



SCHOOL BOARD ACTION REPORT

DATE: December 4, 2017
FROM: Directors Leslie Harris, Betty Patu, Jill Geary, Zachary DeWolf, Scott Pinkham, Rick Burke, and Eden Mack

For Introduction: December 6, 2017
For Action: January 3, 2018

1. TITLE

Adopting Resolution No. 2017/18-9, opposing changes to the City of Seattle Municipal Code SMC 23.79 to allow charter schools to seek departures from building development and zoning standards

2. PURPOSE

This resolution would communicate the School Board's opposition to any changes to the City Land Use Code that would allow charter schools to seek departures from land use and zoning standards currently available to Seattle Public Schools.

3. RECOMMENDED MOTION

I move that the Board adopt Resolution No. 2017/18-9, opposing changes to the City of Seattle Municipal Code SMC 23.79 to allow charter schools to seek departures from building development standards.

4. BACKGROUND INFORMATION

a. Background

The Board of Directors has previously expressed formal opposition to charter schools in Resolution 2015/16-13 and Resolution 2012/13-5 (Attachments B and C to the proposed resolution). Washington state provides funding to public school districts based on the number of students enrolled in those districts; charter schools draw students and funding away from already underfunded public schools; and that the District's three Southeast Seattle High Schools, Franklin, Cleveland and Rainier Beach International High School will be disproportionately affected by siphoning of students and funds should they lose more funding and students.

According to City land use notices and a November 30, 2017, Seattle Times article (Attachment D); Washington Charter School Development, Inc. (known as Green Dot) is seeking to construct a new, three story charter high school in South Seattle. Under existing City development standards, Green Dot is not permitted to construct the proposed three-story building without obtaining departures from restrictions on building height and setbacks. Current Seattle Municipal Code (SMC 23.79) allows only Seattle Public Schools, not charter schools, to seek departures from development standards, preventing Green Dot from obtaining approval for the proposed building. Seattle Public

Schools has been informed that the City may consider new legislation to allow Green Dot and other charter schools to seek departures from development and zoning standards.

b. Alternatives

Do not adopt this resolution. This is not recommended as the City should be advised by the District as a primary stakeholder in the question about whether to amend these development standards; and in accordance with its November 20, 2017 Memorandum of Understanding shall partner with the District in these areas.

c. Research

School Board Resolutions 2015/16-13 and 2012/13-5
Seattle Municipal Code 23.79

5. FISCAL IMPACT/REVENUE SOURCE

There is no fiscal impact to this motion.

Expenditure: One-time Annual Multi-Year N/A

Revenue: One-time Annual Multi-Year N/A

6. COMMUNITY ENGAGEMENT

With guidance from the District's Community Engagement tool, this action was determined to merit the following tier of community engagement:

Not applicable

Tier 1: Inform

Tier 2: Consult/Involve

Tier 3: Collaborate

If the Board approves the resolution, the Board's action will be shared via a media announcement. Moreover, there is almost one month between Introduction and Action (currently scheduled for January 3, 2018), to hear back from our community and partners.

7. EQUITY ANALYSIS

The three high schools in southeast Seattle, Franklin, Rainier Beach, and Cleveland, serve a very diverse student population. A charter school that draws students away from these schools would affect funding and programming for these schools and the district as a whole.

8. STUDENT BENEFIT

Students at the three high schools noted above will benefit from robust enrollment, funding, and programming.

9. WHY BOARD ACTION IS NECESSARY

- Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)
- Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)
- Adopting, amending, or repealing a Board policy
- Formally accepting the completion of a public works project and closing out the contract
- Legal requirement for the School Board to take action on this matter
- Board Policy No. _____, [TITLE], provides the Board shall approve this item
- Other: _____

10. POLICY IMPLICATION

Policy No. 6010, School Funding Model, describes how funding is allocated to schools. Policy No. 6100, Revenues from Local, State and Federal Sources, describes that it is the policy of the Board to pursue funding from federal, state and other sources.

11. BOARD COMMITTEE RECOMMENDATION

This motion was not discussed at a committee.

12. TIMELINE FOR IMPLEMENTATION

Upon approval of this motion, copies of this resolution shall promptly be presented to the Mayor and Seattle City Council, Green Dot, and the State Charter Commission, and a press release sent by Seattle Schools Communications Department to its press list.

13. ATTACHMENTS

- Resolution No. 2017/18-9 (for approval)
- Attachment A: Seattle Municipal Code 23.79
- Attachment B: Resolution 2015/16-13
- Attachment C: Resolution 2012/13-5
- Attachment D: Seattle Times article
- Attachment E: November 20, 2017 Memorandum of Understanding

**Seattle School District No. 1
Board Resolution**



Resolution No. 2017/18-9

A RESOLUTION of the Board of Directors of Seattle School District No. 1, King County, Seattle, Washington opposing any changes to City of Seattle Municipal Code SMC 23.79, (Attachment A) to allow charter schools to seek departures from building development standards.

