



Board of Directors

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Minutes

Regular Legislative Session
May 4, 2016, 4:15pm

I. Call to Order

- A. This meeting was called to order at 4:15pm
- B. Directors Blanford, Burke, Geary, Harris, Patu, and Peters were in attendance.
Director Pinkham arrived at 4:23pm.
- C. Pledge of Allegiance

II. Student Presentations

Loyal Heights Elementary – Drama presentation.

III. Superintendent Comments

Dr. Nyland thanked the Loyal Heights Theater group for their performance and recognized the Seattle Public School (SPS) nurses. He invited Pat Sander to provide personal recognition of, Katie Johnson for being selected as a 2016 fellow of the National Academy of School Nursing. Katie Johnson commented on the achievements of Seattle Public School nurses Joan McDonagh, Sue Porter, Meg Watson and Bonnie Sandahl-Todd.

Dr. Nyland also provided comments on Teacher Appreciation Week and highlighted the importance of educators in society. He expressed that the achievements of our students are a reflection of how great the SPS teachers are. Dr. Nyland continued to comment on the various SPS staff who received recognition and honors on a state and national level.

Dr. Nyland provided a brief update on how the transportation department is managing issues caused by the viaduct closure. Dr. Nyland provided an update on enrollment and staffing allocations and discussed feedback received from families, students, and principals. He noted that the financial impacts the District is challenged with in regards to keeping staff and programs that the schools have grown to cherish. He addressed the letter from Michael Tolley regarding Center School and current program cuts being experienced at that location. Dr. Nyland also mentioned that the legislature was unable to fund the per pupil inflator factor this year, which took away \$6M in voter approved funds from Seattle Public Schools. He further explained that historically the District would be able to use these funds to mitigate short falls in the budget; however this practice will be limited by the Legislature's decisions. Dr. Nyland continued to explain the financial impacts of the "Levy Cliff" and how lack of early action by the Legislature will reduce the District budget by another \$25M.

Dr. Nyland addressed the current reports of water quality concerns in the Tacoma School District and provided assurances that SPS has been active in addressing these issues for many years. He invited Flip Herndon to provide further information on what the District has done and is doing to provide quality water in all of the District's buildings.

Dr. Herndon discussed the Drinking Water Quality and Access policy adopted in 2004. He provided an overview of what SPS does to test the water sources and the current results of those tests. He further provides information on where this information is located on the SPS website.

Dr. Nyland noted the District's continued work with schools and principals on K-3 ratio requirements and noted that next school year more split classes may be implemented. He noted that a letter describing the possible changes was sent to families last week.

Dr. Nyland provided an update on negotiated regulations in the Every Student Succeeds Act (ESSA), highlighting that standardized test will now be provided in Spanish, which is the second most frequent home language in Washington. He further noted changes to disaggregate test results to include additional categorization, such as military and foster children. He noted that the District will no longer need to send out a letter on “failing schools” to families, but will continue to identify and provide assistance to schools in the bottom 5% of performance levels. He highlighted changes within ESSA on supplanting and noted the importance of ensuring an equitable distribution of qualified teachers throughout the District.

Dr. Nyland provided feedback on his visits to schools around the district and highlighted many successes at each location. He further remarked on the Mayor’s Education Summit held last Saturday and provided feedback on discussions regarding closing the opportunity gap. He pointed to the student lead discussions and the powerful presentation by Michael Tolley about the District’s plan and efforts to eliminate the opportunity gap. He mentioned that as a result of the Summit, the District is eager to work with the City to provide equity, opportunities and access to support the children of Seattle. Dr. Nyland provided comments on the Achieving Educational & Racial Equity conference that drew attention to the work that is underway here in Seattle.

Dr. Nyland concluded his comments with information on upcoming community events and ceremonies around the district; he provided information on additional funding received at Rainier Beach High School; and noted upcoming staffing changes.

IV. Student Comments

Director Patu introduced the student representative, Loren Peterson, from Center School.

Mr. Peterson highlighted the arts program at Center School and noted walk out staged by the students yesterday. Mr. Peterson provided information on the importance of art at Center School and the crucial need to provide funding for these programs.

