



Minutes

Regular Legislative Session
August 24, 2016 4:15 p.m.

Board of Directors

2445 – 3rd Avenue South
Seattle, Washington 98134
206-252-0040
www.seattleschools.org

I. Call to Order

1. This meeting was called to order at 4:16 pm
2. Directors Burke, Harris, Patu, and Pinkham were present. Director Blanford arrived at 4:22 pm. Director Geary arrived at 4:41 pm. Director Peters arrived at 5:04 pm.
3. Pledge of Allegiance

II. Student Presentations

III. Superintendents Comments

Superintendent Larry Nyland noted his and the Districts condolences to the Bland family and Garfield High School community for the passing of a highly valued educator Joseph Bland. He provided information on the steps taken in the process of getting ready for the start of school. He noted the opening of five new schools and the upcoming ribbon cutting events. He provided information on the increase in the number of classrooms to meet the new state requirements of classroom size in combination with the growing student population in the district. He noted grant requirements and legislation affecting education and start times and how the District is responding to these changes. Staff and Directors discussed the student enrollment data and how that affects staffing and disbursement of mitigation funds. He provided feedback on community partnerships and various workshops and advisory group opportunities. He discussed the work the District is involved in with regards to engaging families and provided an overview of what he took away from his participation in the Family Engagement Institute. He noted the changes to the way the District will be communicating with families this year. He also noted the engagement opportunities around reviewing and understanding the budget. He provided information on the variety of taskforces and highlighted their focus. He provided an update on current issues the District is facing in some of its schools and invited Michael Tolley to present on proposed changes to provide greater inclusion for highly capable learners.

Michael Tolley provided an overview of the proposed revision to the Superintendent Procedures (SP) for Highly Capable Services and Advanced Learning Programs to fit the needs of Thurgood

Marshall and Garfield High School student populations. He noted that these schools have chosen a different approach to re solving concerns of equity they identified in their classrooms. He introduced the Principal of Thurgood Marshall, Katie May. Katie May and members of the Thurgood Marshall community presented on the changes they are making in regards to the way they teach social studies to their students. They provided information on the blended approach to this way of teaching that focuses on inclusivity and discussed the appropriateness of using social studies as a catalyst to providing an equitable educational experience. Mr. Tolley noted the process of drafting the SP.

Dr. Nyland discussed the District and Board’s continued focus on eliminating the opportunity gap and the development of strategic goals that will assist in achieving this outcome. He provided information on how the District will move this progress forward. He noted the professional development opportunities provided to staff and gave an update on the results of the District’s participation in the My Brother’s Keeper initiative. He congratulated staff member Eric McCurdy for his appointment to president of the Washington Interscholastic Athletic Association and Garfield’s receipt of a \$100K grant from Microsoft.

IV. Student Comments – None

V. Business Action Items

Director Peters moved to approve agenda. Director Harris seconded.

Dir. Patu noted she will be abstaining from the vote for the consent agenda due to a conflict of interest on the Personnel Report.

This motion passed 6-0-1 (Directors Blanford, Burke, Geary, Harris, Peters and Pinkham voted yes; Director Patu abstained).

A. Consent Agenda

1. Minutes of the **Oversight Work Session** on June 28, the **Work Session/ Executive Session** on June 29, the **Audit & Finance/Executive Committee/ Budget Work Session** on June 30, and the **Board meeting** on July 6.
2. **Personnel Report**
3. **June Warrants**

June 2016 Warrants		
General Fund	*Payroll	\$1,125,753.61
	Vendor	\$28,932,653.96
Capital Project Fund	Vendor	\$21,549,212.53
Associated Student Body	Vendor	\$307,133.30
Expendable Trust Fund	Vendor	<u>\$330.00</u>

Grand Total

\$51,915,083.40

*Note – Payroll total reflects warrants issued to employees. It does not however, reflect cash transfer amounts in payment of employees’ Direct Deposit payroll.

4. **July Warrants**

July 2016 Warrants		
General Fund	*Payroll	\$1,210,657.57
	Vendor	\$22,887,952.76
Capital Project Fund	Vendor	\$17,860,329.00
Associated Student Body	Vendor	<u>\$139,969.21</u>
Grand Total		\$42,098,908.54

*Note – Payroll total reflects warrants issued to employees. It does not however, reflect cash transfer amounts in payment of employees’ Direct Deposit payroll.