WHEREAS, according to City land use notices and a November 30, 2017, Seattle Times article (Attachment D); Washington Charter School Development, Inc. (known as Green Dot) is seeking to construct a new, three story charter high school in southeast Seattle; and

WHEREAS, a charter school in Southeast Seattle would draw students away from Seattle Public Schools including Rainier Beach, Franklin, and Cleveland High Schools, all of which have the mandate, ability, and capacity to provide a college and career ready education to *all of Seattle's students* and each of which is showing steady progress in opportunity and outcomes; and

WHEREAS, Cleveland High School provides a Choice Option School for STEM for Seattle Public Schools families and had the highest graduation rate of major high schools in the District in the 2016-17 school year at 92%; Rainier Beach High School also has one of Seattle School District's highest graduation rates at 89%, the school offers an International Baccalaureate (IB) diploma and all students at Rainier Beach take at least one IB class; and Franklin High School serves a population of 67% students living in poverty and 63% of students who are or were English Language Learners and has raised their graduation rate by 7 percentage points since 2013; and

WHEREAS, Washington state provides funding to public school districts based on the number of students enrolled in those districts and in turn districts use those funds to provide teachers, instructional assistants, counselors, librarians, nurses, family support workers, and other staff necessary to prepare students for college and career; and

WHEREAS, charter schools draw students and thus funding away from already underfunded public schools; and

WHEREAS, the Board of Directors has previously expressed formal opposition to charter schools in Resolution 2015/16-13 and Resolution 2012/13-5 (Attachments B and C); and

WHEREAS, due to existing City development and zoning standards, Green Dot is not permitted to construct the proposed three story building without obtaining departures from restrictions on building height and setbacks; and

WHEREAS, current Seattle Municipal Code (SMC 23.79) allows only Seattle Public Schools, not charter schools, to seek a departure from development standards, preventing Green Dot from obtaining approval for the proposed building; and

WHEREAS, allowing charter schools to build larger schools will negatively impact funding and student enrollment in Seattle Public Schools and will be highly detrimental to the Southeast High Schools’ ability serve Seattle students; and

WHEREAS, the City of Seattle and the Seattle School District No. 1 signed a Memorandum of Understanding (MOU) on November 20, 2017 (Attachment E) that assured collaboration between the City and the School District in these areas:

| Seattle Public Schools' Interests | Category | City of Seattle's Interests |
|---|-----------------|--|
| Address school planning capacity needs. | School Capacity | Address school planning capacity needs. |
| City assists SPS to acquire other properties for potential siting of future schools. | | City assists SPS to acquire other properties for potential siting of future schools. |
| Equitable, inclusive planning process. | | Equitable, inclusive planning process. |
| School facility designs that make everyone feel welcome and included, and foster a healthy environment. | Equity | Seattle Center designs that make everyone feel welcome and included. |
| Equity in how school resources are allocated | | Equity in how school resources are allocated. |

NOW THEREFORE, BE IT

RESOLVED, that the Seattle School Board of Directors opposes any changes to the Seattle Municipal Code that would allow charter schools to seek departures from development standards or otherwise obtain more favorable treatment under development regulations; and therefore be it further

RESOLVED, that Seattle Public Schools respectfully requests that the Mayor and City Council not consider or approve any legislation that would allow charter schools to seek departures from development standards or otherwise obtain more favorable treatment under current development and zoning regulations; and therefore be it further

RESOLVED, that certified copies of this resolution shall promptly be presented to the Mayor, the Seattle City Council, Green Dot, and the State Charter Commission; and a press release sent by Seattle Schools Communications Department to its press list.

ADOPTED December ____, 2017

Director Rick Burke

Director Jill Geary

Director Eden Mack

Director Scott Pinkham

Director Zachary DeWolf

Director Leslie Harris

Director Betty Patu

ATTEST: _____
Dr. Larry Nyland, Superintendent
Secretary, Board of Directors
Seattle School District No. 1
King County, WA

Chapter 23.79 - ESTABLISHMENT OF DEVELOPMENT STANDARD DEPARTURE FOR PUBLIC SCHOOLS

Sections:

23.79.002 - Initiation of development standard departure procedure.

- A. The Seattle School District may apply for development standard departure for public school structures. Applications shall be made to the Director.
- B. When demolition of residential structures is proposed, and the public school site includes land acquired for public school use after the effective date of the amendatory ordinance codified in this chapter, [29](#) the Director shall initiate the process for development standard departures and the School District shall be bound by the development standard departures which are required in order to reduce demolition of residential structures.

(Ord. 112539 § 10(part), 1985.)

Footnotes:

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Editor's note— Ordinance 112539, codified in this chapter, was adopted on November 12, 1985.

23.79.004 - Application for development standard departure.

On receipt of an application for development standard departure or upon initiation of the process by the Director, the Director shall forward an application to the Director of the Department of Neighborhoods (DON) who shall convene a Development Standard Advisory Committee, hereinafter called the advisory committee, to secure the comments of the public and make recommendations for modifications of development standards. The advisory committee shall operate pursuant to rules promulgated by the Director of DON. To the extent that members of the following groups are available, the advisory committee shall consist of:

- A. A representative of the City selected by the Director of DON, to act as nonvoting chairperson;
- B. A representative of the Seattle School District;
- C. A person residing within six hundred (600) feet of the site of the school and any adjoining publicly owned property, selected by the Director of DON in cooperation with the community organizations(s) representing the area;
- D. A person owning property or a business within six hundred (600) feet of the site of the school and any adjoining publicly owned property, selected by the Director of DON in cooperation with the community organization(s) representing the area;
- E. Two (2) representatives of the neighborhood, selected by the Director of DON in cooperation with the community organization(s) representing the area;
- F. A representative at large selected by the Director of DON to represent city-wide education issues;
- G. A nonvoting representative of the Department;
- H. Two (2) representatives of the parents of the school to be replaced, expanded or remodeled, selected by the Director of DON in cooperation with the school's PTSA or other school parent organization; and
- I. A person, to be selected by the Director, who resides in a housing unit which will be demolished and who will be adversely affected by the demolition, when demolition of housing is necessitated by the District's proposal.