V. Business Action Items

A. Consent Agenda

(action)

1. **Minutes of the Board meeting on April 20.**
2. **Personnel Report**
3. **2016-17 School Year Calendar**

Director Patu called for a motion on the consent agenda. Director Peters moved for approval of the consent agenda. Director Harris seconded.

Director Harris requested the removal of the personnel report from the consent agenda.

Director Peters moved for approval of the consent agenda as amended. Director Harris seconded. The consent agenda as amended passed unanimously.

B. Items Removed from the Consent Agenda

Personnel Report - Director Peters moved for approval of the personnel report. Director Harris seconded.

Directors expressed concerns about the Reduction in Force (RIF) regarding Family Support Workers and other wrap around support service providers.

Pat Sander noted that the Family Support Worker (FSW) services had been in existence for 25 years and experienced a change by the City to its funding structure in 2013, this change provided schools the opportunity to apply for Elementary Innovative Grants that would allow them to choose what programs or program staff the money would fund. Ms. Sander noted that funding specifically allocated for FSWs has been reduced annually since 2013. She further noted due to the decrease in Levy Funds received from the City to support this service, the District has cut 3.5 FSW positions this year. Ms. Sander discussed the amount of money that would be required to re-instate these services. She also noted other reductions to wrap around service staff due to schools reallocating their grant funding and identified the costs associated with staffing these services.

Directors highlighted the importance of showcasing the actuality of school funding for services and programs and how the Legislative decisions are harming the schools and the students. Directors expressed the need to increase wrap-around services rather than cut them and requested that those who sit on outside committees would find ways to enhance the District's request for funding these services. Directors requested clarification on the Families and Education Levy Grant structural change.

Ms. Sander provided an overview of the breakdown of grant funding per year and provided information on the positions that will be available and how many schools it would service. She further provided clarification that the schools are the agent that decides the specific allocation of the grant money.

Directors commented on how these programs are a way for the City to profoundly assist the District. Directors noted interests support advocacy for funding through the Levy team. Directors asked for clarity on potential results of not approving the Personnel Report. Stephen Nielson discussed the process and implications of not approving the Report. Directors noted that the topic of FSWs and wrap-around service funding will be ongoing and noted the significant discussions already had around the need for these services.

This motion was passed unanimously.

VI. Board Comments

Director Blanford thanked the Loyal Heights performers and provided comments regarding the importance of school nurses and concurred with Dr. Nyland's comments on the critical importance of educators. Dir. Blanford discussed his experience at Nova and the impression the students' appreciation of their Principal made on him.

Director Burke thanked the performers and school nurses. He commented on teacher appreciation week and acknowledged that teachers are the people on the ground doing the work. He provided feedback on site visits within the last month and noted some of the challenges those schools are having. He further commented on the Mayor's Summit and provided information on his next community meetings.

Director Harris thanked performers and Mr. Peterson. She commented on Center School students' advocacy for their school program. She noted her support for alternative schools and art programs and commented on the need to have people testify at legislative budget hearings. Dir. Harris thanked various SPS staff and community members and highlighted a variety of examples of community partnerships. She noted the scholarship award ceremony on May 19th. She provided comments on student dress codes, body shaming, and gender issues in school. Dir. Harris concluded with an update

on her community meetings.

VII. Public Testimony

1. Rochelle Bowyer Student Speaker from Center School
2. Chris Jackins 2016-2017 Calendar, Lincoln High Contract, Loyal Heights
3. Carlina Brown-Banks International Baccalaureate (IB) Program
4. Maureen Germani ceded Chief Sealth
to Harrison Robel
5. Bruce Butterfield ceded IB Funding
to Carol Butterfield
6. Susie Tennant ceded to Center Schools Arts Program
Laurie Utterback
7. Isabelle Duniwat Funding Model impact on Center School
8. Patricia Bailey School Board Policies
9. Laura Gramer DHH Program
10. Frank Hillary Funding impact on Center School
11. Daivid Posner School Lunch Times
12. John Chapman School Budgeting
13. Colin Pierce Rainer Beach IB Program
14. Bianca Davis Funding impact on Center School
15. Debra Steinberg Center School Arts Program
16. Phyllis Campano Administrative Leave
17. Eric Blumhagen and IB Funding
Carol Blumhagen
18. Emma Chrisman Garfield Choir Program
19. Riley Calcagno Garfield Choir Program
20. Julia Furukwa Garfield Choir Program

