside party with information from the PUSD parent database, except as required by mailing fulfillment companies, auditors or as otherwise required by law.
- PEF will respect the wishes of its donors who wish to remain anonymous and not disclose their information to PUSD or any other organization unless required by law or audit requirements.
- PEF shall maintain its own server and keep up-to-date policies pertaining to privacy and security of PEF data.

SECTION VI: Donor Relations and Fundraising Agreement

Funding through PEF to PUSD comes in many forms and from hundreds of donors, including parent, corporate and general community. To avoid confusion and to promote a unified message, it is important that PEF and PUSD adhere to a set of guidelines regarding donor relations and fundraising as described below.

PEF will:

1. Fundraise on behalf of PUSD and consider grants to support the district's needs in ways that are consistent with PEF's mission.
2. PEF has sole management responsibility for the contact, development and solicitation of donors to PEF.
3. Assign PEF staff or volunteers to support PUSD administrative needs on an as needed basis for the necessary communications and clarification to execute Tier I and Tier II grant making.
4. Meet with PUSD designee as needed.

PUSD Will:

1. Provide PEF with access to the Superintendent, BOE members and PUSD staff for the purposes of introduction, information, development or recognition of donors or potential donors.
2. Designate the Superintendent as the primary contact for PEF who will have authority to approve grant inclusions and ensure that all required grant reports are fulfilled.

3. Provide finalized copies of Tier I and Tier II grant inclusions to PEF.
4. Meet with PEF representatives on a quarterly basis to review grant expenditures and reporting requirements.
5. PUSD notifies PEF promptly upon learning of any solicitation, planned or actual, by another fundraising organization for donation(s) to PUSD by individuals or organizations in excess of \$25,000.
6. Agree to request any individual donor or nonprofit organization wishing to contribute to ongoing program to participate in PEF grant process with PEF as fiscal agent in order to maintain integrity of “gifts, grants, bequest” board policy and alignment with district mission and goals.
7. In the event that PUSD or PEF is approached by a non-anonymous donor willing to contribute \$25,000 or more, they will notify each other.
8. PUSD and PEF will meet quarterly to give each other an update on major donors and will share annually the names of all non-anonymous donors in excess of \$25,000.
9. Send any checks from the district office or school sites intended for the Fundraising Office, particularly corporate matching checks, to PEF.

SECTION VII: Representation

PEF and PUSD have a vested interest in participating on joint committees, boards and planning/advisory bodies.

Policy:

- As stated in the PEF By-laws, the PEF Board of Directors may elect Honorary Directors who have no voting rights, but except when the board of directors is in executive session, have the same rights as other PEF directors to attend and speak at meetings of the PEF board and meetings of the committees of the board.
- On an annual basis, the PUSD Board of Education shall designate one of its members to serve as liaison to PEF, and the PEF Board of Directors shall elect the liaison as an Honorary Director.
- Each PUSD Board liaison to PEF shall serve as an Honorary Director no more than two consecutive years.
- The PEF Board of Directors shall elect the PUSD Superintendent as an Honorary Director. The Superintendent may designate an Assistant Superintendent or Director to attend in his/her absence.
- The Honorary Directors representing PUSD on the PEF board shall execute and abide by the Confidentiality Agreement executed by the PEF Directors.
- PUSD will ensure that PEF is represented at district-wide strategic planning meetings at a level commensurate with its district-wide role and broad-based constituency.
- PEF representatives will meet with the PUSD Chief Business Officer no fewer than two times each year in coordination with grant-making planning to review PUSD's current interim and/or final budget(s).
- PEF organization does not endorse any candidate(s) for the PUSD Board of Education.

It is mutually understood and agreed by and between the parties that:

1. Modification. Modifications to this agreement shall be made by mutual consent of the parties, by the issuance of a written modification, signed and dated by authorized officials, prior to any changes being performed.
2. Monetary Commitments or Obligation. This agreement does not imply any specific monetary commitment to or from either PEF or PUSD.
3. Termination. Either party, upon thirty (30) days written notice, may terminate the agreement in whole, or in part, at any time before the date of expiration.
4. Principal Contacts The principal contacts for this instrument are: Christine Wente Von Metzsch, PEF President and Randy Booker, PUSD Superintendent
5. Conflict Resolution. Should a problem arise between PEF and PUSD regarding roles, expectations, delivery, vision and philosophy, it is expected that both parties will work diligently together collaboratively to communicate and resolve the conflict.
6. Compliance. The parties agree to be bound by applicable state and federal rules governing Equal Employment Opportunity, Non-Discrimination and Immigration.
7. Commencement/Expiration Date. This agreement is executed as of the date of last signature and is effective until cancelled.
8. Liabilities. It is understood that neither party to this MOU is the agent of the other and neither is liable for the wrongful acts or negligence of the other. Each party shall be responsible for its negligent acts or omissions and those of its officers, employees, agents or students, howsoever caused, to the extent allowed by their respective state laws.

In Witness Whereof, the parties hereto have duly executed this MOU as of the latest written date below:

Piedmont Education Foundation:

By _____ Date _____
Christine Wente Von Metzsch, President

Piedmont Unified School District:

By _____ Date _____
Randall Booker, Superintendent

Addendum Documentation Needed:

1. Board of Education Gifts and Grants Policy (Code 3290)
2. Board of Education Policy on Release of Directory Information (Code 5125.1)