

# April 7, 2021 Regular School Board Meeting



## Minutes

Regular Legislative Session

Wednesday, April 7, 2021, 3:30 p.m.

## Board of Directors

*Meeting held remotely*

2445 – 3rd Avenue South

Seattle, Washington 98134

206-252-0040

[www.seattleschools.org](http://www.seattleschools.org)

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## I. Call to Order

1. Director Hampson called the meeting to order at 3:30 p.m.
2. Directors DeWolf, Dury, Hampson, Hersey, Rankin, and Rivera-Smith participated with Microsoft Teams or by phone. Director Harris joined the meeting at 3:33 p.m.

## II. Superintendent Comments

Superintendent Juneau provided comments.

## III. Student Comments

- Rainier Beach High School

Rainier Beach High School Student Lance Maligaya provided comments.

## IV. Business Action Items

### A. Consent Agenda

1. **Minutes of the March 18, 2021 Work Sessions and March 24, 2021 Regular Board Meeting (3/24/21 Minutes Updated 4/7/21)**
2. **Personnel Report**
3. **Approval of Families, Education, Preschool, and Promise (FEPP) Levy funding for Preschool Services for the 2021 – 2022 School Year** (A&F, March 15, for approval) Approval of this item would authorize the Superintendent to accept FEPP Levy grant funds from the City of Seattle Department of Education and Early Learning (DEEL) totaling up to \$9,178,459.52 for the 2021-22 school year to continue District operation of 29 Seattle Preschool Program (SPP) classrooms and open one new SPP

classroom and four new fullday SPP Head Start classrooms for a total of 34 Seattle Public Schools SPP classrooms, with any minor additions, deletions and modifications deemed necessary by the Superintendent, and to take any necessary actions and enter into service agreements to accept the grant funds **(Updated Since Introduction)**

4. **Approval of Amendment to Gersh Academy Services Contract and Academy of Precision Learning (APL) Services Contract** (A&F, March 15, for approval) Approval of this item would authorize the Superintendent to amend the original contract with Gersh Academy of \$273,200, in the amount of \$306,225 for a revised total contract amount of \$579,425, for private placement of fewer than ten students who require therapeutic day services and programming, with any minor additions, deletions, and modifications deemed necessary by the Superintendent, and to take any necessary actions to implement these contracts; and to amend the original contract of \$297,305, with, Academy for Precision Learning (APL) in the amount of \$294,462, for a revised total of \$591,767, for private placement of fewer than ten students who require therapeutic day services and programming, with any minor additions, deletions, and modifications deemed necessary by the Superintendent, and to take any necessary actions to implement these contracts.
5. **Contract for Middle School and High School yearbooks with Herff Jones** (SSC&I, March 16, for consideration) Approval of this item would approve authorize the Superintendent to execute a one-year contract extension with Herff Jones in an amount not to exceed \$400,000 and may execute two (2) optional annual extensions each in an amount not to exceed \$400,000, each for a total amount not to exceed \$1.2 million over three years, for the management and classroom support in the preparation and printing of middle school and high school yearbooks, in the form of the draft Agreement presented to the School Board, with any minor additions, deletions and modifications deemed necessary by the Superintendent, and to take any necessary actions to implement the contract.
6. **BEX V: Award Contract P1839, for Accessibility Consulting Services, to Studio Pacifica for the for the BEX V program** (Ops, March 11, for approval) Approval of this item would authorize the Superintendent to execute contract P1839 for Accessibility Consulting Services, with Studio Pacifica in the amount of \$585,632 with any minor additions, deletions, modifications, and actions deemed necessary by the Superintendent to implement the contract.
7. **BEX V: Resolution 2020/21-21 Racial Imbalance Analysis for Van Asselt School Addition project** (Ops, March 11, for approval) Approval of this item would approve Resolution 2020/21-21 certifying that the proposed Van Asselt School Addition project will not create or aggravate racial imbalance as defined by Washington Administrative Code (WAC) 392-342-025. **(Resolution Signature Lines Updated Since Introduction)**
8. **Building Excellence (BEX) V, School Construction Assistance Program (SCAP) & Distressed School Grant: Resolution No. 2020/21-20 certifying the Intent to Construct for Kimball Elementary School Replacement, Northgate Elementary School Replacement, Viewlands Elementary School Replacement, Lincoln High School – Phase 2 Gymnasium Building, Rainier Beach High School Replacement and Van Asselt Classroom and Gymnasium Addition projects** (Ops, March 11, for approval) Approval of this item would approve Resolution Number 2020/21-20 for the Kimball Elementary School Replacement, Northgate Elementary School Replacement, Viewlands Elementary School Replacement, Lincoln High School – Phase 2 Gymnasium