5. **Approval to amend Policy No. 2255 and allow Nova High School and all locations of Middle College to operate using the Alternative Learning Experience (ALE) model** – (C&I, June 13, for approval) Approval of this item would amend Policy No. 2255, Alternative Learning Experience Schools or Programs and approve the addition of Nova High School and Middle College as Alternative Learning Experience (ALE) school.

6. **BTA & BEX: Resolution No. 2015/16-22 Signatures of Authorized District Personnel for State Aid Programs** – (Ops, June 16, for approval) Approval of this item would authorize Dr. Larry Nyland, Superintendent; Stephen Nielsen, Deputy Superintendent; Dr. Flip Herndon, Associate Superintendent of Facilities and Operations; and Richard Best, Director of Capital Projects and Planning, to sign funding assistance documents per WAC 392-344-120.

7. **BEX IV & BTA IV Award Contract P1459 for Construction Management Services to Shiels Oblatz Johnsen Inc. for the Daniel Bagley Elementary School classroom addition project** – (Ops, June 16, for consideration) Approval of this item would authorize the Superintendent to execute contract P1459, for Construction Management Services, with Shiels Oblatz Johnsen, Inc., in the amount of \$1,160,992.

8. **BEX IV & BTA IV: Award contract P1453 for Architectural/Engineering (AE) Services to Miller Hayashi for the Daniel Bagley Elementary School classroom addition project** – (Ops, June 16, for consideration) Approval of this item would authorize the Superintendent to execute Contract P1453, for Architectural and Engineering Services with Miller Hayashi Architects, in the amount of \$2,265,526 plus \$25,000 for reimbursable expenses.

9. **BTA IV: Approval of the Elementary School Educational Specifications for the E.C. Hughes Modernization Project** – (Ops, June 16, for approval) Approval of this item would approve the Elementary School Educational Specifications, dated September, 2015.

10. **BEX IV: Final Acceptance of Public Works Contract P5063, to Western Ventures Construction, Inc., for the Franklin High School Phase II Roof and Seismic Work project** – (Ops, June 16, for approval) Approval of this item would accept the work performed under BEX

IV Public Works Contract P5063, Western Ventures Construction, Inc., for the Franklin High School Phase II Roof and Seismic Work project as complete.

11. **BTA III & BEX IV: Resolution 2015/16-24 Accepting the Building Commissioning Report for the Horace Mann School Addition and Renovation Project** – (Ops, June 16, for approval) Approval of this item would approve Resolution 2015/16-24 accepting the Final Building Commissioning Report for the Horace Mann School Addition and Renovation Project.
12. **BTA III & BEX IV: Final Acceptance of Contract K5049, Construction Services, Inc., for the Historic Horace Mann School Addition and Renovation project** – (Ops, May 19, for approval) Approval of this item would accept the work performed under Public Works Contract K5049, with Construction Services, Inc., for the Historic Horace Mann School Addition and Renovation project as final.
13. **BEX III: Final Acceptance of Public Works Contract P5039, Pioneer Masonry Restoration Company, Inc., for the Franklin High School Phase I Façade Restoration project** – (Ops, June 16, for approval) Approval of this item would accept the work performed under BEX III Public Works contract P5039, Pioneer Masonry Restoration Construction, Inc. for the Franklin High School Phase I Façade Restoration project as complete.
14. **BTA III: Final Acceptance of Public Works contract K5057, McGilvra Elementary School, Emergency Lighting, Fire Sprinkler System, Seismic Upgrades, and Partial Re-roofing project, with Bayley Construction** – (Ops, June 16, for approval) Approval of this item would accept the work performed under BTA III Public Works Contract K5057, with Bayley Construction, a General Partnership, for McGilvra Elementary School, Emergency Lighting, Fire Sprinkler System, Seismic Upgrades, and Partial Re-roofing project as final.

B. Items Removed from the Consent Agenda

VI. Board Comments

Director Blanford noted the dates of his upcoming community meetings and provided feedback from his last meeting with the Thurgood Marshall families and noted his conversations with District principals that describe ways that staff and families are coming together to address inequities. He discussed the irony of the name of this school and the situation at hand and the continuance of the “separate is not equal” mentality. He commended the work of the staff and teachers and expressed his hope to use Thurgood Marshall as a test case and expand upon what they have built.