(Ord. 121429 § 6, 2004; Ord. 115906 § 6, 1991; Ord. 112799 § 1, 1986; Ord. 112539 § 10(part), 1985)

23.79.006 - Notice provided for development standard departure

- A. If notice is required pursuant to this Chapter 23.79, except mailed notice as defined in Section 23.84A.025, it may be provided by electronic means if the recipient provides an e-mail address to the Department of Neighborhoods (DON). Notice to City agencies may be provided through the City's interoffice mail or by electronic means.
- B. Notification of the application and formation of a Development Standard Advisory Committee and the first meeting of the advisory committee shall be provided by the DON Director in the following manner:
 1. Mailed notice;
 2. Inclusion in the Land Use Information Bulletin;
 3. Posting one land use sign visible to the public at each street frontage abutting the site except, when there is no street frontage or the site abuts an unimproved street, the DON Director shall either post more than one sign or select an alternative posting location so that notice is clearly visible to the public;
 4. Through the regular processes of a parents' organization, if one exists; and
 5. Provision of notice to community organizations known to the DON Director as representing the local area, and to other organizations that have made a written request for notice and provided an address for notice.

(Ord. 123913, § 41, 2012; Ord. 118672 § 32, 1997; Ord. 112539 § 10(part), 1985)

23.79.008 - Advisory committee responsibilities.

The advisory committee shall perform the following functions:

- A. It shall conduct one or more public meetings within a ninety (90) day period from formation of the advisory committee.
- B. It shall gather and evaluate public comment.
- C. It shall recommend the maximum departure which may be allowed for each development standard from which a departure has been requested. Minority reports shall be permitted. The advisory committee may not recommend that a standard be made more restrictive unless the restriction is necessary as a condition to mitigate the impacts of granting a development standard departure.
 1. Departures shall be evaluated for consistency with the general objectives and intent of the City's Land Use Code, including the rezone evaluation criteria in Chapter 23.34 of the Seattle Municipal Code, to ensure that the proposed facility is compatible with the character and use of its surroundings. In reaching recommendations, the advisory committee shall consider and balance the interrelationships among the following factors:
 - a. Relationship to Surrounding Areas. The advisory committee shall evaluate the acceptable or necessary level of departure according to:
 - (1) Appropriateness in relation to the character and scale of the surrounding area;
 - (2) Presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) which provide a transition in scale;
 - (3) Location and design of structures to reduce the appearance of bulk;

- (4) Impacts on traffic, noise, circulation and parking in the area; and
 - (5) Impacts on housing and open space. More flexibility in the development standards may be allowed if the impacts on the surrounding community are anticipated to be negligible or are reduced by mitigation; whereas, a minimal amount or no departure from development standards may be allowed if the anticipated impacts are significant and cannot be satisfactorily mitigated.
- b. Need for Departure. The physical requirements of the specific proposal and the project's relationship to educational needs shall be balanced with the level of impacts on the surrounding area. Greater departure may be allowed for special facilities, such as a gymnasium, which are unique and/or an integral and necessary part of the educational process; whereas, a lesser or no departure may be granted for a facility which can be accommodated within the established development standards.
2. When the departure process is required because of proposed demolition of housing, the desirability of minimizing the effects of demolition must be weighed against the educational objectives to be served in addition to the evaluation required in subsection C1.
 3. Following the evaluation set out in subsections C1 or C2, departures may be recommended as set forth in the regulations for the applicable zone and in Chapter 23.54. Recommendations must include consideration of the interrelationship among height, setback and landscaping standards when departures from height or setback are proposed.
- D. The advisory committee shall recommend departure limits to the Director no later than ninety (90) days after its first meeting. Such recommendation shall be made after a majority or plurality vote. If only one (1) meeting is held, departure limits shall be recommended no later than thirty (30) days after the meeting. A ten (10) day extension may be granted by the Director if requested, in writing, by a majority of the advisory committee.

(Ord. 121429 § 7, 2004; Ord. 120691 § 31, 2001; Ord. 112799 § 2, 1986; Ord. 112539 § 10(part), 1985)

23.79.010 - Duties of Director

- A. The Director shall determine the amount of departure from established development standards that may be allowed or required, as well as mitigating measures that may be required. The Director's decision shall be based on an evaluation of the factors set forth in subsection 23.79.008.C, the majority recommendations and minority reports of the advisory committee, comment at the public hearings and other comments from the public. If the Director modifies the recommendations of the advisory committee, the reasons for the modification shall be put forth in writing.
- B. Notice of decision
 1. The Director shall provide notice of the decision within seven days of the date the decision is made in the following manner:
 - a. Publication in the City official newspaper;
 - b. Inclusion in the Land Use Information Bulletin; and
 - c. Notice provided to the applicant, all members of the advisory committee, and persons who have requested notice in writing and provided an address for notice.
 2. The notice of the decision shall state the address of the school and briefly state the decision made by the Director. The notice shall also state that the departure from development standards is subject to appeal and shall describe the appropriate appeal procedure.