Building Seismic Improvements, Rainier Beach High School Replacement and the Van Asselt Classroom and Gymnasium Addition projects. (Resolution Signature Lines Updated Since Introduction)

9. **BEX V, Distressed School Grant and K-3 Class Size Reduction Grant: Approval of Budget Transfer for the West Woodland Elementary Addition and Modernization project** (Ops, March 11, for approval) Approval of this item would approve the transfer in the amount of \$1,000,000 from the BEX V Program Contingency to the West Woodland Elementary Addition and Modernization School project budget.
10. **BEX V: Approval of Construction Change Order #5 for the Van Asselt Elementary School at African American Academy (the school was renamed Rising Star Elementary School at African American Academy after the contract had been executed with Wayne's Roofing, Inc.) Roof Replacement project** (Ops, March 11, for approval) Approval of this item would authorize the Superintendent to approve Construction Change Order #5 with Wayne's Roofing, Inc., for the Van Asselt Elementary School at African American Academy Roof Replacement project, in the amount of \$543,369, plus Washington State sales tax, with any minor additions, deletions, modifications and actions deemed necessary by the Superintendent to implement the construction change order.
11. **BEX V: Approval of Parametrix Contract Modification #2 for the Rainier Beach High School Replacement project** (Ops, March 11, for approval) Approval of this item would authorize the Superintendent to execute the Parametrix contract modification #2 for Rainier Beach High School Replacement in the amount of \$500,032.50, with any minor additions, deletions, modifications, and actions deemed necessary by the Superintendent to implement the contract.
12. **BEX V: Resolution 2020/21-19: Approval of General Contractor/Construction Manager (GC/CM) Delivery Method and Award GC/CM Contract P5160 to Lydig Construction, Inc., for the Rainier Beach High School Replacement project** (Ops, March 11, for approval) Approval of this item would authorize the Superintendent to utilize the GC/CM alternative construction delivery method for the Rainier Beach High School Replacement project and award Contract P5160 to Lydig Construction, Inc. This authorizes Lydig Construction, Inc., to immediately provide preconstruction services for an amount not to exceed \$899,880, plus Washington State sales tax. Approving Resolution 2020/21-19 certifies that the district intends to comply with RCW 39.10. This approval also authorizes the Superintendent to negotiate and execute a contract amendment, with any minor additions, deletions, modifications, and actions deemed necessary for the Guaranteed Maximum Price (GMP) as defined by the RCW 39.10.370 for an amount not to exceed \$153,000,000, which includes the pre-construction services allowance, Specified General Conditions, Negotiated Support Services Allowance, the Maximum Allowable Construction Cost (MACC) including subcontractor bonds, the MACC Contingency, and the GC/CM fee, no earlier than completion of 90% construction documents unless otherwise agreed to by the parties. The GMP excludes Washington State sales tax. (Resolution Signature Lines Updated Since Introduction)
13. **BEX V: Award Construction Contract P5143, to KCDA/Musco Sports Lighting, LLC for the Athletic Field Lighting Improvements at Jane Addams Middle School project** (Ops, March 11, for approval) Approval of this item would authorize the Superintendent to execute construction contract P5143 with King County Director's

Association (KCDA) in the amount of \$504,991, including base bid, plus Washington State sales tax, with any minor additions, deletions, modifications and actions deemed necessary by the Superintendent to implement the contract.