Director Burke welcomed back staff for the new school year and made a request to staff to see what options might be available to keep the enrollment center open more during the summer months. He provided feedback from the tour of the new schools opening up this year. He expressed his appreciation for all of the work that goes into building schools and acknowledged the pressures of meeting deadlines. He noted his excitement toward the work that Thurgood Marshall has done and is looking forward to seeing further progress in this methodology. When we don’t provide clarity in central leadership then the schools have to find innovate ways to do what is right by their students and commended Thurgood Marshall for pulling together a broad group to take a look at the best way to meet their students’ needs. He noted that the District can look at new pathways to get to where we want to be and that the commitment to achieve this is a big one that requires thinking about every student. He expressed the need to maintain high ideals for students and

identify the risk to the community and asked for staff to continue to keep the Board informed. Director Burke shared a constituent comment relating to some of the things that we do as a District in regards to cleaning up our grounds and challenged facilities to find another way to clean without using leaf blowers.

Director Geary expressed that as we go into our new school year that we as a District value each and every one of our students and wants to assure you of the message that every child is first and foremost a Seattle Public Schools student. She thanked Thurgood Marshall for their testimony and noted the need to be mindful that the District is abiding by policy but also that it is adjusting outdated policies. She noted that sometimes practice leads the way of policy and that the discussions that generate these changes may not be quick but they must be thoughtful. She thanked the District's Capital projects department and provided positive feedback from her visit to the new buildings opening this school year. She noted her upcoming meetings.

Director Peters apologized for her tardiness and noted her next community meetings.

VI. Public Testimony - 5:30 p.m.

1. Chris Jackins Bagley Elementary Contracts P1459 & P1453; Education Specifications for E.C. Hughes; Resolution 2016/17-1; Resolution 2016/17-2; Resolution 2016/17-3; Ingraham Construction Contract; & Loyal Heights
2. Mary Griffin Northwest School of Innovative Learning (Fairfax Hospital)
3. Janis White Northwest School of Innovative Learning (Fairfax Hospital)
5. Patricia Bailey Instructional Leaders
6. Devin Bruchner Blended Social Studies at Thurgood Marshal; Updates to SP 2190, Advanced Learning
7. Casey Sommers Support for Thurgood Marshall Social Studies Plan
8. Max Sommers Support for Thurgood Marshall Social Studies Plan

VII. Board Comments

Director Harris thanked the Thurgood Marshall contingent for working so hard and pushing the boundaries. She expressed her concerns with many of the policies in place and hopes to define advanced learning in a way that removes the jargon. She discussed the need to address the spectrum of student needs and provide professional development for our staff and support teachers by providing them the tools they need when given bigger classrooms. As Board members we have a very significant role in how we use policy and procedures and acknowledged that as a District we have to do a better job of defining programs so that they can be interpreted in alignment with our policies and all of these need to meet the needs of students. She questioned the procedure used to engage the community during the summer time and provided feedback from the first community engagement taskforce meeting and noted that she was looking forward to fleshing out the tools needed to embrace the concept of making bigger circles for communication. She expressed her feeling that the District hasn't always done such a great job of informing the public of things in the past. She noted that there will be more opportunity for the community to better understand the budget throughout the coming year. She noted her understanding that we still do not have a contract

with the City to maintain childcare. She noted that she was distressed by what she heard regarding the NW SOIL testimony and that there are 7-9 families that may be displaced if we do not approve this. She expressed that there has got to be a better way to educate the Board on these type of matters. She indicated her interest in hearing the ideas, however feeling the need to correct the record can set up an ugly tension and that we would like to be proactive rather than reactive. She provided information that her upcoming community meetings will be online shortly and provided feedback regarding the Capital team and the new buildings being opened.

Director Peters noted her concerns about the NW SOIL contract and expressed that she hoped staff would be able to address these concerns when they present. She provided her opinion regarding instructional leaders and noted that she finds it curious that Principals with only 3 years of educational experience are designated as these leaders. She discussed her position regarding the waiver procedure put in place for Thurgood Marshall and Garfield High School and noted that she would like the District to look at if this is the proper way to solve the problem and if this method is actually succeeding in solving the problem. She expressed that everyone is unhappy that our programs and services are not reaching all students in our district. She indicated that simply removing an advanced placement class doesn't address the issue of the disparities in placements in the first place and that the District is trying to address and meet this challenge. She voiced her concern that providing a procedure for a waiver process in this capacity would set the wrong precedent and is problematic. She expressed that she is happy to have the opportunity to explore this topic more at a future work session. She noted that the process for engaging the community on this item and that communicating something like this to families in the summer months is not effective. She stated that she would like to remind people that highly capable services are not a privilege but a means of intervention. The students that are using these services have an identified need and if we are doing things right then this wouldn't be an issue. She noted that she would like to take a look at the history and look at research and studies that produce an equally as thoughtful result. She noted that this complex conversation will continue.

