Board Special Meeting

Oversight Work Sessions: Nutrition Services; Office of Internal Audit & Ethics; Office of General Counsel

Wednesday, May 10, 2017, 4:30-7:30pm Auditorium, John Stanford Center 2445 – 3rd Avenue South, Seattle WA 98134



Agenda

<u>Call to Order</u> 4:30pm

Oversight Work Session: Nutrition Services

- Department Functions
- S.W.O.T. Analysis
- Department Accomplishments
- Organizational Chart
- Department Goals & Objectives
- Key Performance Indicators (KPIs)
- Budget & Staffing
- Benchmarking
- Policies & Procedures
- Internal and External Controls
- Major Outside Service Contracts
- Information Technology Systems
- Looking Forward/Next Steps

Oversight Work Session: The Office of Internal Audit & Ethics

5:30pm*

- Department Functions
- S.W.O.T. Analysis
- Department Accomplishments
- Organizational Chart
- Department Objectives & Key Performance Indicators (KPIs)
- Budget & Staffing
- Benchmarking
- Policies & Procedures
- Internal and External Controls
- Major Outside Service Contracts
- Information Technology Systems
- Looking Forward/Next Steps

Oversight Work Session: Office of General Counsel

Department Functions

6:30pm*

- S.W.O.T. Analysis
- Department Accomplishments
- Organizational Chart
- Department Objectives & Key Performance Indicators (KPIs)
- Budget & Staffing
- Benchmarking
- Policies & Procedures
- Internal and External Controls
- Major Outside Service Contracts
- Information Technology Systems
- Looking Forward/Next Steps

Adjourn 7:30pm*

Special meetings of the Board, including work sessions and retreats, may contain discussion and/or action related to the items listed on the agenda.

^{*}Times given are estimated



Board Work Session Materials

May 10, 2017

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School Board Office 206-252-0040

The following pages are presentation materials reviewed at the May 10, 2017 Board work session.





Seattle Public Schools



Photos by Susie Fitzhugh

Board Oversight Work Session Nutrition Services

May 10, 2017

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Department Functions

Providing nutritious and appealing meals to ensure that no student is hungry and can focus on instruction

- 1. Operate the School Breakfast, Lunch & Afterschool Snack Program
- 2. Provide breakfast, lunch & afternoon snack to early learning sites (ie. Head Start and private daycare sites) on a contractual basis
- 3. Provide breakfast, lunch & afternoon snack for the City of Seattle Summer Food Service Program

Department Functions

- 4. Partner with internal and external organizations to support a variety of Nutrition Education efforts
- 5. Provide guidance to schools on compliance questions related to the Competitive Foods policy & procedure (H66.00/H66.01)
- 6. Maintain SPS's Approved Snack & Vending list
- 7. Operate JSCEE Deli
- 8. Provide catered beverage & meal services

Key Opportunities & Risks

Strengths	 Committed and experienced central office staff Successful completion of external reviews Successful pilot programs to increase participation rates Relationships with internal departments, major vendors, community health and higher ed. partners
Weaknesses	 Multiple leadership changes and central office vacancies Often unstable work force in the schools Variable ability of school staff to use technology Aging kitchen equipment & facilities
Opportunities	 Increase school meal participation Expanding menu to meet diverse student interests Staff training in food safety, preparation, presentation & technology Changing food service delivery model
Threats/Risks	 Potential changes in federal programs and state funding Lack of state's ability to ensure Community Eligibility Provision (CEP) program access Safety of food supply chain

Accomplishments

What we've accomplished in the last several years;

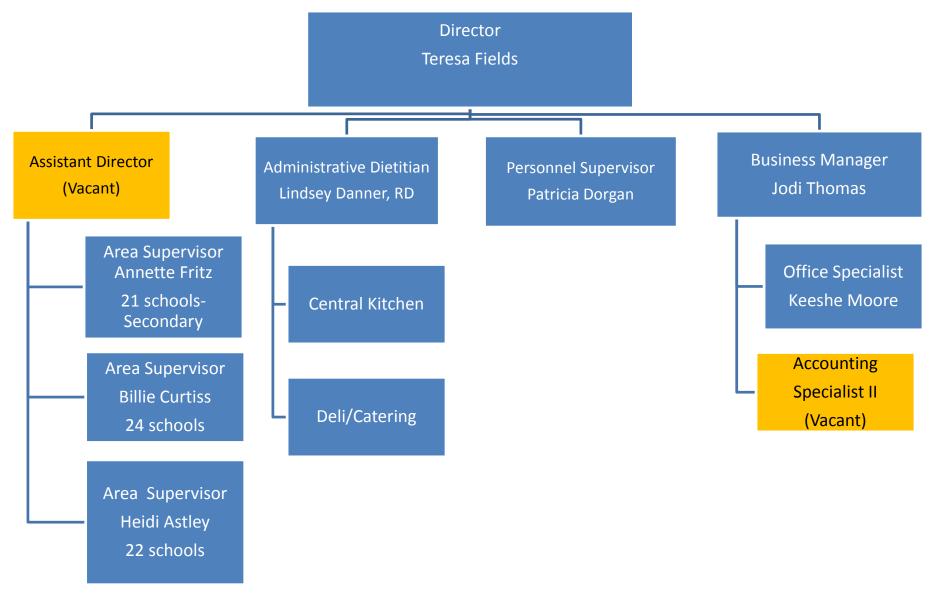
- Served over 4,131,939 meals annually
- Successful response to multiple food recalls-no student illnesses
- Expanded Breakfast After the Bell pilots
- Initiated a pilot at NOVA
- Fresh salad bars in all schools