VIII. Board Comments (continued)

Director Geary welcomed student representative Mr. Peterson. She discussed the funding concerns brought forth in testimony regarding option schools and funding those programs and stated that she is looking forward to finding creative solutions. She noted that students provide valuable learning opportunities for the Board members and thanked them for their testimony. Dir. Geary thanked the Loyal Heights performers and acknowledged the significant work of SPS nurses, teachers and family support workers. She encouraged everyone to contact the people who control the purse strings. Dir. Geary provided feedback on her community meetings and noted that the Board will continue to look at special education enrollment and ways to keep thriving programs in schools. She noted her upcoming community meeting. Dir. Geary commented on her experience at the Race & Equity conference and noted how the District was proudly represented as a leader. Noted Portland is working on volunteer policies to make sure they are not excluding valuable parent volunteers due to indiscretions in their distant past and discussed the equity issues around these policies. She further commented that she would like the District to look at Portland's work to determine if this is a policy that we would like to model. Dir. Geary provided remarks on various site visits and community partner meetings she had attended. She concluded with acknowledging the testimony given by the students that evening and noted that their passion was a demonstration of the exceptional education that they are receiving.

Director Pinkham welcomed the audience in his traditional language and apologized for his tardiness due to transportation. He thanked and acknowledged the work of the theater group's presentation of *Oz*. He commented on the student presence in the room and noted how arts are vital to schools and the learning process. Dir. Pinkham drew parallels of the significance of art in our society throughout history. He congratulated the SPS nurses and educators for their achievements. Dir.

Pinkham provided feedback and reflection on community events he attended and noted the Native American Certificate program deadline at UW. He thanked various community members and SPS staff. He noted the underlying theme of funding and defunding programs and services within our schools. He would like to see that priorities drive the budget not the other way around. He noted his community meeting and potential changes to them.

Director Peters thanked the student representative and drama performers. She remarked on the importance of educators in her life and thanked them for their work. She noted that the passionate student representation in the room was a testament to the District. She voiced her support for Center School and provided input on art programs and keeping kids in school. She acknowledged that the District needs to have as many options as possible to keep as many kids as possible in the school system. With that, Dir. Peters also conceded that budgeting issues exist and the creative funding models need to be reviewed. She encouraged staff to look for creative solutions for Center School's art program. She commented on how she appreciates students bringing their perspective to the Board and noted the discussion lead by students at the Mayor's Summit. She noted the theme shared at the Summit was that school is a community and a family to students and a place where they need to feel loved. She noted the comment made by a student that "schools should have a culture to show love and compassion about me and care about me". Dir. Peters showed her support in creating initiatives and programs that support all students in the district. She noted her opinion on prioritizing sustainable programs that support the students rather than supporting tests that they are likely to fail. She recognized the accomplishment of Center School and Ballard HS's film students at a film festival. She responded to the testimony about lunch times and noted her concern about providing only 20 mins for students to eat. She thanked Dr. Herndon for the update on water quality and the 2004 School Board for their work on that policy. She also addressed the testimony of Ms. Bailey and requested a follow up from staff on her situation. Dir. Peters provided a response to the questions she has been receiving around the waitlist and has asked that staff provided responses in a Friday Memo. She acknowledged other areas of concern that have been presented to her by community members.

Mr. Peterson provided further noted various awards and high performing art students at Center School.

Director Burke voiced that it is critical to hear the true needs of our schools throughout the district. He provided feedback on the three major themes from testimony. He thanked Center School for providing clarity on their situation. He provided feedback on International Baccalaureate (IB) funding and noted the vision brought up in testimony on providing dedicated adequate funding that does not have to compete with other programs. Dir. Burke acknowledged the costs, value and rigor of the IB program and thanked the passionate testimony from Garfield students.

Director Patu thanked Mr. Peterson for providing insight into what is occurring at his school and acknowledged the talent of the performers. She further thanked the nurses and educators for their work in the schools and acknowledged the student speakers. She vocalized her thoughts on the messaging presented to students when programs they cherish are eliminated. She encouraged the District to find ways to keep all programs funded that provide our students an opportunity to thrive. She noted her belief that it is the Board's job to look beyond what the District has right now and plan for inventive ways to fund the future success of our students.