Director Pinkham thanked staff for working throughout the summer and congratulated Helen Joung and wished her luck in her new position. He expressed his condolences to the Bland family and thanked Director Harris for co-sponsoring the Duwamish Resolution that is on the agenda tonight. He acknowledged the safety concern expressed regarding the homeless population at Lowell Elementary. Director Pinkham expressed that the issue with the Highly Capable programs might be an issue of how the District is measuring these students. He voiced his opinion that the District needs to say yes to more students seeking services to provide them the opportunity for growth and success. He discussed his concerns around Loyal Heights and creating a building too big for the land it sits on and noted that there needs to be more discussions about alternative options for this space. He provided information on his upcoming community meetings.

Director Patu thanked the Thurgood Marshall group for their presentation and expressed her support for the program, however she would like to see this go through a more extensive community engagement process to provide for feedback and an assessment of the potential unintended consequences. She noted the parallels between the Advanced Learning programs and the International Baccalaureate program. She voiced that she would like to see how we can bring everyone together to provide this opportunity to our students. She further welcomed all Directors into the new school year and is looking forward to doing an even better job this year.

The meeting recessed at 6:14pm and reconvened at 6:35pm.

VIII. Business Action Items (Continued) - 6:30 p.m.

Director Patu noted the action items that had been removed from the agenda by previous action of the Executive Committee on August 17, 2016.

C. Action Items

1. **2016-2017 City of Seattle Families and Education Levy Community Based Organization Contract Approval** – (A&F, May 12, for approval) Approval of this item would authorize the Superintendent to execute contracts for a combined total of approximately \$1,771,313 with City of Seattle’s Parks & Recreation Department, University Tutors for Seattle Schools, Communities in Schools, YMCA of Greater Seattle, and City Year for school year 2016-2017 for the purpose of providing Families & Education Levy (FEL) funded activities in selected elementary, K-8, middle and high schools.

Director Peters moved to approve this item and Director Harris seconded. Director Peters noted the review of this item by the Audit & Finance (A&F) Committee. Director Harris discussed the value of these partners for our schools.

This motion passed unanimously.

2. **Northwest School of Innovative Learning (Fairfax Hospital) Contract** - (A&F, August 18, for approval) Approval of this item would authorize the Superintendent to enter into a contract with Northwest School of Innovative Learning (Fairfax Hospital) to provide educational services for the 16-17 SY in the amount of \$619,992. (*This item is for introduction and action at this meeting*)

Director Peters moved to approve this item and Director Harris seconded. Director Peters noted the review of this item by the Curriculum & Instruction (C&I) and A&F Committees.

Director Peters expressed that what was heard at the last A&F Committee meeting was different from what was heard at testimony and would like to hear from staff on reconciling that information provided. Director Harris asked for Mr. Jessee to speak on the Coordinated Success Plan that the testifiers stated they never received and that they report to be critical to this decision.

Wyeth Jessee discussed the efforts to reconcile the concerns that were presented at the Board meeting in July. He acknowledged that there was some confusion between the District and Northwest School of Innovative Learning (NW SOIL) around what was termed physical management and is now termed behavioral management as well as need for clarity around what would require physical restraint and isolation. He indicated that the physical restraint procedures at NW SOIL align with our District policies and are in compliance with Revised Code of Washington (RCW) and Office of Superintendent of Public Instruction (OSPI). Mr. Jessee described the physical guidance agreement and noted that NW SOIL is a hospital environment and therefore has strict policies and procedures to follow. He addressed other concerns brought forward in testimony and noted that there are unique needs in the students’