Accomplishments

What we've accomplished in the last several years,

- Updated Wellness policy
- Implemented NutriSlice Interactive Menu
- Prismatic Review
- Successfully completed OSPI Administrative Review
- Implemented online Meal Application Service to families (formerly Free and Reduced Lunch applications)
- Nutrition Services Policy Task Force
- Successfully completed State Audit

Nutrition Services



Department Objectives & KPI's

Objective	Measure	2016 SY Target	Performance *
Increase customer service to schools	Annual Principal Survey	80%	68.8%
Improve school understanding of nutrition services processes	Annual Principal Survey	70%	72.8%
Staff Development	% of staff certified	June 2017	80%
Student/Family Satisfaction	Student and Family Survey	Baseline	% of customer satisfaction



Department Staffing/Budget

Nutrition Services	# FTE	Total Staff
Administration	11	11
Central Kitchen	21.7	25
Elem, Middle & High Schools	123.12	196
Deli/Catering	2	2
Total	157.82	234

	2015-16 Budget	2016-17 Budget
Administration	\$900,362	\$1,013,420
Food	\$5,930,141	\$5,663,294
Labor	\$6,341,850	\$6,604,799
Other – Supplies, Equipment	\$976,977	\$973,410
Total	\$14,149,330	\$14,254,923

Federal Reimbursement Rates

2016-17 SY	FREE	REDUCED	Full Pay
Breakfast (Severe Need Sites)	\$2.10	\$1.80	\$.29
Breakfast	\$1.77	\$1.47	\$.29
Lunch	\$3.22	\$2.82	\$.30
Snack	\$.86	\$.43	\$.07

Benchmarking: Council of Great City Schools

District	Total Enrollment	% of Students participating in School Breakfast Program	% of Students participating in School Lunch Program	% of Food and Labor costs to Total Revenues
Seattle	54,976	0.40%	59	1.11
Anchorage	48,370	0.72%	77	1.6
Boston	56,650	0.43%	76	1.4
Portland	47,460	0.14%	133	2.8
St. Paul	39,086	-	65	1.7
San Francisco	57,000	-	-	-
Bellevue				
Kent				
Spokane				
Tacoma				

Federal & State Legislation

- The Healthy, Hunger-Free Kids Act of 2010
 - Section 201 Performance based reimbursement rate increases for new meal patterns
 - -Provides an additional 6 cents per lunch for schools that are certified to be in compliance with final meal pattern regulation.

- The Healthy, Hunger-Free Kids Act of 2010
 - Section 205 Equity in school lunch pricing
 - -Requires schools to charge students for paid meals at a price that is on average equal to the difference between free meal reimbursement and paid meal reimbursement.
 - Section 208 Nutrition standards for all foods sold in schools
 - -Requires USDA to establish national nutrition standards for all food sold and served in schools at any time during the school day

Federal & State Legislation

- Child Nutrition & WIC Reauthorization of 2004
 - Required school districts to develop Wellness Policies
- Washington State Senate Bill 5093 (Mar., 2007)
 - Established goals for minimum standards for Competitive Foods
- Washington State Senate Bill 5436 (Mar., 2004)
 - Required school districts to develop Wellness Polices

Board Policies & Procedures

- Section H (Series 6000) Food Services
- -H61.00/H61.01
 - Establishes free Breakfast programs at schools where 80% or more of the students are eligible for Free or Reduced priced meals
- -H62.00
 - Establishes procedures for serving meals to students; confidentiality, etc.

