



Board of Directors

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Minutes

Regular Legislative Session
September 23, 2015, 4:15pm

I. Call to Order

- A. The meeting was called to order at 4:17 pm.
- B. Directors Blanford, Carr, Martin-Morris, Patu, Peaslee, and Peters were present.
Director McLaren arrived at 4:24 pm.
- C. Pledge of Allegiance

II. Student Presentations

III. Superintendent Comments

Superintendent Nyland discussed the first day of school, Thursday, September 17th. He attended several schools and noted the positive energy and focused learning underway. Supt. Nyland commented that enrollment counts are up from last year and down a bit from projections- at 53,000 students. He also noted that nearly 100 teachers were added this year, partly for student growth and partly for class size reduction. He thanked the two bargaining teams for their time and efforts that went into the agreements, noting the district is glad to have school started. He also thanked the City of Seattle, Barb Graff, Debbie Goetz, Lori Chrisholm, Jill Watson, the Boys and Girls Club, the YMCA, the City Year volunteers and the SPS Nutrition Services department for their support during the strike. Supt. Nyland highlighted the tentative agreement with the Seattle Education Association (SEA) in the areas of compensation, equity, recess, instructional day, evaluation, assessment, special education, Educational Staff Associates Caseloads, Career & Technical Education Advisors, and career ladder. He noted that SEA has ratified the agreement and that the Board will vote on the agreement at the October 7th Regular Board meeting, which will include the salary schedule and the updated calendar on the school make-up days. Supt. Nyland noted the Senate Education Committee scheduled 7 public hearings statewide to gain public input on the McCleary decision, and that the Puget Sound Educational Service District (ESD) will host the Committee on October 19.

Supt. Nyland discussed the Smarter Balanced Assessment scores which will come to parents within the week and also spoke about the district results. He discussed the Family and Educational Rights and Privacy Act (FERPA), which requires detailed privacy sign-offs from parents. He stated that the district is working on a solution that will work for everyone, without the excessive paperwork. Supt. Nyland discussed the Board's "legislative agenda" that will come to the Board in October. He noted that the district is hosting five community meetings in the weeks ahead to share information about the upcoming Maintenance & Operations (M&O) and our Buildings, Technology, Academics/ Athletics (BTA) IV Capital levies. These go to the Board for approval in late October and to voters in February. The M&O Levy renews every three years and the BTA IV Capital Levy renews every six years. Supt. Nyland noted that the boundary changes next year are all in West Seattle near Arbor Heights Elementary, which will open the new building in fall 2016. Boundary and geo-zone changes for the other schools opening in 2016 have already been adjusted. Also at these meetings there will be a discussion on the proposed minor revisions to the Student Assignment Plan.

Regarding bell times, Supt. Nyland noted that there will be a final round of community meetings starting next week to review the Superintendent's Final Draft Recommendation. He spoke about his meetings last week with the Rotary Education Committee and noted

he attended the Equity Race Advisory Committee’s Award Ceremony. He then thanked Eric McCurdy for the Metro Classic event at Memorial Stadium.

Supt. Nyland then requested that Action Item #1, Adopting Board Policy No. 3405, Student Wellness, be delayed to the October 7th Board meeting to allow staff the time to review the SEA Collective Bargaining Agreement (CBA) to ensure the new policy supports the CBA language around recess.

IV. Student Comments

V. Business Action Items

Director Carr called for a motion to amend the agenda to delay Action Item #1, Adopting Board Policy No. 3405, to the October 7 Board meeting. Director Peaslee moved to amend the agenda and Director McLaren seconded. This motion passed unanimously.

A. Consent Agenda

1. **Minutes of the Special Meeting of the Board on September 8.**
2. **Personnel Report**
3. **Warrants**

The Warrant Register represents all payments disbursed by district warrant for a specific monthly accounting period. RCW 28A.330.090 requires the School Board approve the Warrant register for audit purposes.”