14. **BEX IV/BEX V/Distressed School Grant: Award Construction Contract P5157, Bid No. B102027 to FORMA Construction for the North Beach Elementary School Heating, Ventilating, Exterior Door, and Seismic Improvement project** (Ops, March 11, for approval) Approval of this item would authorize the Superintendent to execute construction contract P5157 with FORMA Construction in the amount of \$ \$2,054,400, including the base bid plus alternate #1, #2,and #4, plus Washington State sales tax, with any minor additions, deletions, modifications, and actions deemed necessary by the Superintendent to implement the contract.
15. **BEX IV: Award Construction Contract P5131, Bid No. B102026, to Lincoln Construction, Inc. for the Washington Middle School Seismic Improvements project** (Ops, March 11, for approval) Approval of this item would authorize the Superintendent to execute construction contract P5131 with Lincoln Construction, Inc. in the amount of \$2,207,000, plus Washington State sales tax, with any minor additions, deletions, modifications, and actions deemed necessary by the Superintendent to implement the contract.
16. **BEX IV: Final Acceptance of Contract P5123 with CDK Construction Services, Inc., for the Catharine Blaine Seismic Improvements project** (Ops, March 11, for approval) Approval of this item would accept the work performed under Contract P5123 with CDK Construction Services, Inc., for the Catharine Blaine Seismic Improvements project as final.
17. **BTA IV/BEX V: Final Acceptance of Contract K5120 with Coast to Coast Turf for the Athletic Field Improvements at Nathan Hale High School and Jane Addams Middle School project** (Ops, March 11, for approval) Approval of this item would accept the work performed under Contract K5120 with Coast to Coast Turf for the Athletic Field Improvements at Nathan Hale High School and Jane Addams Middle project as final.

Director Rivera-Smith moved to approve the Consent Agenda. Director Rankin seconded.

This motion passed unanimously.

## **B. Items Removed from the Consent Agenda**

There were no items removed from the Consent Agenda.

## **V. Public Testimony**

Order	Name	Topic
1	Chris Jackins	1) State Grant Funding Kimball Union 2) Board Policy 6220 3) Furniture Contract 4) Rising Start Change Order 5) Rising Star Order 6) Resolution 2020/21-20 7) Recall charges for Directors

2	Laura Teeuw	SEA/SPS Memorandum of Understanding for Grades 6-12
3	Manuela Slye	Authorizing The district to pay the necessary expenses to defend school board members in judicial proceedings to determine the efficiency of recall charges.
4	Christina Pizana	Authorizing the district to pay the necessary expenses to defend school board members in judicial proceedings to determine the efficiency of recall charges.
5	Sebrena Burr	1) Approval of the Addendum to the August 2020 MOU between the SSD #1 & SEA 2) Authorizing the District to pay the necessary expenses of defending Seattle School Board Directors, Zachary DeWolf; Chandra Hampson; Leslie Harris; Brandon Hersey; Eliza Rankin and Lisa Rivera-Smith in judicial proceedings to determine the sufficiency of recall charges.
6	Ana-Claudia Magaña	school reopening
7	Carri Kaplan	healthy start of school
8	Vivian van Gelder	recall charges for Board directors.

## VI. Business Action Items (Continued)

### C. Action Items

1. **Amending Board Policy No. 6220, Procurement** (A&F, March 15, for approval)  
Approval of this item would amend Board Policy No. 6220, Procurement, as attached to the Board Action Report.
  - **Amendment 1 to the Board Action Report “Amending Board Policy No. 6220, Procurement”** (Director Hampson) Approval of this item would approve Amendment 1 to the Board Action Report titled “Amending Board Policy No. 6220, Procurement” and substitute Board Policy No. 6220 as attached to the amendment. To the extent the attached substitute policy conflicts with the information presented in the underlying Board Action Report titled “Amending Board Policy No. 6220, Procurement,” the substitute policy shall control.