Individual Education Plans (IEPs). He noted that there are very few options for high needs placements within the state and that the revised agreement is aligned with RCWs and OSPI to further support NW SOIL practices. Director Blanford asked how staff reconciles the past presentation to public comments. Mr. Jessee noted the two things he heard around physical guidance and prone restraints, and then spoke to how NW SOIL addresses those areas. He indicated that the prone restraint was not utilized at this agency. He stated he is encouraged by the collaboration between the District and NW SOIL and believes that the concerns have been resolved. Director Patu noted the procedure states any restraint is according to state law, and Mr. Jessee noted they do in this environment, but the particular concern is prone restraint, which they do not use as it is deemed to be unsafe. Director Patu noted the concern may be with how it is written and could be misinterpreted, and asked if there could be an easier way to describe this to eliminate confusion. Mr. Jessee noted the opening line of the letter around the methods they use, physical intervention as a last resort, and in cases of imminent threat, which is in compliance with the law, and would be in the student's IEP as well as the student's Behavior Intervention Plan. Director Burke thanked staff for the work in obtaining clarifying language and noted that information further in the documents provided call out the facilities function in compliance with state law. He acknowledged that past practices might be impacting perception. Mr. Jessee noted that they are continuing to work with community members and this organization, and the letter was provided to help give clarity to their practices, which are recognized by OSPI. Director Harris noted her concerns that community members see things so differently, and asked for General Counsel to speak to interpretation of this language. Noel Treat noted that the agreement provided is in compliance with OSPI, which also requires compliance with state law. In addition to these measures, the District has its own oversight of the contract to ensure compliance. Director Harris asked if SPS legal signed off on the last contract with new language. Mr. Treat noted the contract is in our standard form to provide protections to the District and compliance to law. Director Blanford asked about the implications of not moving this forward, and spoke to alternatives noted in the action report and if the needs of students with IEPs did not get met. Mr. Jessee noted there are limited providers for these kinds of services, and we are working to get therapeutic services in the district, with an RFQ that is out right now to work through contracting. These students have to be served according to their IEPs and IEP teams would need to talk if there was to be a change in services. He expressed concern with the delay already in this item and noted the amount of time to develop the skill set to serve these students, so that is why we need the NW SOIL contract now. Director Peters noted testimony about therapeutic services by Seneca at Old Van Asselt. Mr. Jessee discussed how that location is only set up for a small amount of students and the needs of the students that are placed at NW SOIL are more substantial. Director Peters noted that the same constituent concerns about this item are being presented tonight. Director Geary expressed her understanding of how difficult these students are to place and that these students and families have been through a lot. She indicated that she felt comfortable that changes were occurring and that they meet the letter of the law. Director Geary noted that the alternative to placing these students at NW SOIL is to place them somewhere else that can meet the needs of their IEPs. That placement might end up being further away from their community and our ability to monitor those placements are more difficult. Director Patu noted that our staff will be monitoring what is going on there and feels comfortable with their abilities to do that. Director Pinkham highlighted that the letter from NW SOIL

indicated that they were currently reviewing their policies, which means they are still doing the review process. This implies that things could change after we vote. Mr. Jessee noted that this is a smaller hospital located inside a bigger hospital and that changing policies and procedures in that facility has a process just like we do, and that process takes time. Director Pinkham asked if there were any other districts in the area that use NW SOIL in the same capacity as our District. Mr. Jessee noted that there are only a few service providers in the area, so all of the districts would utilize this option if their students required the services. Director Patu asked if staff knew of any parents who identified that they were unhappy with NW SOIL. Mr. Jessee noted currently, and stated we are trying to be as flexible as possible to meet the needs of the students.

This motion passed 6-0-1 (Directors Blanford, Burke, Geary, Harris, Patu and Pinkham voted yes; Director Peters abstained).

D. Introduction Items

1. **Resolution 2016/17-1, Memorialize Support of Federal Recognition of the Duwamish Nation** – (Exec, August 17, for approval) Approval of this item would memorialize support of federal recognition of Duwamish Nation as the original people of our area and increasing the emphasis on Native education within our schools. (font in resolution updated in highlight)

Director Patu noted the review of this item by the Executive Committee.

Director Pinkham provided information on the Resolution being proposed. He noted that this is a way to acknowledge the indigenous people whose land we are on. He expressed the continued and historical marginalization of Native people in our country and how much of a struggle it has been for the Duwamish to restore their federal recognition. Director Blanford noted that it was his understanding that more than one tribe is represented in the Greater Seattle area and expressed his apprehension that only doing this for the Duwamish could cause problems with other tribal entities who also claim this land. Director Pinkham noted that many tribes call the Greater Northwest area their home and that it is understood that the Duwamish nation's land is in Seattle. Director Blanford expressed his wish that the Resolution went a little further and would like to have a conversation about how the District can go beyond the symbolic to naming some of the buildings for the land that it is on. Director Peters noted the importance of recognizing the heritage of the land that we are on and noted that some schools are named after tribal leaders such as Chief Sealth and Native American educator Robert Eagle Staff. She further asked what the next steps would be for this Resolution. Director Pinkham noted that he is comfortable with the way the Resolution is written and would like to look into possibly expanding on ways to make a more substantive Resolution supporting this symbolic one down the road. He noted that if we can make a step toward acknowledgement and share it with the City of Seattle, this will open the topic up and hopefully will let students who are feeling marginalized and feeling overlooked know that we are acknowledging them. Director Harris suggested fleshing out the Resolution a little more and sharing this with the Bureau with Indian Affairs and those who may have a stake in this item, as well as send it to our congressional delegation.