July 2015 Warrants

General Fund	*Payroll	\$ 1,223,117.98
	Vendor	24,656,472.31
Capital Project Fund	Vendor	10,502,052.80
Associated Student Body Fund	Vendor	266,759.98
Expendable Trust Fund	Vendor	482.05
Grand Total		\$36,648,885.12

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

4. **Warrants**

The Warrant Register represents all payments disbursed by district warrant for a specific monthly accounting period. RCW 28A.330.090 requires the School Board approve the Warrant register for audit purposes.

August 2015 Warrants

General Fund	*Payroll	\$ 1,051,283.14
	Vendor	21,093,609.62
Capital Project Fund	Vendor	21,046,419.77
Associated Student Body Fund	Vendor	132,522.59
Expendable Trust Fund	Vendor	4,000.00
Grand Total		\$43,327,835.12

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

5. **Amending Board Policy Nos. 1010 and 1240** – (Exec) Approval of this item would amend Policy Nos. 1010, Board Oversight of Management, and 1240, Committees.
6. **Authorization for Consent Decree and Settlement** – (Exec) Approval of this item would authorize the Superintendent to enter into a Consent Decree in exchange for full and final resolution of the Plaintiffs’ claims.
7. **Highly Capable Students Program Annual Plan** – (C&I) Approval of this item would approve the Highly Capable Students Program Annual Plan as submitted to the Office of Superintendent of Public Instruction for the 2015-16 school year.
8. **BTA III: Award Architectural and Engineering Services Contract for Life Safety Upgrades at Laurelhurst Elementary School** – (Ops) Approval of this item would authorize the Superintendent to execute an agreement, with S.M. Stemper Architects, PLLC, for \$296,871.04, including reimbursable expenses for Architectural and Engineering Services for Life Safety Upgrades at Laurelhurst Elementary School. (action report edited and attachment added)

Director Patu asked to remove the Highly Capable Students Annual Plan from the consent agenda. Director Peaslee moved to approve the consent agenda as amended. Director McLaren seconded. The motion to approve the consent agenda as amended passed unanimously.

B. Items Removed from the Consent Agenda

Highly Capable Students Program Annual Plan – Director Peaslee moved to approve this item. Director McLaren seconded. Director Patu asked if parents were involved in the discussion of this proposal. Shauna Heath noted that this item doesn’t change the features, screening or mechanics of the program, just the administration of the program and allows funding to be allocated. Directors provided community comments regarding the highly capable program. Mr. Martin clarified that students aren’t screened out of the program, they are screened “in” to the program and discussed the eligibility decisions regarding state assessments and the grades associated with them, with the purpose to be more inclusive of students. He also noted this is a routine grant application process.

This item passed unanimously.

VI. Public Testimony

1	David Posner	Resolution 2014/15-35, Moratorium on Elementary Out-of-school Suspensions & Adopting Board Policy No. 3405
2	Carol Simmons	Resolution 2014/15-35, Moratorium on Elementary Out-of-school Suspensions & Adopting Board Policy No. 3405
3	Chris Jackins	Personnel Report, Board Policy Nos. 1010 and 1240, Authorization for Consent Decree and Settlement, Authorization for Settlement, Boards of Distinction Application
4	Jana Robbins	Adopting Board Policy No. 3405
5	Leslie Harris	Personnel Report, Boards of Distinction Application, Approval of Compensation Bulletin for Management, Special Education MOU
6	Anthony Shoecraft	Resolution 2014/15-35, Moratorium on Elementary Out-of-school Suspensions
7	Elizabeth Fleek	Adopting Board Policy No. 3405
7	Sebrena Burr	Resolution 2014/15-35, Moratorium on Elementary Out-of-school Suspensions
8	Rebecca Brito	Adopting Board Policy No. 3405–Wellness
9	Rebecca Vaux	Op-Ed in the Seattle Times ("There is no money left")
10	Dale Bright	Apprenticeship Utilization on Seattle Public Schools construction over \$1 million
11	Sean Harris Campf	FERPA opt out form problems for schools
11	Jeanie Bastaseh	Wednesday early release impact of the third year of our new contract
11	Richelle Dickerson	Seattle Education Association contract negotiation

The meeting recessed at 5:27 pm and reconvened at 5:33 pm.