Board Policies & Procedures

- -H63.00
 - Establishes guidelines for serving meals to students attending special educational programs
- -H66.00/H66.01
 - Establishes serving size and nutritional standards for Competitive Foods

Key Internal Controls

Internal

- District policies & procedures
- Administrative Handbook
- Collective Bargaining Agreement

External

- Federal (USDA) & State Laws, regulations, policies and procedures
- OSPI CRE/SMI Review (every 5 years)
- State Auditor
- King County Public Health Department

Major Contracts of Department

Vendor	Function	2016-17 Expenditure
Dairy Fresh	Provide fluid milk, yogurt & juice to central kitchen all 93 school locations.	\$1,000,000
Goody Man Distribution	Provide bread products to central kitchen and 21 Secondary locations.	\$250,000
Duck Delivery	Provides fresh produce to central kitchen for redistribution to school sites.	\$870,000

Note: All three contracts will go out to bid for the 2018-19 SY.

Key Information Technology Systems

System	Function	Current Activities
SAP	Core financial & HR system	Supports budget, payroll and inventory management of food & supplies (B2B).
PCS	Meal accountability system. Generates participation, revenue and reimbursement claims, edit checks and communication between the schools. Centralized system for free and reduced price meal processing.	Compiles monthly claim information for reimbursement to OSPI. Free & Reduced priced meal data base. Manages student accounts.
Paypams	Online system for families to prepay funds into their student's meal account. Allows families to track student purchases.	Online banking convenience for families that reduces the amount of cash handling at the school level.
SharePoint	Online system for schools to complete their weekly orders and production worksheets and collaborate with the Central Kitchen.	Houses menu planners, inventory worksheets, &
NutriKids	Nutrition analysis system ensuring recipes and menus meet the USDA regulations for school meals.	Database for all recipes used within SPS Nutrition Services. Location of menu development.
NutriSlice	Online interactive menu space for parents and families to view upcoming menus.	Allows families to view menus, access nutrition information of menu components such as carbohydrate counts in multiple languages, and reach quick links like F&RP meal applications, Paypams, and meal prices

Looking Forward/Next Steps

Focus Areas

- ✓ Increase meal participation, particularly in the area of breakfast by addressing student access issues
 - ✓ Breakfast in the Classroom
 - ✓ Grab & Go Breakfast
 - ✓ Provide Supper programs
- ✓ Embrace technology as a means of improving efficiency in the central office, central kitchen and lunchrooms
 - ✓ Expand use of Share Point
 - ✓ Research additional software applications that can improve accuracy & efficiency of operation
 - ✓ Update POS

Looking Forward/Next Steps

Emerging Trends

- ✓ Meal provider of choice for students & families
 - ✓ Continue to offer student's nutritionally adequate, appealing and affordable meals
 - ✓ Local Procurement
 - ✓ Expand "Smart Scratch" recipes and school based cooking.
 - ✓ Provide culturally responsive meals
 - ✓ Secondary Schools
 - ✓ Use of Kiosks
 - ✓ Food Court Service Models
 - ✓ Use of District Food Trucks





Seattle Public Schools



Photos by Susie Fitzhugh

Oversight Work Session: The Office of Internal Audit & Ethics

Agenda

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Department Functions

- Internal Audit (1)
 - Annual Risk Assessment
 - Centralized Department Audits
 - Capital Audits
 - School Audits
- Ethics (2)
 - Ethics Investigations
 - Whistleblower Retaliation Investigations
 - Advisory Opinions
 - Hotline Monitoring
 - Strategic Plan: Goal #2, Strategy #1: "Annual audit efforts through the Department of Internal Audit will produce areas of focus and commendation that SPS will utilize to improve systems and controls."
 - 2. Strategic Plan Core Belief: "We believe it is our public duty to properly steward district resources through ethical behavior, compliance to the law, transparency of processes and sound fiscal controls."



S.W.O.T. Analysis

Strengths (S)	 Department audit experience Independent reporting structure Integrity and objectivity School Board support Data analytic skills
Weaknesses (W)	 Available resources vs. audit & investigation needs Automation Complexity of WA K-12 Outside standard chain of communication Access to data
Opportunities (O)	 Alignment with Enterprise Risk Management (ERM) Data analytics software to support computer assisted audit techniques and continuous monitoring Automated workpapers Branding / Awareness of our function and services
Threats/Risks (T)	 The Unknown – What is happening that Internal Audit and Ethics does not know about? Recurring audit findings Significant requests for special investigations Ongoing turnover in leadership positions

Accomplishments

Internal Audit

- 53 audits completed in five years
- 319 total recommendations issued
- 100% acceptance rate of audit recommendations
- 92% of recommendations already implemented by management