(Ord. [124378](#), § 86, 2013; Ord. 123913, § 42, 2012; Ord. 121477 § 58, 2004; Ord. 121276 § 37, 2003; Ord. 112539 § 10(part), 1985)

23.79.012 - Appeal of development standard departure

- A. Any person substantially affected by or interested in the development standard departure may appeal the decision to the Hearing Examiner within a period extending to 5 p.m. of the 14th calendar day following the date of publication of the decision. When the last day of the appeal period so computed is a Saturday, Sunday, or federal or City holiday, the appeal period shall run until 5 p.m. the next day that is not a Saturday, Sunday, or federal or City holiday. The appeal shall be in writing and shall state specifically why the appellant finds the departure inappropriate or incorrect.
- B. Appeals of development standard departure shall be accompanied by payment of a filing fee as established in Section 3.02 .125.
- C. The Hearing Examiner shall consider the appeal in accordance with the procedure established for hearing contested cases Chapter 3.02. Notice shall be given not less than 20 days prior to hearing.
- D. Appeals shall be considered de novo. The decision on the evidence before the Hearing Examiner shall be made upon the same basis as was required of the Director. The decision of the Director shall be given substantial weight, and the burden of establishing the contrary shall be upon the appellant. The Hearing Examiner shall summarily dismiss an appeal without hearing which is determined to be without merit on its face, frivolous, or brought merely to secure a delay.
- E. The Hearing Examiner shall issue a decision within 14 days after closing the record and provide notice of the decision on the same date to the parties of record and all those who have made a written request for notice and provided an address for notice.
- F. The decision of the Hearing Examiner may affirm, reverse, or modify the Director's decision either in whole or in part. The Hearing Examiner may also remand the decision to the Director for further consideration.
- G. The decision of the Hearing Examiner shall be final, and the applicant, appellant and Director shall be bound by it.

(Ord. 123913, § 43, 2012; Ord. 117263 § 59, 1994; Ord. 112539 § 10(part), 1985.)

**Seattle School District No. 1
Board Resolution**

Resolution No. 2015/16-13



A RESOLUTION of the Board of Directors of Seattle School District No. 1, King County, Seattle, Washington opposing charter schools and charter school legislation.

WHEREAS, in conjunction with the Board of Directors' previously stated opposition to Initiative 1240 (I-1240), the Board of Directors supports the Washington State Supreme Court's decision, *League of Women Voters of Washington v. State*, 184 Wn.2d 393 (2015), which found that provisions of I-1240 that treat charter schools as common schools are unconstitutional and void;

WHEREAS, it is our role as elected members of the Board of Directors to support and maintain access to free and equal education for all students within our boundaries and to serve as local representatives of the public;

WHEREAS, the Washington State Supreme Court ruled in 2012, in its *McCleary v. State* 173 Wash.2d 477 decision, that the State is not adequately funding basic education, and our Legislature is currently several million dollars in arrears in contempt penalties;

WHEREAS, the Washington State Supreme Court ruled in 2015 that I-1240 impermissibly allowed for the establishment of individual schools funded by taxpayer dollars in a means not accountable to the public within the broader school boundaries in which they reside;

WHEREAS, as a publicly elected Board of Directors, we support the right of all Seattle citizens to retain locally-elected representatives who are accountable to the public; today, and for generations to come;

WHEREAS, the Seattle School Board of Directors asserts that funding charter schools draws local and state funding away from an already financially stressed system, causing greater hardship for the majority of schools and students within our boundaries;

WHEREAS, the Seattle School District does embrace innovation and educational options, as embodied by our Creative Approach Schools language in the Collective Bargaining Agreement between the Seattle School District and the Seattle Education Association;

WHEREAS, the Seattle School District already offers Alternative Learning Experience and option schools with a variety of educational opportunities, including social justice, environmental science, International Baccalaureate, and advanced learning;

WHEREAS, the Seattle School District also offers a variety of instructional approaches including Science, Technology, Engineering and Mathematics (STEM); Career and Technical Education (CTE); and Language Immersion;

WHEREAS, the Seattle School District promotes equitable outcomes for all students and embraces the need to address the whole child as recognized in its commitment to implement and direct resources toward social emotional learning curriculum, a continuum of educational placements, the African American Male initiative, and Native Education; and

WHEREAS, the Seattle School District remains ready, willing, and able to welcome and service the needs every student, including all former charter school students in our district;


NOW THEREFORE, BE IT

RESOLVED, that the Seattle School Board of Directors (1) requests that the Legislature focus on its paramount duty to amply fund K-12 educational needs first as mandated by the *McCleary* decision; (2) opposes charter schools and charter school legislation; and (3) disapproves of the establishment of Alternative Learning Experience (ALE) status for former charter schools when operated by non-resident school districts.