12	Thomas Leggitt	Seattle Education Association contract negotiation
13	Mary Paterson	Resolution 2014/15-35, Moratorium on Elementary Out-of-school Suspensions
14	Laura Gramer	DHH Program, Recess

VII. Board Comments

Director Patu discussed Public Testimony rules, and the 2 minute rule per person. She read a letter from a Franklin High School student regarding students and race discrimination in social media.

Director Martin-Morris noted his next community meeting is October 17. He discussed October being a busy month for educators across the country, with many national conferences coming up. Dir. Martin-Morris and Supt. Nyland will be attending the Council of Great City Schools Annual Conference.

Director McLaren thanked everyone for attending the meeting and representing the community. She discussed the SEA agreement, and teachers in the district. She hopes this is a new era for the teachers and community and family engagement. She discussed the history of the McLeary decision and noted her next community meeting is scheduled for September 28.

Director Peters welcomed everyone back to school. She recognized that this was a difficult time with the strike and negotiations. Director Peters addressed that SPS doesn't have the funding necessary from the state. She thanked Carol Simmons for her public testimony comments on the history of the disproportionality on suspensions. She commented on lunch times and asked staff for additional information on the strength of the language within the Student Wellness policy. She then commented on the apprenticeship requirements made during public testimony and on the practice of withholding recess for punishment, which was presented in public testimony by David Posner. Dir. Peters' next community meeting will be posted to the website soon.

Director Peaslee discussed the emails received during the strike and noted that SPS is run by highly competent people. She noted that bargaining started in May, and was a negotiation process with the

teachers, and the agreement was approved by 83%. Dir. Peaslee discussed the funding challenges with the CBA, and noted that the details will be discussed at the next board meeting. Dir. Peaslee discussed the McCleary court ruling and that it is a legislative priority. She discussed the instructional days and meeting state requirements surrounding classroom instruction time. She addressed the issues of the Board not responding to questions during the negotiations, and commented that their priority was to give all of the Board's attention to the negotiations. Her next community meeting will be September 27.

Director Carr asked for clarification from the Superintendent about October 9th being a school day. She addressed the speaker on Paramount Duty and noted she is in line with the thinking of this mission. Dir. Carr spoke about the article in the Seattle Times, and how the purpose was to inform the parents and readers as to what the funding issues are, and to send a message to the legislature. She thanked Ron English for his service to SPS and wished him the very best in his retirement.

VIII. Business Action Items (continued)

C. Action Items

1. ~~Adopting Board Policy No. 3405~~ (C&I) Approval of this item would approve Policy No. 3405, Student Wellness. (the Superintendent has requested to delay action on this item to the October 7th Board meeting) (action)

Director Carr noted this item had been delayed to the October 7 Board meeting in an earlier motion.

2. City of Seattle Families and Education Levy (FEL) Community Based Organizations Contracts with the YMCA of Greater Seattle (action)
– (A&F) Approval of this item would authorize the Superintendent to execute a contract for a total of \$371,000 with the YMCA of Greater Seattle for school year 2015-2016.

Director Peaslee moved to approve this item. Director McLaren seconded. Director Martin-Morris spoke about the review of this item by the Audit & Finance (A&F) Committee.

Directors and staff discussed the data outcomes of the YMCA's work. The Families and Education Levy requires performance measures for FEL funding. The work has been outstanding which is why it's a continued contract. Carri Campbell provided details regarding the in- and out-of-school programs for students who need academic intervention.

This motion passed unanimously.

3. City of Seattle Families and Education Levy (FEL) Community Based Organizations Contracts with Communities in Schools in Seattle of Greater Seattle (intro/action)
– (Exec) Approval of this item would authorize the Superintendent to execute a contract for a total of \$267,755 with Communities in Schools in Seattle for school year 2015-2016.