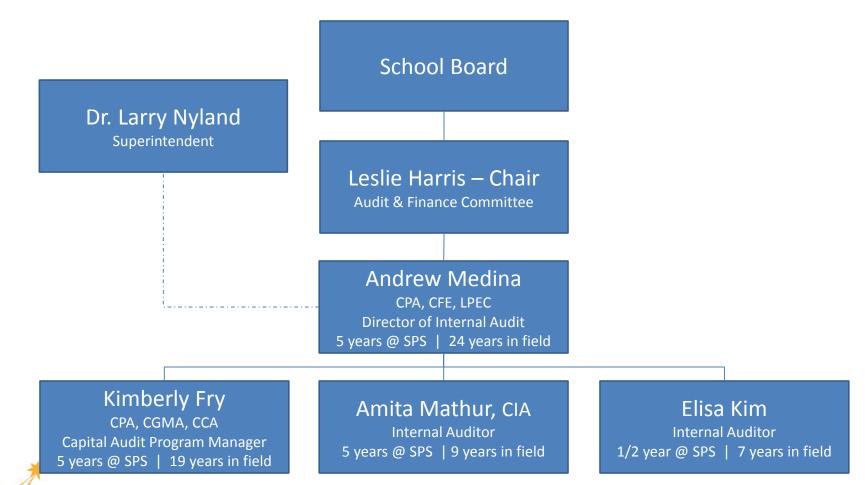
• Ethics

 Transitioned Ethics Officer role in-house from the City of Seattle



- Responded to 276 contacts in three years

Department Organizational Chart



Department Objectives & KPIs

Objective	Measure	Target	Performance	Relation to Strategic Plan
Conduct audits in high risk areas	Was the Annual Risk Assessment completed?	Yes	Yes	Goal 2, Strategy 1
Add value to the District	Percentage of audit recommendations accepted by management	100%	100%	Goal 2, Strategy 1
Add value to the District	Percentage of audit recommendations actually implemented by management	80%	92%	Goal 2, Strategy 1
Employ a competent & highly trained audit staff	Completion of continuing professional education (CPE) as prescribed by GAGAS/Yellow Book	40 hours CPE (12 hours specific to government)	Complete	Goal 2, Strategy 1

Department Budget/Staffing Overview

	# FTE	2015-16 Previous Year Budget	2016-17 Current Budget	Funds Committed as of 4/24/17	% Remaining
Internal Audit					
Staff*	3.67	\$488,963	\$506,730	\$506,730	0%
Non-Staff*		\$19,330	\$19,330	\$8,968	54%
Ethics					
Staff	.33	\$61,356	\$65,024	\$65,024	0%
Non-Staff		\$107,558	\$107,558	\$20,250	81%
Total	4.0	\$677,207	\$698,642	\$600,972	14%

SEATTLE PUBLIC SCHOOLS

^{*}Includes the Capital Audit Program Manager position, which is funded out of the Capital Projects Fund.

Benchmarking

District	Total Enrollment	% of Budget Spent on Department*	# of FTE**	Staffing Per 1000 Students	Staffing per \$100 Million General Fund	Sources of Funding
Escambia County, FL	40,110	0.107%	6	0.15	1.68	General
Detroit	45,139	0.098%	7.5	0.17	1.06	General
Anchorage	48,500	0.129%	5	0.10	0.89	General
Atlanta	51,046	0.055%	3	0.06	0.40	General
Columbus City (OH)	51,283	0.077%	6	0.12	0.71	General
San Antonio ISD	53,701	0.103%	5	0.09	1.16	General
Seattle	54,976	0.067%	3.67	0.07	0.46	General & Capital
El Paso ISD	58,942	0.156%	9	0.15	1.87	General
Washoe County NV	64,000	0.080%	4.75	0.07	0.59	General
Milwaukee	77,000	0.090%	7	0.09	0.70	General

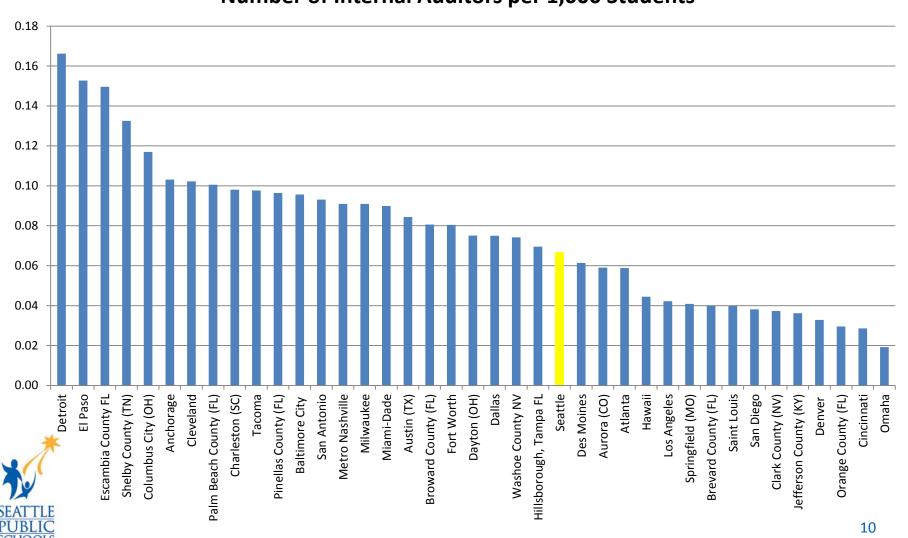
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^{*} Includes Senior Capital Auditor costs, which are paid out of the Capital Projects Fund.