ADOPTED this 2nd day of March, 2016



Betty Patu, President



Sue Peters, Vice-President

Stephan Blanford, Member



Richard Burke, Member

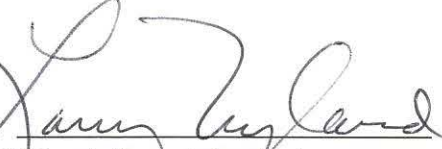


Jill Geary, Member



Leslie Harris, Member

Scott Pinkham, Member

ATTEST: 

Dr. Larry Nyland, Superintendent
Secretary, Board of Directors
Seattle School District No. 1
King County, WA

**Seattle School District #1
Board Resolution**

Resolution No. 2012/13-5



A RESOLUTION of the Board of Directors of Seattle School District No. 1, King County, Seattle, Washington in opposition of Initiative 1240, which relates to the allowance of public charter schools in the state of Washington.

WHEREAS, it is our role as elected members of the Board of Directors of Seattle School District #1 to support and maintain access to free and equal education for all students within our boundaries and serve as local representatives of the public; and

WHEREAS, the Washington State Supreme Court ruled in 2012 that the state is not adequately funding basic education; and

WHEREAS, I-1240 allows for the establishment of individual schools funded by taxpayer dollars in a means not accountable to the public within the broader school boundaries in which they reside; and

WHEREAS, as a publicly elected Board of Directors, we support the right of all Seattle citizens to retain locally-elected representatives accountable to the public, today and for generations to come; and

WHEREAS, the Seattle School District does embrace innovation and educational options, as embodied by our Creative Approach Schools Memorandum of Understanding between the Seattle School District and the Seattle Education Association; and

WHEREAS, the Seattle School District already offers Alternative Learning Experience schools and Option schools within each middle school service area, with multiple emphasis including social justice, environmental science, outdoor learning, International Baccalaureate and advanced learning; and

WHEREAS, the Seattle School District also offers a variety of instructional approaches including Science, Technology, Engineering and Mathematics (STEM); Montessori and Language Immersion; and

WHEREAS, the Seattle School Board of Directors believes that the passage of I-1240 could remove or diminish local control of public schools and draw funding away from an already financially stressed system, causing greater hardship for the majority of schools and students within our boundaries; and

NOW THEREFORE, BE IT

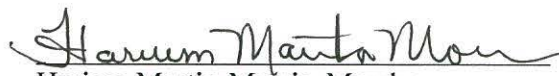
RESOLVED, for these reasons, the Seattle School Board of Directors opposes the passage of Initiative 1240.

ADOPTED this 17th day of October, 2012



Michael DeBell, President



Kay Smith-Blum, Vice-President



Sherry Carr, Member


Harium Martin-Morris, Member


Martha McLaren, Member


Betty Patu, Member


Sharon Peaslee, Member

ATTEST: 
José Banda, Superintendent
Secretary, Board of Directors
Seattle School District No. 1
King County, WA

Local News

New charter high school planned for South Seattle

Originally published November 30, 2017 at 5:00 am Updated November 30, 2017 at 3:47 pm

Despite strong headwinds, charter-school supporters continue to increase their foothold in Washington. If the California-based Green Dot group gets its way, a three-story charter high school will open in Seattle next fall.

Share story

By

Claudia Rowe

Seattle Times staff reporter

Though not entirely free of legal hurdles, charter schools continue to open in Western Washington under a much-debated state law that now allows up to 40 such schools by 2021. Next up: a college-track program for ninth- through 12th-graders in Rainier Valley — less than two miles from Seattle Public Schools' Rainier Beach campus.

The California-based Green Dot organization is seeking city approval to build its Rainier Valley Leadership Academy at 3900 S. Holly Park Drive. If completed as planned, the school would be a 58,000-square-foot, three-story edifice offering 600 teenagers “an inclusive, A.P.-for-all setting,” said Bree Dusseault, Green Dot's leader in Washington, referring to the high-rigor, Advanced Placement courses typically taken by students headed for college.

Charters are publicly funded but privately run, and exempt from many of the rules governing traditional public schools. Supporters see them as a path to innovation while critics say they haven't proven superior to traditional public schools — and drain resources from them.

The Leadership Academy would extend a Green Dot program already educating 100 middle-schoolers in portable classrooms on the future high school site. Next fall, those students will move to their own permanent building in Hillman City.

Dusseault, a former math teacher and supervisor with Seattle Public Schools, said she had heard “overwhelming amounts of desire” among South End families for

more options, particularly aimed at students who may be working below grade level but want to attend college.

The new Green Dot high school would be the ninth charter to open in Washington. Two schools, one in Tukwila and another in Walla Walla, plan expansions in 2018. Because charters are relatively new to Washington — and still face legal challenges— Green Dot’s track record here stretches back only to 2015, when it opened Destiny Middle School in Tacoma. The nonprofit also operates a school in Kent run jointly with the Excel charter network.

All three Green Dot schools have larger-than-average numbers of special education students, compared with their home districts, Dusseault said, and all three are working with kids whose skills are many grade levels below where they should be. “Last year, we had 13 sixth-graders come in who were not even reading at kindergarten levels,” she said. “We definitely serve an academically impacted population, and we’ve seen them grow quite a bit already.”

The new high school is expected to house a health clinic, Horn of Africa community center, and affordable-housing support.