Director Peaslee moved to approve this item. Director McLaren seconded. Carri Campbell provided an overview of this item and noted why the item was being introduced and acted upon at the same meeting.

Director Carr spoke about the review of this item by the Executive Committee.

Ms. Campbell discussed that this item specifically supports students and families that have issues with absenteeism and provides case management at the schools. Directors asked for clarification on the funding sources. Ms. Campbell clarified it was City of Seattle FEL Funds, which go to the school district, then to the community based organization. The YMCA is on the City's preferred provider list.

This motion passed unanimously.

4. [Approval of Employee Benefits Contract](#) – (A&F) Approval of this item would approve insurance plans and rates with Group Health Options, Inc., Group Health Cooperative, Premera Blue Cross (WEA Select), Delta Dental of Washington, Standard Insurance, and Northwest Administrators, in the estimated amount of \$69,570,402. (action)

Director Peaslee moved to approve this item. Director McLaren seconded. Director Martin-Morris spoke about the review of this item by the A&F Committee.

Adrian Byrd-Pena noted there have been no changes since introduction.

This motion passed unanimously.

5. [Approval of Compensation Bulletin for Management Staff](#) – (A&F) Approval of this item would approve the Compensation Bulletin for Management Staff and authorize staff to increase salaries on the salary schedules by 1.8% starting September 1, 2015, and an additional 1.2% starting September 1, 2015 through August 31, 2017. (action)

Director Peaslee moved to approve this item. Director McLaren seconded. Director Martin-Morris spoke about the review of this item by the A&F Committee.

Directors asked about the timeframe for the 1.2% increase. Mr. Byrd-Pena clarified that the dates are reflective of how the state funded the cost of living adjustment.

This motion passed by a vote of 4-0-2 (Directors Carr, Martin-Morris, McLaren, Peaslee, and Peters voted yes; Directors Blanford and Patu abstained).

6. [Resolution 2014/15-35, Moratorium on Out-of-school Suspension for Elementary Grade Students](#) – (Ops) Approval of this item would approve resolution 2014/15-35 regarding a moratorium on out-of-school suspension for elementary grade students, beginning in 2015-16 and a proposal to develop a district-wide system to further reduce out of school suspensions for all grades. (action report and attachment edited) (action)

Director Peaslee moved to approve this item. Director McLaren seconded. Director Patu spoke about the review of this item by the Operations Committee.

Director Martin-Morris noted the changes in the resolution to include more definitive behaviors stated in the moratorium, especially in regards to the “subjective” offenses. Directors and the Superintendent discussed the implementation of the resolution and that the work towards the prevention of suspensions will take more time. Supt. Nyland provided data on the schools that had the highest rates of suspensions and most were at the schools with special education – which need more on-site alternatives for suspension, possibly in-school suspension. Pat Sander discussed the three levels of school-based actions that occur prior to suspensions, the offenses that lead to discipline, and that this was to be an immediate process implementation for elementary school students. The Directors recalled the Operations Committee Meeting discussion that this is a program that could be built out to middle and high schools down the road. Directors discussed that this is the first step in breaking the cycle of kids from falling into the pipeline that ends up in prison. Directors asked about how “bullying” fits in to the issue. Ms. Sander noted that bullying is still considered an out-of-school suspension offense, and that an action plan would need to be put in place with the principal and parents prior to the bullying student returning to school, so that it is not a health and safety violation.

This motion passed unanimously.

7. [Authorization for Settlement](#) – (Exec) Approval of this item would ratify the Agreement in the amount of \$500,000 with Absher Construction Company. (intro/ action)

Director Peaslee moved to approve this item. Director McLaren seconded. John Cerqui provided an overview of this item and stated why the item was being introduced and acted upon at the same meeting. Director Carr spoke about the review of this item by the Executive Committee.