2. **Approval of Board Policy No. 6501, Data Privacy** – (A&F, August 18, for approval) Approval of this item would adopt Board Policy No. 6501, Data Privacy.

Director Peters noted the review of this item by the A&F Committee.

Clover Codd presented an overview of the new Board Policy No. 6501, Data Privacy. She noted this policy is meant to be an umbrella policy to protect personally identifiable (PII) information for students and staff. She discussed the 2012 audit finding that found that the District had a lack of written procedures regarding employee's PII. Dr. Codd noted the collaboration between District departments to make sure the policy upheld the current laws around PII and how the changes impact our community. She noted that the greatest impact would be on the District's internal stakeholders and discussed the catalyst of training opportunities for staff. Director Burke asked if there would be a Superintendent Procedure to accompany this policy. Dr. Codd affirmed that the procedure is currently being developed.

3. **Approval of the 2016-17 Student Rights and Responsibilities** – (C&I, August 15, for approval) Approval of this item would amend the 2016-17 Student Rights and Responsibilities document.

Director Burke noted the review of this item by the C&I Committee.

Pat Sander introduced Erin Romanuk and Ms. Romanuk provided information on why this item was back in front of the Board after it had already been approved in June 2016. She noted the changes in laws that needed to be reflected within this document. She provided an overview of the changes made to the document based upon the new laws. Director Blanford asked if the changes will be in the handbook by the start of school. Ms. Romanuk noted that if it was approved, it would be provided by the time school is in session. Director Blanford asked for clarification on how the handbook is distributed to students and families. Ms. Romanuk stated that the handbook, once approved, would be available on the website and provided to schools. Director Blanford provided feedback on what he saw as an impact of the resolution passed by the Board on suspensions and asked for information on when the data will be available. Ms. Romanuk noted that she has not received the report from OSPI yet and assured the Board that as soon as the District receives the report, it will be provided to the Board.

4. **Team Read Memorandum of Understanding** – (C&I, August 15, for consideration) Approval of this item would authorize the Superintendent to enter into a five-year agreement with Team Read, and to accept the grant funds from the Team Read non-profit organization.

Director Burke noted the review of this item by the C&I Committee.

Maureen Massey, Team Read Project Coordinator, provided an overview of the item and the Team Read program and the Action Report. She noted the request for two authorizations, 1) to enter into a Memorandum of Understanding with Team Read and 2) to accept the grant funds provided for this program. She discussed what the grant pays for and provided information on the operation of this program. She noted the partnership with 11 elementary schools and 15 high schools and provided information on the benefits to all participants in the program. She introduced Jack Khuu who has been a part of the program for eight years. Mr. Khuu provided feedback on his experience as a team read member and noted how it

helped to expand his language abilities as well as to contribute back to younger students as he progressed through the program as a Team Read tutor and site specialist. He further noted the lasting effects of Team Read in his life. Ms. Massey noted the amount of children Team Read serves, the benefits to reading coaches and discussed the potential to feed into college opportunities for student participants. She provided feedback from principals and noted the academic success of the program. She noted that this program is highly diverse and discussed the 5-year strategic plan for this program. She noted that the only student data shared with coaches and the community partner are in regards to the reading level of the elementary student in the program and that no other information is shared.

Director Blanford noted that the theory of action has many elements of best practices and discussed the multiplier effect in this model. He asked for feedback on the implementation of the bell times change and \$15 an hour wage ordinance. Ms. Massey noted that the program is facing some issues around the schedule change and that they are working with the individual schools to develop strategies to address the concerns. Director Geary asked for clarification that the Data Profile will no longer be a part of this contract because the District will now be doing that in-house. Ms. Massey confirmed that was now going to be the process. Director Burke asked if this is a program model that can be replicated. Ms. Massey noted that it is a part of the strategic plan to grow the program but they want to do things wisely so that the program keeps its focus on the mission and remains sustainable. Director Pinkham asked if there is data on how students from this program are doing after they are no longer a part of the program. Ms. Massey noted that a longitudinal evaluation has not been conducted, but noted her personal stories of running into students who were a part of the program before. She noted that every year she gets high school students as reading coaches who were past elementary students in the program. She noted that they are hoping to eventually have a way of tracking the success of these students. Director Harris expressed the hope that this information can be provided to the public.