“We spent a lot of last year learning what families were looking for and essentially using their guidance to help direct what our school would be,” Dusseault said.

Those wishes pushed Green Dot to include family-gathering spaces, incorporate an interdisciplinary approach to teaching, and position the school as part of a community effort to safeguard ethnic, cultural and economic diversity in Rainier Valley, Dusseault said.

Construction on the new building is expected to start in fall 2018, but ninth-graders will simultaneously begin classes in portables.

Claudia Rowe: 206-464-2531 or crowe@seattletimes.com; on Twitter
Contact form



Seattle Public Schools and City of Seattle Public Process Partnership Agreement: School District Facilities, Fort Lawton, Memorial Stadium, and Seattle Center 11/20/17

I. Preamble

Seattle Public Schools (SPS) and the City of Seattle (the City) agree to a collaborative partnership to jointly achieve unique opportunities for developing SPS facilities, including SPS in the Fort Lawton Redevelopment Plan and planning for a new Memorial Stadium that meets the stated interests of SPS and the City. The design should integrate with the vision for the Seattle Center campus. SPS and the City (the Parties) will collaborate to explore alternative sites for future SPS schools and/or facilities.

It is envisioned that the process outlined in this Public Process Partnership Agreement (Agreement) will result in the inclusion of SPS in the Fort Lawton Redevelopment Plan and a joint development agreement between the Parties on the siting and planning for a new Memorial Stadium and SPS facilities. Additionally, the Parties will partner on school capacity planning, financial cost sharing, and development of revenue opportunities.

This Agreement recognizes the ongoing SPS/City partnership to collaborate to achieve a joint vision for Seattle Center, obtain land for school-related uses at Fort Lawton, and plan for and identify sites for future schools/facilities. These cooperative efforts demonstrate the commitment to a strong SPS/City partnership and to engage the community in a transparent public process.

SPS and the City are committed to creating and improving facilities to serve students and families while also providing unique opportunities for visitors to Seattle Center. The Parties anticipate that this will be a long-term partnership through the visioning, site planning, design, financing, permitting, construction, and implementation phases to develop SPS facilities, including a new Memorial Stadium and other redevelopment projects at Seattle Center. The purpose of this partnership is to meet the interests of both SPS and the City.

The Parties each will maintain ownership and control of their parcels at Seattle Center. By mutual agreement, both parties may agree to adjust property lines and/or modify property parcels/ownership to benefit both Parties, future students, and Seattle Center visitors. Since both Parties are planning significant improvements to their respective properties at Seattle Center, they agree to work together at the staff and elected official levels to further these joint efforts to meet the Parties' respective interests (see *Interests of the Parties* table, attached).

The following principles will guide the partnership:

- Work collaboratively to address school planning capacity needs.
- Cooperate as partners on efforts to actualize SPS' plans for a new stadium, facilities, and ongoing revenue streams at Seattle Center.
- Coordinate to improve the cohesion of Seattle Center and develop designs that will be treasured by visitors from Seattle, the region, and around the world.
- Create functional facilities that provide an appealing environment and uses that meet the needs of both SPS and the City.
- Optimize all uses and access at Seattle Center, including the SPS sites.
- Work together through frequent communication and accountability to increase mutual gain, including financial resources, partnerships, and coordinated public outreach efforts that foster transparency and build public support.
- SPS will determine the need for and priority of school facilities and construction.
- Develop an opportunity for obtaining land for SPS facilities at Fort Lawton.
- City will assist SPS to acquire other properties for potential siting of future schools.

II. Understandings

The Parties both prioritize the values of equity and inclusion in planning processes, design and function of new facilities, and school capacity planning to meet the needs of students, families, Seattle Center visitors, and the community. The Parties will respect and honor Memorial Wall.

For SPS, the effort will focus on planning and constructing SPS facilities including a new Memorial Stadium to meet athletic requirements with a design that integrates well with Seattle Center, and maintaining and increasing revenue.

For the City, the effort will focus on creating SPS facilities that simultaneously meet SPS' needs and Seattle Center's needs for open space and joint use opportunities. Seattle Center's open space holds the campus together and unifies the unique architecture. Integration of additional open space will complete the essential connections needed for campus cohesion. Joint use of a new stadium will advance the City's desire to create a unique, iconic, multi-purpose, year-round facility at Seattle Center.

The Parties are committed to making Seattle Center an equitable, inclusive, and welcoming place for all. Furthermore, the Parties recognize the urgent need to focus on the education of students attending schools with high rates of poverty and students of color. The Parties are committed to equitable allocation of administrative and financial resources throughout the SPS district. The Parties will work to implement balanced educational projects across the district that are equitable and transparent.

The Parties have outlined more specific interests for this joint effort (see *Interests of the Parties* table, attached).