Directors asked why it was in the best interest of the Board to approve this today. Mr. Cerqui noted that a settlement agreement usually states 14 days to pay the plaintiff. However, with the date of the Board Meeting and time to process payment, the district requested 30 days to fulfill payment. Directors asked questions regarding the lawsuit and who is suing who, and why the school district responsible is for this. Richard Best discussed that there were significant unforeseen issues that arose during the construction/renovation. Mediation was able to settle at a lower amount than the plaintiff originally sued for.

This motion passed unanimously.

8. [BEX IV: Cascadia Elementary School and Robert Eagle Staff Middle: Approval of Amendment to the existing Memorandum of Agreement with Seattle Public Utilities \(SPU\) for Licton Springs Flood Reduction Project](#) – (Ops) Approval of this item would authorize the Superintendent to execute Amendment No. 1 to the existing Memorandum of Agreement No. 14-126-A between SPU and SPS for the Licton Springs Flood Reduction Project. (intro/ action)

Director Peaslee moved to approve this item. Director McLaren seconded. Richard Best provided an overview of this item and stated why the item was being introduced and acted upon at the same meeting. Director Patu spoke about the review of this item by the Operations Committee.

Directors asked about the timeline for signatures from SPU regarding the amendment. Mr. Best noted that SPU asked that the district sign first. It was also noted that SPU will pay for all the costs associated with this project. Directors Carr and Patu commented on this project.

This motion passed unanimously.

9. [**BTA III & BEX IV: Final Acceptance for Renovations at Northgate, West Woodland, and Graham Hill Elementary Schools Project**](#) – (Ops) Approval of this item would accept the work performed under Public Works Contract K5052 with Big Rock Construction, Inc., for renovations at Northgate, West Woodland, and Graham Hill Elementary Schools as final. (intro/ action)

Director Peaslee moved to approve this item. Director McLaren seconded. Richard Best provided an overview of this item and stated why the item was being introduced and acted upon at the same meeting. Director Patu spoke about the review of this item by the Operations Committee.

This motion passed unanimously.

10. [**Boards of Distinction Application**](#) – (Exec) Approval of this item would approve the submission of the Washington State School Directors' Association's Boards of Distinction Application for 2015. (intro/ action)

Director Peaslee moved to approve this item. Director McLaren seconded. Director Carr spoke about the review of this item by the Executive Committee, providing an overview of the item and stating why the item was being introduced and acted upon at the same meeting.

Directors noted that state law requires that the district be a member of WSSDA. Directors discussed the benefits of WSSDA and that the collaboration with other districts is a valuable learning tool for school board directors.

This motion passed unanimously.

The meeting recessed at 7:10pm and reconvened at 7:23pm.

D. Introduction Items

1. [**Middle School Social Studies Instructional Materials Adoption**](#) – (C&I) Approval of this item would adopt instructional materials for middle school Social Studies courses 6th Grade World History, 7th Grade World History, and 8th Grade United States History. (introduction)

Kathleen Vasquez provided an overview of this item. Director Blanford spoke about the review of this item by the Curriculum & Instruction Policy (C&I) Committee.

Ms. Vasquez discussed the selection of the materials for adoption for Social Studies. She noted that Middle schools from across the district brought parents and teachers together to look over the obsolete resources they currently have for instruction and that it has been 19 years since the last adoption in this area. She discussed how the criteria reflected the need for diversity in the social studies texts as a priority. The next priority was to push students to career and college readiness. Directors and staff discussed working with vendors on the issue of diversity and strategies to encourage vendors to provide more diverse options for our student population. Directors asked about online materials and resources. Ms. Vasquez noted that many schools in the district are not ready for fully online textbooks, but the texts that were selected all had supplemental materials and resources that are online. Directors asked about Washington State History. Ms. Vasquez noted that the budget did not have the capacity to adopt materials for that class at this time. Directors asked how a single text can serve a broad arrange of learners. Ms. Vasquez discussed how the adoption committee, which included members of the highly capable learners community, reviewed the selections. They looked at the ancillary resources to bring in and enhance the learning of the highly capable learners.