Immediate action is in the best interest of the district. (Amendment 1 posted 4/7/21)

Director Rivera-Smith moved to approve Action Item 1. Director Rankin seconded.

Director Hampson moved to approve Amendment 1 to Action Item 1. Director Dury seconded.

Director Hampson presented an overview of Amendment 1. Directors discussed the amendment and underlying item. Directors spoke about contracting with women and minority owned businesses, efficiency, oversight for contracting, and reporting.

Amendment 1 passed unanimously.

Director Hampson moved to approve Action Item 1 as amended by Amendment 1. Director Dury seconded. This motion passed with a vote of 5-1 (Directors DeWolf, Dury, Rankin, Rivera-Smith, and Hampson voted yes; Director Harris voted no).

2. **Approval to rename the Southwest Athletic Complex (SWAC) to the Nino Cantu Southwest Athletic Complex** (Ops, March 11, for approval) Approval of this item would authorize the change of the name of the Southwest Athletic Complex (SWAC) to the Nino Cantu Southwest Athletic Complex.

Director Rivera-Smith moved to approve this item. Director Dury seconded.

Directors discussed community support for the action and about honoring Nino Cantu.

This motion passed unanimously.

3. **Approval of the Memorandum of Understanding (“MOU”) between Seattle Public Schools (“the District”) and the International Union of Operating Engineers Local 609 (“609”) regarding Enhanced Cleaning during the COVID-19 Pandemic.** Approval of this item would approve the MOU with 609 as attached to the Board Action Report. Immediate action is in the best interest of the District. (Introduction and Action, Materials Updated 4/7/21)

Director Rivera-Smith moved to approve this item. Director Dury seconded.

Chief Human Resources Officer Dr. Clover Codd provided an overview of the MOU. Directors and Director of Labor Relations Tom Poulos discussed the components of the MOU.

This motion passed unanimously.

4. **Approval of an Addendum to the August 2020 Memorandum of Understanding between the Seattle School District No. 1 and Seattle Education**

**Association** Approval of this item would approve the Addendum to the August 2020 MOU as attached to this Board Action Report, which will become effective upon ratification by SEA estimated to be on or before April 16, 2021. I further move that the School Board waive the provision of Policy No. 1420 that Board Action Reports and relevant supplementary information will be posted to the District's website at least three days in advance of Board meetings. This action authorizes the Superintendent to take all steps necessary to implement the District responsibilities detailed in the Addendum. Immediate action is in the best interest of the District. (Introduction and Action, Materials Added 4/7/21)

Director Rivera-Smith moved to approve this item. Director DeWolf seconded.

Chief Codd presented background on the negotiation of the addendum. Executive Director of College and Career Readiness Dr. Caleb Perkins presented an overview of the secondary instructional model and described sample schedules. Directors and staff discussed the secondary instructional model and meeting the needs of students remotely and in-person.

This motion passed unanimously.

5. **Authorizing the District to pay the necessary expenses of defending Seattle School Board Director Zachary DeWolf in judicial proceedings to determine the sufficiency of recall charges.** Approval of this item would authorize the District to pay the necessary expenses of defending Director Zachary DeWolf in judicial proceedings to determine the sufficiency of recall charges that were filed with the King County Department of Elections on March 22, 2021. Immediate action is in the best interest of the District. (Introduction and Action)
6. **Authorizing the District to pay the necessary expenses of defending Seattle School Board Director Chandra Hampson in judicial proceedings to determine the sufficiency of recall charges.** Approval of this item would authorize the District to pay the necessary expenses of defending Director Chandra Hampson in judicial proceedings to determine the sufficiency of recall charges that were filed with the King County Department of Elections on March 22, 2021. Immediate action is in the best interest of the District. (Introduction and Action)
7. **Authorizing the District to pay the necessary expenses of defending Seattle School Board Director Leslie Harris in judicial proceedings to determine the sufficiency of recall charges.** Approval of this item would authorize the District to pay the necessary expenses of defending Director Leslie Harris in judicial proceedings to determine the sufficiency of recall charges that were filed with the King County Department of Elections on March 22, 2021. Immediate action is in the best interest of the District. (Introduction and Action)
8. **Authorizing the District to pay the necessary expenses of defending Seattle School Board Director Brandon Hersey in judicial proceedings to determine the sufficiency of recall charges.** Approval of this item would authorize the District to pay the necessary expenses of defending Director Brandon Hersey in judicial proceedings to determine the sufficiency of recall charges that were filed with the King County Department of