5. **Renew Refuse Disposal and Mixed Waste Recycling Collection Services Bid no. B03230** – (Ops, August 16, for approval) Approval of this item would authorize the Superintendent to execute a contract amendment with CleanScapes, Inc., in the amount of \$522,622.40.

Director Blanford noted the review of this item by the Operations Committee.

Bruce Skowrya provided background on why this item was brought back to the Board. He noted that the original bidder could not honor their bid price due to the increase in fees from the City that occurred after the item was originally bid. Mr. Skowrya noted that after careful review of the options, it was decided to take the contract extension option with the current vendor. He noted this will be the last renewal option provided for in the original contract and that this will offer the District a savings of over \$200k.

6. **BTA IV: Resolution 2016/17-3: Racial Imbalance Analysis for E.C. Hughes Elementary School Renovation Project** – (Ops, August 16, for approval) Approval of this item would approve Resolution 2016/17-3, certifying that the proposed E.C. Hughes Elementary School Renovation Project will not create or aggravate racial imbalance.

Director Patu noted the recommendation of this item by the Operations Committee.

Richard Best provided an overview of the item and noted the requirement from OSPI. He noted that Roxhill Elementary School would be relocated to the E.C. Hughes building after it is renovated. Mr. Best identified that this project would not create or aggravate the already racially imbalanced school. Director Pinkham asked for clarification on the language within the Action Report, as it seems to be using the term “program” and “school” inconsistently and/or interchangeably. He further asked if this project was in fact closing a school. Noel Treat clarified that his understanding is that the building itself is being closed but the school was being transferred to a different site, but would look deeper into the question. Director Harris discussed her familiarity with the sites in question and expressed her concern that it appears that there is no long term plan for the Roxhill building. Flip Herndon noted that there are multiple variables that are being put into place in conjunction with the boundary changes and that the private school that previously occupied E.C. Hughes had already planned on moving and that this project was not a cause of their moving locations. Dr. Herndon expressed that there was no intention at this time to sell property however the Roxhill property needs extensive work and to use it as an instructional building would require a re-build. He noted that they are planning on working with the Capacity Management Taskforce to assess the options for this site and noted that the current plan is to relocate the school and do an investment assessment of the Roxhill property. Director Patu asked what the racial demographics were at E.C. Hughes. Dr. Herndon noted that, in this situation, the boundary is not changing therefore the ratio would remain the same. Director Peters asked what the distance between the two school locations were. Dr. Herndon noted that it was about a mile. Director Peters asked if this move presented a hardship on any of the families. Dr. Herndon noted that the impact on families would not be very different than having families stay at Roxhill. Mr. Best indicated that Roxhill is at the southern edge of the district and E.C. Hughes is more centrally located. Director Pinkham asked for clarification and consistency of language on the Action Report regarding the use of “program” or “school”.

7. **BTA IV: Resolution 2016/17-4: Racial Imbalance Analysis for Magnolia Elementary School Renovation and Addition Project** – (Ops, August 16, for approval) Approval of this item would approve Resolution 2016/17-4, certifying that the proposed Magnolia Elementary School Renovation and Addition Project will not create or aggravate racial imbalance.

Director Blanford noted the review of this item by the Operations Committee.

Mr. Best provided information on the item and noted the Resolution is required by OPSI. He noted that at this location the neighborhood boundaries are not set but that the additional school will not yet create or aggravate the racial imbalance of the area in which this school will fall. He noted that this area is already racially imbalanced in an opposite way that is seen at E.C. Hughes and that the area in which this school would be in is disproportionately white. Director Burke asked for clarifications on the concerns addressed in public testimony around the question that this does actually create racial imbalance, even though the neighborhood may already imbalanced, we are in essence creating a school that feeds into that imbalance. Mr. Best noted that the guidance that has been received has been that a construction project cannot create or aggravate a racial imbalance and this school would not do that. Director Burke asked for clarification on what the lens is for this requirement, the