^{**} Does not include 1/3 of Director position, which is dedicated to Ethics Officer duties.

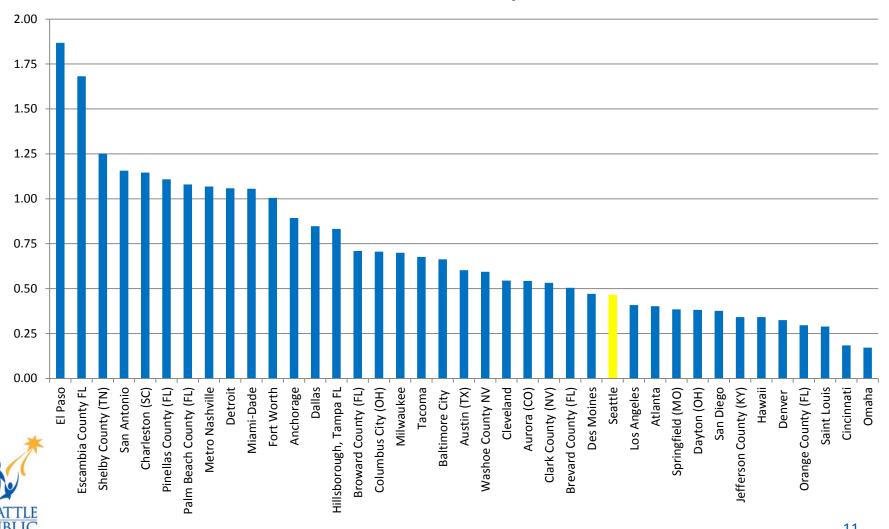
Additional Benchmarking

Number of Internal Auditors per 1,000 Students

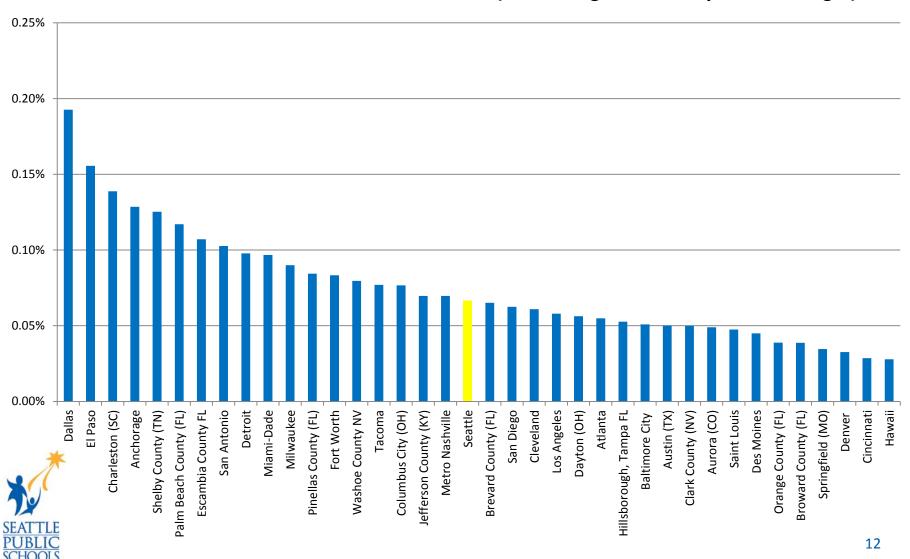


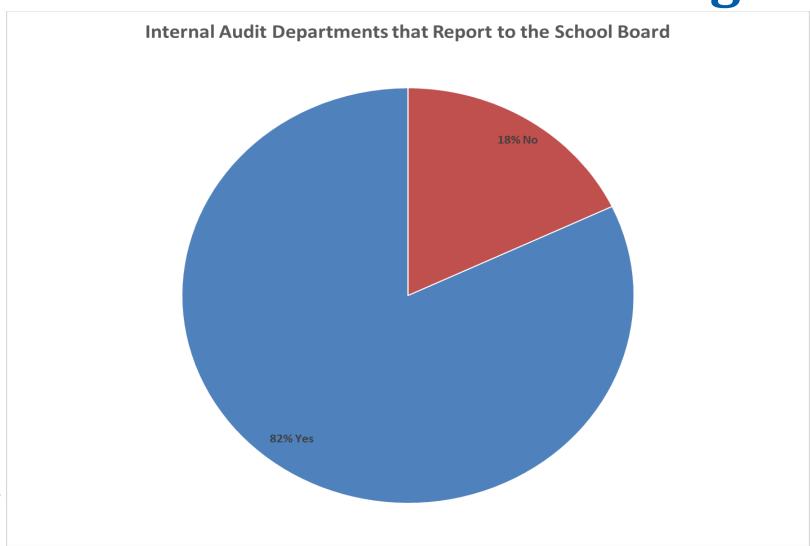
Additional Benchmarking

Number of Internal Auditors per \$100 Million

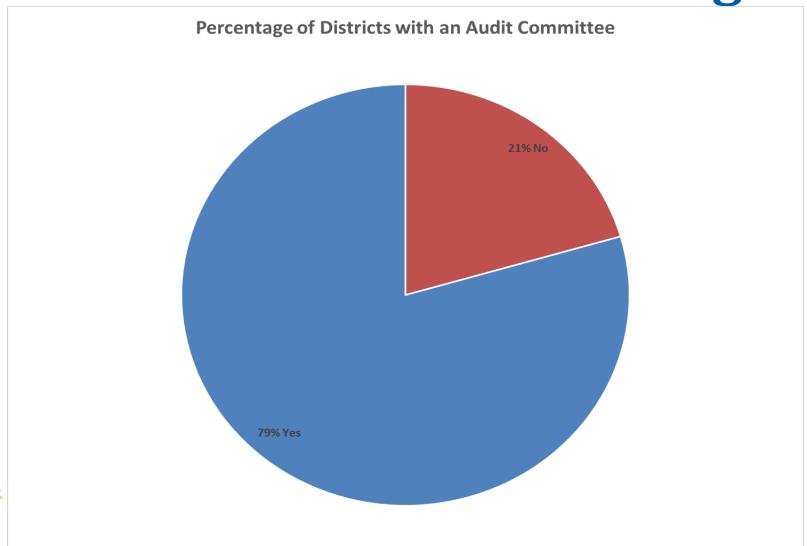


General Fund Internal Audit Investment (Audit budget divided by District Budget)