Elections on March 22, 2021. Immediate action is in the best interest of the District. (Introduction and Action)

9. **Authorizing the District to pay the necessary expenses of defending Seattle School Board Director Eliza Rankin in judicial proceedings to determine the sufficiency of recall charges.** Approval of this item would authorize the District to pay the necessary expenses of defending Director Eliza Rankin in judicial proceedings to determine the sufficiency of recall charges that were filed with the King County Department of Elections on March 22, 2021. Immediate action is in the best interest of the District. (Introduction and Action)
10. **Authorizing the District to pay the necessary expenses of defending Seattle School Board Director Lisa Rivera-Smith in judicial proceedings to determine the sufficiency of recall charges.** Approval of this item would authorize the District to pay the necessary expenses of defending Director Lisa Rivera-Smith in judicial proceedings to determine the sufficiency of recall charges that were filed with the King County Department of Elections on March 22, 2021. Immediate action is in the best interest of the District. (Introduction and Action)

Action items 5-10 were presented and discussed together.

Director Rivera-Smith moved to approve this Action Item 5. Director Dury seconded.

Director Rivera-Smith moved to approve this Action Item 6. Director Dury seconded.

Director Rivera-Smith moved to approve this Action Item 7. Director Dury seconded.

Director Rivera-Smith moved to approve this Action Item 8. Director Dury seconded.

Director Rivera-Smith moved to approve this Action Item 9. Director Dury seconded.

Director Rankin moved to approve this Action Item 10. Director Dury seconded.

Chief Legal Counsel Greg Narver presented background on state legal requirements related to the recall process.

The motion on Action Item 5 passed with a vote of 5-0-1 (Directors Dury, Harris, Rankin, Rivera-Smith, and Hampson voted yes; Director DeWolf abstained).

The motion on Action Item 6 passed with a vote of 5-0-1 (Directors DeWolf, Dury, Harris, Rankin, and Rivera-Smith voted yes; Director Hampson abstained).

The motion on Action Item 7 passed with a vote of 5-0-1 (Directors DeWolf, Dury, Rankin, Rivera-Smith, and Hampson voted yes; Director Harris abstained).

The motion on Action Item 8 passed unanimously (Directors DeWolf, Dury, Harris, Rankin, Rivera-Smith, and Hampson voted yes).



The motion on Action Item 9 passed with a vote of 5-0-1 (Directors DeWolf, Dury, Harris, Rivera-Smith, and Hampson voted yes; Director Rankin abstained).

The motion on Action Item 10 passed with a vote of 5-0-1 (Directors DeWolf, Dury, Harris, Rankin, and Hampson voted yes; Director Rivera-Smith abstained).

## **VII. Introduction Item**

1. **Adoption of School Board Resolution No. 2020/21-24, Emergency Waiver of High School Graduation Requirements** Approval of this item would adopt School Board Resolution No. 2020/21-24, Emergency Waiver of High School Graduation Requirements, as attached to the Board Action Report.

Chief Academic Officer Dr. Keisha Scarlett presented background on the need for the waiver of some high school graduation requirements. Directors discussed the waiver and spoke about identifying additional pathways for graduation.

### **D. Board Comments**

Directors Rivera-Smith, Harris, Rankin, DeWolf and Hampson provided comments.

## **VIII. Student Outcomes Focused Governance**

AJ Crabill of the Council of Great City Schools led the Board in discussion about identifying student outcomes focused goals and guardrails to guide the district's work.

Directors and Mr. Crabill discussed the Student Outcomes Focused Governance model and worked to develop sample guardrails.