school itself or the neighborhood and what the consequences to building a school that is in essence going to be racially imbalanced from the start. Mr. Best noted that the consequence to building a racially imbalanced school is the loss of funding. He provided feedback from conversations with General Counsel and OSPI about the meaning of this law and both have stated that they do not believe that this would be creating or aggravating the imbalance. Dr. Nyland noted that there are the many layers to this topic as there have been reports that Seattle is more segregated as a population than they were in 1965. He supposed that the only way to impact or influence these numbers would be to expand the school attendance boundaries areas that would expand naturally segregated areas of the District. Director Blanford noted that the District is very limited in ways to address this issue and that as long as there is a neighborhood school's policy, there will always segregation. Director Peters noted that the student assignment plan has potentially unintended consequences such as re-segregation and was wondering if this conversation needs to happen at another time. Mr. Best provided some history on the BAR and noted that these issues pre-date the student assignment plan. Director Harris asked if the historical information provided addressed redlining. Dr. Herndon noted that this BAR does not address real estate issues but only the school population. Director Patu asked if a change in boundaries will actually make the imbalance shift more evenly. Dr. Herndon noted that there are serious capacity issues within the district and noted that this area is not diverse so whatever boundaries are created for this school will not necessarily affect the racial make-up of the school. He noted this is a problem for a lot of schools and is a reflection of the demographics of the city. Director Pinkham asked if this school was intended to be a neighborhood school or if there it can be an option school. Dr. Herndon noted that it is possible to have this location as an option school, however the challenge is that the three schools in the area need the direct relief and if this is an option school it may not provide the relief to these schools as it is intended to. Director Patu asked where the students were currently going to school. Mr. Best noted that a lot are in private school or are going to the schools that are available in the area.

8. **BTA IV: Award Contract P1460 for Construction Management Services to Shiels Obletz Johnsen for the Ingraham High School classroom addition project** – (Ops, August 16, for consideration) Approval of this item would authorize the Superintendent to execute contract P1460 with Shiels Obletz Johnsen, Inc., for Construction Management Services for the Ingraham High School Classroom Addition.

Director Blanford noted the review of this item by the Operations Committee.

Mr. Best explained that at time of presentation to the Operations Committee, the cost provided was a range and work has been completed to provide for a firm amount. Mr. Best provided an overview of the project and Action Report information. He noted the bid process of this project and expressed the recommendation of the selection committee to use Shiels Obletz Johnsen, as they were found to be the most qualified candidates and they are a firm we have worked with in the past with good results. Director Peters asked about the tree removal concerns that were brought up in public testimony. Mr. Best noted the project manager has looked at the site and determined that tree removal will not be an issue at this location.

9. **BTA III & BEX IV Final Acceptance of work performed under Public Works Contract P5057, with Bates Roofing LLC for the John Muir Elementary School Re-roof and Seismic Upgrades Project** – (Ops, August 16, for approval) Approval of this item would accept the work performed under BTA III and BEX IV Public Works Contract P5057 with Bates Roofing LLC for the John Muir Elementary School Re-roof and Seismic Upgrades Project as final.

Director Blanford noted the review of this item by the Operations Committee.

Mr. Best noted that the Boards approval is required for final acceptance and confirmed the work was completed. He further stated the overall project budget was about \$36k over the projected budget and that the overage would be taken from the BTA underspend.

IX. Executive Session: Labor negotiations; potential litigation - This executive session will begin at the conclusion of the regular Board meeting and last approximately 30 minutes. The legislative session will reconvene at the conclusion of the executive session to adjourn the meeting if there is no further business before the Board. No action will be taken as a result of the executive session.

At 8:35 pm, Director Patu announced that the Board was immediately recessing the regular Board meeting into executive session to discuss labor negotiations and potential litigation, for approximately 30 minutes.

The executive session was called to order at 8:39 pm.

All directors were present.

Staff present were: Superintendent Larry Nyland, General Counsel Noel Treat, Assistant Superintendent Operations Pegi McEvoy, Deputy Superintendent Stephen Nielsen, Assistant Superintendent of Business and Finance JoLynn Berge, Assistant Superintendent of Human Resources Clover Codd, and Executive Director of Labor and Employee Relations Stan Damas.

At 9:05pm, Director Patu announced that the executive session to discuss labor negotiations and potential litigation was now expected to go an additional 30 minutes, with an anticipated end time of 9:35pm. Director Patu recused herself from the remainder of the Executive Session due to a possible conflict of interest and left the meeting.

At 9:35pm, Director Peters recessed out of the executive session.

The regular Board meeting reconvened at 9:35pm and there being no further business before the Board, Director Peters adjourned the meeting.

X. The meeting was adjourned at 9:36pm.