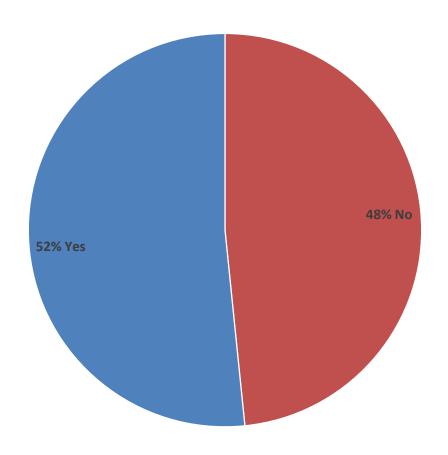




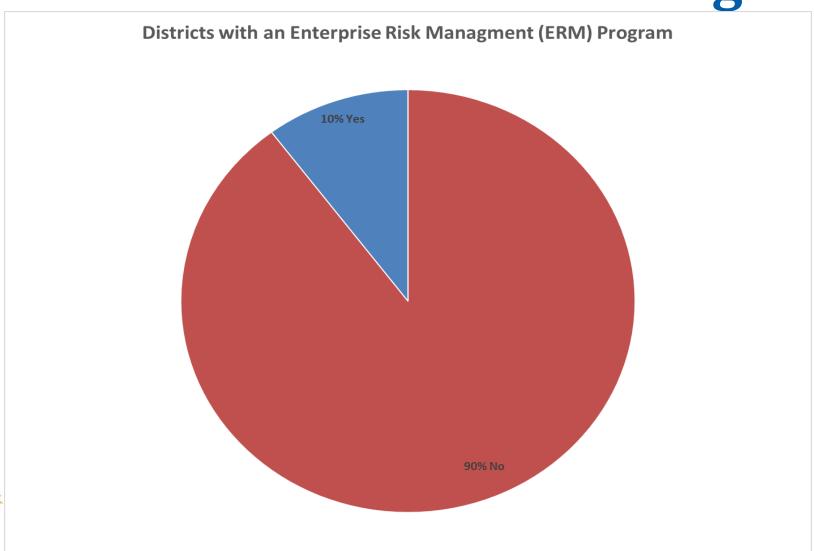




Audit Committees Containing Community Volunteers as Voting Members







Policies & Procedures that Guide Department's Work

- Board Policies
 - 6550 Internal Audit
 - 5250 Reporting Improper Governmental Action and Protecting Whistleblowers Against Retaliation
 - 5251 Ethics
- Board Procedures
 - 6550BP Internal Audit
- Superintendent Procedures
- SEATTLE PUBLIC SCHOOLS