III. Elements and Actions of the Public Process Partnership

The parties agree to the following:

A. Overview of this Public Process Partnership

1. SPS and the City will coordinate and cooperate on opportunities for Memorial Stadium and school facilities at Seattle Center that will be cohesive and integrate well with the campus.
2. SPS recognizes that the City must continue with the Fort Lawton EIS process, with previously outlined housing and park alternatives, in order to meet the U.S. Army's requirements that the final EIS is published by March 31, 2018.
3. The City agrees to include provisions in its Fort Lawton Redevelopment Plan with the U.S. Army to allow SPS to acquire up to six acres of land for development of park uses, consistent with the Final EIS, and subject to agreement with the City on terms of SPS participation in the Plan, including financial participation, potential legal challenges, participation in public outreach and engagement, and demonstrated capacity to meet federal requirements within a prescribed timeline.
4. The City further agrees to assist SPS with acquisition of other properties that address access, equity, and inclusion for potential siting of future needed schools/facilities. Specific needed areas include, but are not limited to: a downtown elementary school and potentially a school sited on the current Roosevelt Reservoir site (if the reservoir is determined surplus to the needs of the Seattle Public Utilities water supply system). If determined surplus, a community planning process would follow.
5. The City is committed to be an active partner with SPS to implement an efficient and reasonable planning, permitting, and construction process.

B. Public Process

1. SPS and City staff will develop a public outreach effort to coordinate elected officials' meetings and public input on planning and design of all of the proposed projects.
2. The Parties will jointly prepare a draft public engagement plan that considers the capital and capacity planning process/schedule, recognizes established SPS public engagement processes, and considers City planning and project efforts at Seattle Center.

C. Elected Officials Process

1. A joint meeting of the School Board and the City Council is planned in January 2018. At this joint meeting, the elected officials will discuss key issues, scope of work, process and schedule for the joint planning efforts, and strategies for public involvement.
2. Additional elected officials' efforts will include, but not be limited to:
 - a. Meetings of the School Board and City Council to share progress and obtain input, as necessary.
 - b. Other meetings with individual elected official(s), committees, or meetings of the whole, separately or together.
 - c. Ahead of elected official decision points, the Board and Council are encouraged to conduct an additional joint meeting.

D. Siting, Visioning, and Design Considerations for Developing Preferred Alternatives for the Stadium and School Facility(s)

1. The Parties will jointly refine and document a preliminary analysis of facility siting and include the considerations, advantages, and challenges identified for each site.
2. The Parties will form technical teams (see section III.E. below) to refine the options for further consideration.
3. The planning efforts will encompass the items listed in the *Interests of the Parties* table (attached).
4. Visioning, siting, and design efforts will embody values for access, equity, and inclusion.

E. Technical Teams

1. SPS and the City will jointly form technical teams for visioning, joint planning, siting, considering inter-relationships among facilities, and design. The Parties will determine the necessary technical disciplines needed for these teams which may be composed of staff and jointly-hired architects, designers, and other consultants to accomplish the Parties' objectives.
2. The technical teams will:
 - a. Work to meet the interests of the Parties (*Interests of the Parties* table, attached).
 - b. Organize their work to assure good communication and coordination among the different efforts and regularly report progress and issues.
 - c. Conduct meetings and workshops.
 - d. Coordinate with Seattle Center redevelopment and master planning efforts.
 - e. Work toward equitable access and use of facilities, including consideration of creative improvements beyond ADA requirements.

F. Joint Development Agreement

The Parties expect that they will jointly draft a development agreement, which could include potential adjustment of property lines and/or property exchange(s), financial agreements, implementation steps, and other considerations.

G. Partnerships & Financial Commitments

1. The City will consider a financial partnership with SPS for this project.
2. The City will work with SPS to develop other funding sources and potential partnerships.

H. Mobility Planning

1. Mobility planning includes several components that will be considered, including but not limited to: parking, transit, pedestrian access, delivery and event access, and ADA access.
2. Mobility planning and facility design must prioritize equitable access for all, particularly differently-abled persons.

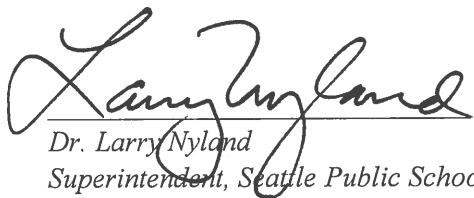
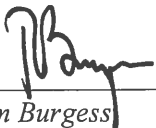
I. Communications

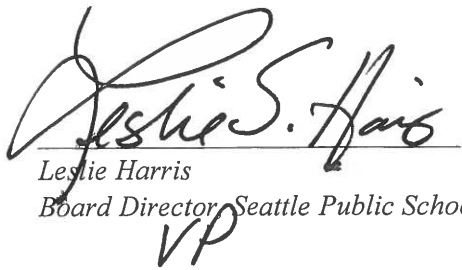
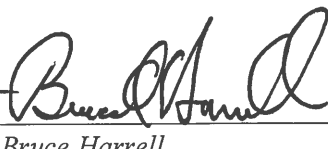
1. The teams will regularly engage the School Board, Superintendent, City Council, and Mayor in these efforts for decision-making.

2. The Parties will follow these communications protocols:
 - a. Participate in good faith and commit to work to resolve each other's issues and concerns.
 - b. Communicate with elected official(s) as appropriate.
 - c. Be clear and transparent in seeking public input and providing information to the public.
 - d. Share information regarding planning and project timelines, goals, objectives, key issues, communications, and outreach strategies.
 - e. Respect confidentiality within the parameters established by their jurisdiction and state law.
 - f. Share information on the progress of this joint effort, key issues, and areas of agreements and disagreement.
 - g. Jointly agree on external messaging including media contacts.