2. [**Special Education Memorandum of Understanding \(MOU\) with the Office of Superintendent of Public Instruction \(OSPI\)**](#) (introduction)
– (Exec) Approval of this item would authorize the contract with the Seneca Family of Agencies for \$500,000 to act as a Special Education – Educational Consultant.

Wyeth Jessee provided an overview of this item. Director Carr spoke about the review of this item by the Executive Committee.

Directors asked if we would be fully complaint in the corrective process by the end of this MOU. Mr. Jessee stated that this is one significant step to reaching U.S. Department of Education compliance and then discussed the process for the Individualized Education Program evaluations and why consultants were necessary. The scope is an incredibly large body of work and he noted the number one reason why people leave the special education profession is the high amount of paperwork required, therefore the consultants are brought in to help in this process, and alleviate the amount of paperwork. Michael Tolley mentioned building on the Multi-Tiered Systems of Support throughout all district schools and this specific item addresses the IEP compliance reviews.

3. [**Approval of the Washington State Auditor’s Office \(SAO\) Contract for 2014-15 Fiscal Year Audits**](#) (introduction)
– (Exec) Approval of this item would approve the contract with the Washington State Auditor’s Office (SAO) for the 2014-15 fiscal year audits for an estimated \$346,000.

Ken Gotsch provided an overview of this item. Director Carr spoke about the review of this item by the Executive Committee.

Directors asked what happens if the hours for this contract are unused. Mr. Gotsch noted that if the funds aren't used for the extra hours specified in the contract, they will be available for other use.

4. [**BEX IV: Resolution 2015/16-2, Olympic Hills Elementary School Replacement Project: Intent to Construct**](#) – (Ops) (introduction)
Approval of this item would approve Resolution 2015/16-2, which certifies the intent of Seattle Public Schools to construct the Olympic Hills Elementary School Replacement project.

Richard Best provided an overview of this item. Director Patu spoke about the review of this item by the Operations Committee.

Director and staff discussed Seattle being at a disadvantage in the reimbursements for these types of building projects due to the State's reimbursement calculations for capital projects.

5. [**BEX IV: Olympic Hills Elementary School Replacement Project: Constructability Review Report**](#) – (Ops) (introduction)
Approval of this item would approve the Constructability Review Report by Cornerstone General Contractors, Inc. as complete for the Olympic Hills Elementary School Project.

Richard Best provided an overview of this item. Director Patu spoke about the review of this item by the Operations Committee.

6. [**BTA III & BEX IV: Meany Middle School Renovation Project Educational Specifications**](#) – (Ops) (introduction)
Approval of this item would approve the Educational Specifications for the Meany Middle School Renovation Project.

Richard Best provided an overview of this item. Director Patu spoke about the review of this item by the Operations Committee.

7. [**BTA III & BEX IV: Meany Middle School Renovation Project: Budget Transfer of Funds from Program Contingency to the Project Budget**](#) – (Ops) (introduction)
Approval of this item would approve the transfer of \$4,470,621 from the BEX IV Program Contingency Account to the Meany Middle School Project budget.

Richard Best provided an overview of this item. Director Patu spoke about the review of this item by the Operations Committee.

Directors noted that this work includes the intercom system being simultaneously installed with the other wiring components in order to be more fiscally efficient.

8. **BEX IV: Cascadia Elementary School and Robert Eagle Staff Middle School: Approval of GC/CM Negotiated Total Contract Cost** – (Ops) Approval of this item would authorize the Superintendent to execute Amendment No. 1 to the GC/CM contract on the Cascadia Elementary and Robert Eagle Staff Middle Schools project, previously known as the Wilson Pacific project, in the amount of \$81,787,147. (introduction)

Eric Becker provided an overview of this item. Director Patu spoke about the review of this item by the Operations Committee.

IX. The meeting adjourned at 8:20pm.