 5250SP Reporting Improper Governmental Action and Protecting Whistleblowers Against Retaliation

Key Internal and External Controls

Internal

- Work guided by an annual risk assessment and audit plan
- Independent reporting structure to the School Board
- Monthly meeting with the Chair of the Audit and Finance Committee
- Quarterly updates to the full Audit and Finance Committee
- Annual Report to the full School Board
- Guidance from Generally Accepted Government Auditing Standards

External

- Coordination with the State Auditor's Office, including loss reporting
- Benchmarking with the Council of the Great City Schools

Major Outside Service Contracts

Major Contract	Brief Description	Contract Amount
Personal Services Contracts with Independent Investigators	Conduct independent investigations for the Ethics Officer	Varies



Key Information Technology Systems

System	Function
SAP	Time reporting and budget management



Looking Forward/Next Steps

- Board Policies and Procedures to be reviewed
 - Procedure No. 6550BP: Internal Audit
- Focus Areas
 - Annual Audit Plan is available on our department's public webpage. (District/School Board/Office of Internal Audit)



Questions?







Seattle Public Schools



Photos by Susie Fitzhugh

Oversight Work Session: Office of General Counsel May 10, 2017

Agenda

- Department Function
- Vision and Mission
- Organizational Chart
- Key Clients and Departments
- Substantive Legal Advice Areas
- Budget
 - Major Outside Services Contracts
 - Open Legal Matters

- Key Performance Indicators
- Major Department Initiatives
- Key Information Technology
 Systems
- Key Internal Controls
- S.W.O.T. Analysis
- Looking Forward/Next Steps



Department Function

The General Counsel's Office provides comprehensive legal services to the Board, Superintendent, central office departments, and schools.

In a few instances, the General Counsel's Office provides administrative support to the District. For example, the Public Records Officer functions, and responding to student records requests, reside in the General Counsel's Office.

Vision and Mission

 <u>Vision</u>: Providing tools and removing obstacles so that students and staff realize their full potential.

 Mission: The Office of General Counsel provides, manages, and coordinates all legal services for Seattle Public Schools in a solutions-focused, professional, and equitable manner. We are committed to rendering high quality and responsive client services to support Seattle Public Schools' mission.

GENERAL COUNSEL'S OFFICE

General Counsel
Noel Treat

Deputy General Counsel John Cerqui (Employment, Labor)

Sr. Assist. G.C.
Ronald Boy
(Student
(Issues/Discipline)

Sr. Assist. G.C. Andrea Schiers (SPED, Student Issues) Sr. Assist. G.C. Nazik Youssef (Employment, Labor, SPED)

Paralegal
Amy Carter
(SPED)

Public Records/Paralegal Roxy O'Connor Public Records Officer Natasha Walicki Admin. Support Lorraine Lee (Public Records) Paralegal Carole Rusimovic Office Mgr.
Robin Wyman
Student
Records



Key Clients/Departments

- School Board
- Superintendent
- Associate and Assistant Superintendents
- Executive Directors of Schools
- School Administrators
- Human Resources
- Special Education
- Technology
- Capital and Facilities
- Finance and Accounting



Substantive Legal Advice Areas

- Board Action Report Review
- Construction
- Contract Review
- District Policies and Procedures
- Drafting MOUs
- Ethics
- Governance
- Lawsuits & Tort Claim Management
- Labor and Employment
- No Trespass Restriction Letters
- Open Public Meetings Act
- Public Disclosure Commission
- Public Records Act
- RCW Title 28A

- Real Property
- Review Court Orders/Documents (e.g., parenting plans)
- Safety and Security
- Software Licenses
- Special Education
- Student Assignment
- Student Athletics
- Student Constitutional Issues
- Student Discipline Hearings
- Student Records (FERPA)
- Student Searches
- Student, Staff, and Public Accommodations



Budget Overview - 2017 - 2018

Category	Amount	Comment
General Counsel Office Costs	\$47,504	Printing, supplies, postage, registration/dues mileage reimbursement
Department Staffing (10.6 FTE)		Five lawyers, five full-time support
10.3 FTE General Fund	\$1,502,290	Staff and one .6 FTE
0.3 FTE Capital Fund	\$65,750	.1 Admin./.20 G.C. (paid out of Capital)
Judgement/Settlements	\$ 770,000	Examples: personal injury, employment, special education claims, lawsuits
Legal Contracts	\$1,416,827	Examples: lawsuits, administrative hearings, outside Investigations
Property Loss	\$17,952	Property loss under CBA provisions (SEA, PASS, 609)
Special Education Cert. and Class		
Work/Shop/Extra-Time	\$13,029	
Total	\$3,833,352	