Mr. Crabill closed the conversation by outlining next steps for a continuation of the conversation on goals and guardrails.


## **IX. Adjourn**

Director Hampson adjourned the meeting at 7:16 p.m.

*This meeting was held remotely per the Governor's proclamation allowing public agencies to conduct meetings subject to the Open Public Meetings Act remotely to curtail the spread of COVID-19. Public access was provided remotely online and by teleconference.*

### **Minutes submitted by:**

*School Board Office staff*

	<p>PROCUREMENT</p>	<p>Policy No. 6220</p> <p>April 7, 2021</p> <p>Page 1 of 2</p>
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It is the policy of the Seattle School Board to obtain materials, equipment, goods, supplies, personal/professional services, construction, and software and related acquisitions consistent with all applicable laws. District staff will use sound business and financial practices that support the delivery of desired services and goods on time and within budget, while maximizing value and minimizing risk and cost to the district. The district will promote fair competition to the extent practicable, including appropriate documentation in all situations where advertised sealed bids or requests for proposals are not used.

The following contracts, changes and amendments must be approved by the Board: (1) all contracts for the procurement of goods and services including, but not limited to, materials, equipment, supplies, personal/professional services, subscriptions, licensing, and software that are unrelated to capital construction and valued at more than \$1,000,000 initial value, excluding sales tax and contingencies; (2) any changes or amendments to such contracts which result in an aggregate contract value of more than \$1,000,000, excluding sales tax and contingencies; and (3) any changes or amendments to such contracts of more than \$500,000, excluding sales tax and contingencies.

For contracts directly-related to a construction project, if the overall construction project received approval from the Board, all contracts for the procurement of goods and services related to capital construction and valued at more than \$5,000,000 initial value, excluding sales tax and contingencies, and changes or amendments of more than \$500,000, excluding sales tax and contingencies, must also be approved by the Board. Otherwise, contracts over \$1,000,000 initial value not directly-related to a previously approved construction project will follow the lower threshold for approval.

For all contracts, multiple changes and amendments which are for the same or similar services at the same time and same location, will be considered a single action with a combined monetary value for approval purposes.

This policy shall apply to all contracts, agreements, and Memoranda of Understanding (MOUs) where the district receives money, pays money, or commits time and resources, whether these are paid from operating funds, capital funds, grants, ASB funds, or other sources. This policy shall not apply to individual employment contracts or collective bargaining agreements: all new employment contracts or collective bargaining agreements or renewals of such

contracts or agreements require Board approval.

The District will take steps to assure that, when possible, it will use minority businesses, women's business enterprises, small businesses, and labor surplus firms.

Staff members who obligate the district without proper authorization may be held personally responsible for payment of such obligations.

The Board delegates to the Superintendent all other authority and responsibility for procurement within the budgets approved by the Board. The Superintendent may delegate such authority to procurement staff or other designees as the Superintendent deems appropriate. The Superintendent is authorized to develop procedures to implement this policy.

Adopted: February 2012

Revised: April 2021, September 2017 (per Policy 1310), April 2017 (per Policy 1310)

Cross Reference:

Related Superintendent Procedure: 6220SP.A; 6220SP.B; 6220SP.B Attachment 1; 6220SP.C; 6220SP.D; 6220SP.E; 6220SP.F; 6220SP.G; 6220SP.H

Previous Policies: G45.00

Legal References: RCW 28A.335.190 Advertising for bids — Competitive bid procedures — Purchases from inmate work programs — Telephone or written quotation solicitation, limitations — Emergencies; 39.04 Public Works; 39.04.280 Competitive Bidding Requirements — Exemptions; 2 CFR 200.67 – Uniform Administrative Requirements, Cost Principles & Audit Requirements for Federal Awards Micro-purchase; 2 CFR 200.88 – Simplified Acquisition Threshold; 48 CFR Subpart 2.1 – Federal Acquisition Regulation System Definitions  
Management Resources: *Policy News*, October 2005; June 2001