



SCHOOL BOARD ACTION REPORT

DATE: December 7, 2020
FROM: Ms. Denise Juneau, Superintendent
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For Introduction: January 27, 2021
For Action: February 10, 2021

1. TITLE

BEX V: Resolution 2020/21-16 Racial Imbalance Analysis for Lincoln High School Phase 2 project

2. PURPOSE

The purpose of this action helps to secure approximately \$1.1 million in state funding assistance for the Lincoln High School Phase 2 project. The Office of Superintendent of Public Instruction (OSPI) Form D-5 Application requires board acceptance of the resolution certifying that the proposed project will not create or aggravate racial imbalance.

3. RECOMMENDED MOTION

I move that the School Board approve Resolution 2020/21-16 certifying that the proposed Lincoln High School Phase 2 project will not create or aggravate racial imbalance as defined by [WAC 392-342-025](#).

4. BACKGROUND INFORMATION

a. Background

The Capital Projects and Planning Department has recommended improvements to be made on Lincoln High School as outlined in the 2014 Facility Assessment Report by Meng Analysis and the 2019 Building Condition Assessment Update by McKinstry. The Building Excellence V (BEX V) Capital Levy proposes seismic improvements to the 1959 eastern buildings not renovated in the prior renovation phase completed in 2019, plus theater, gymnasium, and Career & Technical Education (CTE) classroom improvements.

The Office of Superintendent of Public Instructions (OSPI) is responsible for administering the School Construction Assistance Program (SCAP), which is OSPI's largest capital program and provides funding assistance for facility planning, new construction, and modernizations. Based on OSPI's work, the legislature makes biennial appropriations to release state funds for school construction assistance through the D-Form approval process which includes the primary documents that form the basis of any agreements between OSPI and the school districts receiving state funding assistance.

The OSPI Form D-5 requires a School Board Resolution to certify under WAC 392-342-025 that a SCAP funded project will not create or aggravate racial imbalance. If this resolution is not approved in a timely manner, state funding assistance for this project will not be forthcoming. SCAP funding for the Lincoln High School Phase 2 project is estimated to be approximately \$1.1 million.

On June 6, 2018, Resolution 2017-18-13 was approved by the School Board based on an evaluation performed using enrollment data from the 2010-2021 school years to certify under WAC 392-342-025 that the Lincoln High School Modernization project (phase 1) and associated boundaries, which were approved by the Board on January 31, 2018, would not create or aggravate racial imbalance.

Lincoln High School Phase 2 project, which is limited to seismic, theater, gymnasium, and CTE improvements to the eastern buildings, will not require any revisions or changes to the attendance policies and associated boundaries established under Resolution 2017-18-13 and will not create or aggravate racial imbalance.

WAC 392-342-025 definition of racial imbalance in a greater than fifty percent minority, non-multiracial school district such as Seattle Public Schools shall be defined (by current federal categories) as existing when:

Part (a): When the combined minority enrollment of a school varies from the districtwide combined minority percentage by more than plus or minus twenty-five percentage points:

Part (b): When a school's enrollment of a single minority group with a districtwide enrollment of less than thirty percent exceeds fifty percent:

Part (c): When a school's enrollment of a single minority group with a districtwide enrollment of thirty percent or more exceeds the minority group's districtwide percentage by twenty percentage points or more:

Conclusion: The Project meets the requirements outlined by WAC 392-342-025.

b. Alternatives

Do not approve Resolution 2020/21-16. This is not recommended. If Resolution 2020/21-16 is not approved, the D-5 form cannot be submitted to OSPI, and the district will not receive state funding assistance.

c. Research

- WAC 392-342-025 Racial Imbalance Prohibition - Definition and acceptance criteria
- BEX IV and BTA IV: Resolution 2017/18-13: Racial Imbalance Analysis for Lincoln High School Modernization Project
- 2014 Building Condition and Educational Adequacy Assessment Report – Meng Analysis
- 2019 Seattle Public Schools Building Condition Assessment Update – McKinstry

5. FISCAL IMPACT/REVENUE SOURCE

The Lincoln High School Phase 2 project funding source is from the BEX V Capital Levy and anticipated state assistance funding.

If this resolution is not approved in a timely manner, the state funding assistance for Lincoln High School Phase 2 project will not be forthcoming. This resolution is a requirement of the State D-5 Application for Assistance. Approximately \$1.1 million in state assistance funding is anticipated for Phase 2 construction.

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

The selection of projects in the BEX V program went through an extensive community vetting process and ultimately received 73% approval from voters in February 2019.

The design of the Lincoln High School Phase 2 project was developed in conjunction with the School Design Advisory Team (SDAT) that included staff, students, parents, and community members from Lincoln High School. This group met during the summer of 2020 to provide site-specific information about facility use, programs and educational goals upon which the design is based. The Lincoln High School Phase 2 project will support the district’s current educational goals as well as providing a safe and secure school facility.

7. EQUITY ANALYSIS

The district’s Racial Equity Analysis toolkit was utilized to guide the planning process for the BEX V Capital Levy, influencing community engagement methods, preparation of the 2018 update to the Facilities Master Plan, and ultimately the final proposed levy package. The board’s guiding principles stated that racial and educational equity should be an overarching principle for the BEX V Capital Levy planning efforts in accordance with Board Policy 0030, Ensuring Educational and Racial Equity. Projects identified for inclusion in the BEX V Capital Levy will ultimately improve conditions for all students in the affected schools. Improved building conditions create a better environment for learning and can provide facilities to better position students for academic success.

8. STUDENT BENEFIT

It is the goal of the district to continue the process of implementing the Buildings, Technology, and Academics/Athletics (BTA) and BEX Capital levy programs and to provide students with safe and secure school buildings.

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: A Board Resolution is required by OSPI as a part of the state funding assistance process to certify under WAC 392-342-025 that the project will not create or aggravate racial imbalance.

10. POLICY IMPLICATION

This action aligns with Board Policy No. 6100, Revenues from Local, State, and Federal Sources, which states: “It is the policy of the Seattle School Board to pursue systematically those funding opportunities that are consistent with district priorities from federal, state, and other governmental units, as well as from private and foundation sources.” In addition, it states: “The Board agrees to comply with all federal and state requirements that may be a condition for the receipt of federal or state funds.”

11. BOARD COMMITTEE RECOMMENDATION

This motion was discussed at the Operations Committee meeting on January 14, 2021. The Committee moved the item forward to the full Board with a recommendation for approval.

12. TIMELINE FOR IMPLEMENTATION

Upon approval, this resolution will be transmitted to the state to continue through the funding approval process. Construction is anticipated to be completed by the start of the 2022 school year.

13. ATTACHMENTS

- Resolution 2020/21-16 (for approval)
- Resolution 2017-18-13 (for reference, approved June 6, 2018)