IV. Signatures

We are pleased that our teams are working together in this Public Process Partnership Agreement and look forward to together achieving the full potential and extraordinary outcomes for SPS students, families, Seattle Center visitors, and the community.

| | | | |
|---|-------------------------|---|-------------------------|
|  <i>Dr. Larry Nyland</i> Superintendent, Seattle Public Schools | <u>11/20/17</u> Date |  <i>Tim Burgess</i> Mayor, City of Seattle | <u>11/20/17</u> Date |
|---|-------------------------|---|-------------------------|

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|  <i>Leslie Harris</i> Board Director, Seattle Public Schools VP | <u>11-20-17</u> Date |  <i>Bruce Harrell</i> City Council President, City of Seattle | <u>11/20/17</u> Date |
|---|-------------------------|---|-------------------------|



Attachment

Interests of the Parties

| Seattle Public Schools' Interests | Category | City of Seattle's Interests |
|--|--|---|
| Recognize advantages to collaborating with the City for a unified Seattle Center, which includes a stadium, and may include other facilities and parking, and maintains and enhances revenue to SPS. | Seattle Center Overall Concepts | <ul style="list-style-type: none"> • Increase open space, particularly at the heart of the campus. • East-west connection: complete August Wilson Way. • North-south connection and sightline from McCaw Hall to the Armory. • SPS collaborates with the City on campus-wide design process. • Well-designed SPS facilities and stadium that integrate with SC campus, avoids blank walls and barriers. • Alignment with Seattle Center Century 21 Planning and Design Principles, and Design Guidelines. • Support of Uptown Urban Design Framework, compliance with Uptown Development Standards including 5th Avenue N as Class 1 Pedestrian Street. |
| Develop and maintain a joint vision. | SPS-City Partnership | Develop and maintain a joint vision. |
| Build trust. | | Build trust. |
| Explore potential financial partnership(s). | | Explore potential financial partnership(s). |
| Address school planning capacity needs. | School Capacity | Address school planning capacity needs. |
| Develop opportunity to obtain land for SPS facilities at Fort Lawton. | | Develop opportunity to obtain land for SPS facilities at Fort Lawton. |
| City assists SPS to acquire other properties for potential siting of future schools. | | City assists SPS to acquire other properties for potential siting of future schools. |
| Equitable, inclusive planning process. | Equity | Equitable, inclusive planning process. |
| School facility designs that make everyone feel welcome and included, and foster a healthy environment. | | Seattle Center designs that make everyone feel welcome and included. |
| Equity in how school resources are | | Equity in how school resources are |

| Seattle Public Schools' Interests | Category | City of Seattle's Interests |
|--|----------------------------------|---|
| allocated. | | allocated. |
| Protect from overuse or misuse by non-SPS entities. | Memorial Stadium | Support multiple public uses (concerts, events, festivals, etc.) as well as SPS athletics and other school uses. |
| Maintain athletic standards. | | Potentially bring in outside partners. |
| Replace Memorial Stadium to meet modern needs/standards in a fiscally responsible way. | | Memorial Stadium design that beautifully balances public access, security, and maintenance considerations. |
| Maintain and increase revenues from stadium use. | | |
| Respect and honor Memorial Wall. | | Willing to consider stadium financial partnership. |
| | | Respect and honor Memorial Wall. |
| Maintain and increase revenue and parking capacity. | Parking | Replace parking capacity potentially for both SPS and Seattle Center needs (e.g. supply/number of stalls, location of stalls, and revenue/financial impacts). |
| Open to underground parking. | | Potential partnership(s) to develop parking options. |
| | | Replace Mercer Garage capacity (potentially with reduced number of stalls). |
| Explore innovative uses of technology to support and collaborate among educational, arts, cultural and entertainment uses. | Technology | Explore innovative uses of technology to support and collaborate among educational, arts, cultural and entertainment uses. |
| Build public support to pass SPS levies in 2018-19. | Funding | Build public support to pass SPS levies in 2018-19. |
| Sustain and enhance revenue opportunities. | Revenues | Sustain, replace, or enhance existing revenue. Consider revenue potential/opportunity costs of uses of City parcels. |
| Explore increased revenue opportunities beyond parking. | | |
| Keep existing SPS property at Seattle Center. | Seattle Center Properties | Evaluate siting options for all parcels (SPS and City) creatively, balancing |

| Seattle Public Schools' Interests | Category | City of Seattle's Interests |
|--|---------------------------|---|
| | | complex needs and considerations. |
| Choose stadium and facility sites that have significant multi-modal access, including transit. | Mobility | Include preliminary SPS mobility needs and trip generation in Seattle Center/KeyArena transportation mobility study. |
| | | Allow for easy delivery of goods to the Armory. |
| Consider and balance multiple access needs for SPS staff, students, visitors, and delivery of goods. | Access | Consider and balance multiple access needs for Seattle Center campus staff, resident organizations, visitors, etc. |
| | | Function of field/Republican alley level for maintenance, event/performance load-in/out and deliveries, trash/recycling, etc. |
| Inclusive public involvement in the planning, design, and construction of facilities. | Public Involvement | Inclusive public involvement in the planning, design, and construction of facilities. |