New Matters

(Matters Opened per Fiscal Year)

Туре	2012-13	2013-14	2014-15	2015-16	2016-17	Totals
Personal Injury/Property Claims	18	8	7	9	4	46
Employment Appeals/Claims	3	3	5	2	5	18
Employment Arbitrations	2	0	0	7	3	12
Employment Lawsuits	2	3	0	3	0	8
Lawsuits/Personal Injury Lawsuits	3	3	1	2	0	9
Adult-to-Student Sexual Assault	2	1	0	0	0	3
Student-to-Student Sexual Assault	1	1	1	3	1	7
Special Education Matters			38	37	20	95
Totals	31	19	52	63	33	198



2016-17 Matters

(Total Matters Being Managed)

Туре	2016-17
Personal Injury/Property Claims	28
Employment Appeals/Claims	9
Employment Arbitrations	11
Employment Lawsuits	12
Lawsuits/Personal Injury Lawsuits	9
Adult-to-Student Sexual Assault	3
Student-to-Student Sexual Assault	4
Special Education Matters	20
Totals	96



Risk Areas

Employment Lawsuits

Adult-to-Student Sexual Assaults

Student-to-Student Sexual Assaults



Major Outside Service Contracts 2016-2017

•	Calfo Harrigan		\$50,000
•	Curran Law Firm		\$150,000
•	Freimund Jackson Tardif		\$250,000
•	K & L Gates		\$20,000
•	Karr Tuttle Campbell		\$150,000
•	Keating Bucklin & McCormack		\$100,000
•	Kenyon Disend		\$20,000
•	McCullough Hill		\$50,000
•	Pacifica Law Group		\$20,000
•	Patterson Buchanan Fobes & Leitch		\$100,000
•	Perkins Coie		\$75,000
•	Porter Foster Rorick		\$100,000
•	Preg O'Donnell Gillett		\$95,000
•	Yarmuth Wilsdon		\$280,000
•	Joyce Ziker Parkinson		\$5,371
•	Westlaw Research		<u>\$14,000</u>
		Total	\$1,479,371*



*Encumbered Amounts

- Actual Attorney Fees 14-15 (\$1,909.838) and 15-16 (\$1,548,442)
- SEPA and construction counsel paid out of separate budgets.

Key Performance Indicators

- The Council of Great City Schools does not have KPI's for Legal Departments.
- Department's role is primarily support and advisory.
- Primary performance indicator is client satisfaction and value added: Are we a trusted and sought out advisor for issues that come before District staff? Are we helping to solve and avoid problems and resolve conflict?



Plan client satisfaction survey for later this year

Major Department Initiatives

- Conflict Resolution
 - Training for all department staff
- Cost Reduction
 - ➤ Initiated and completed an RFP for Construction Litigation Services
 - Seeking fee reduction from all outside firms
 - Assessment of FTE vs. contract services
- Improve Outcome of Employment Issues
 - Sponsoring investigation training
 - Improve policies (HIB, discrimination, retaliation)
 - Process improvements for discipline decisions
 - Expanding outside legal counsel options with Risk Pool



Key Information Technology Systems

(What are the key/major information technology systems necessary for the department to function?)

System	Function
Microsoft Outlook and Word	Receiving and Communicating Advice
Westlaw	Legal Research
Rationale Governance and Barracuda	E-mail and Record Searches (PRA)
PowerSchool	Student Records (subpoenas, legal requests)
E-File	Court Filings
ECR-Online	Superior Court Records



Key Internal/External Controls

Internal

- Regular Updates to Superintendent/School Board
- Case Overview Budgets
- Claim and Case Tracking

<u>External</u>

- SAO Annual Letter
- WSRMP Claims Review
- Second Opinions/Litigation Management



S.W.O.T. Analysis

• Strengths (S)	 Dedicated, experienced, and qualified lawyers and support staff Developed areas of expertise and staff relationships over many years to issue spot and address client concerns Member of the Superintendent's Leadership Team Strong institutional knowledge
Weaknesses (W)	 Sufficient staffing Frequent need to address crises limits the Department's ability to make system-wide improvements District funds to make necessary improvements Data disclosure/production
Opportunities (O)	 Review approaches to outside counsel fee and cost reduction Increase conflict resolution
Threats/Risks (T)	 Turnover in staff Increased Public Records Act requests Increased claims



Looking Forward/Next Steps