This meeting recessed at 6:47pm and reconvened at 7:01pm.

IX. Business Action Items (continued)

C. Action Items

1. **University of Washington Experimental Education Unit (EEU) Interagency Agreements to provide educational services to Special Education students, ages 3-6** – (C&I) Approval of this item would authorize the Superintendent to execute Interagency Agreements with the University of Washington Experimental Education Unit (EEU) to provide services.

Director Peters moved to approve this item. Director Harris seconded this motion. Director Burke noted the review of this item by the Curriculum & Instruction Policy Committee.

The motion has passed unanimously

D **Introduction Items**

1. **Board Self-Evaluation** – (Exec) Approval of this item would adopt the instruments for the 2016 Board self-evaluation.

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

Director Geary provided an overview of the work session on this item. She discussed carrying over SMART Goals from 2015 with some adjustments. Dir. Geary noted the collaboration with Director Patu to provide a more concrete application of the goals that would give new Board members the opportunity to work through the goal process in a shorter timeline. She noted the limitations in number and scope of goals due to the evaluation timeline.

Director Burke thanked Directors Geary and Patu for their work on this Board Action Report. Directors acknowledged the ground work completed by previous Boards and the opportunity provided through their efforts that the current Board will be able to build on.

2. **Department of Technology Services BTA IV projects loan from Community Schools Fund in the Capital Eligible Program** - (A&F) Approval of this item would adopt Resolution 2015/2016-14 authorizing an Intra-fund loan from the Capital Projects Community Schools Fund to the BTA IV Projects Funds in the amount not to exceed \$2.5M.

Director Peters noted the review of this item was by the Audit & Finance Committee.

Carmen Rahm provided an overview on the item and noted the Levy funding structure for technology operations and support. He further discussed different spending plans for the levy funds and the ideas of front-loading funds vs evenly dispersing money throughout the lifetime of the Levy. He provided a comparison between implementing expenditures for technologies on a six year vs three year model. Mr. Rahm provided further detail on where the costs are incurred noting that more go to operations and maintenance rather than the actual product, like computers, etc. He further provided information on how the funding applies to everyday technical functioning of the school. Mr. Rahm provided insight on the state of technology and equipment around the district.

Directors discussed the pros and cons of front-loading funds in this way and addressed concerns about the risk involved. Directors debated the benefits of buying and replacing technology now rather than waiting for a “newer, better model”. Mr. Rahm noted the abundance of equipment repair needs across the district. Directors requested insight on what other variables should be considered when purchasing these items earlier in the funding cycle. Mr. Rahm noted that the hope is to reduce costs in the long run. Mr.

Nielsen provided supporting information on planning for expenditures to be rolled out over three years on a six year Levy, with the built in assumption that other Levy's will provide funding for any subsequent costs and will fill any potential short fall caused by purchasing these items early. Mr. Nielsen did identify that there is risk in using this funding method, but those considerations are discussed at the onset of the Levy.

Directors discussed if other districts are using the same funding disbursement structure. Mr. Rahm noted that he was unaware of other districts having a six year Levy and using it in three. Directors asked if the increase in spending level was going to become the norm. Mr. Rahm provided clarification on the recommendation. Mr. Rahm noted that the District would like to maintain technology at the current level or better which indicates that there will be a continued need to modernize our networks and equipment. Directors asked for information on current standards for building software. Mr. Rahm indicated that the current benchmark for replacing computers is five to six years and that the hope is to reduce the replacement cycle to four years.

Directors discussed the importance of being very deliberate in how the District stretches its money out considering the current funding climate. Directors further discussed the cost benefits of purchasing earlier and the opportunity cost and money value factors that need to be considered when making these decisions. Mr. Rahm noted that the majority of costs associated with technology are not product related but costs associated with labor and administration. Directors and staff discussed the 1 to 1 model of providing a computer to every student and the access issues experienced within the home and noted that technology is replacing the traditional textbook. Directors addressed concerns about not having the money down the road if it is needed and the absence of a "rainy day" plan. Mr. Nielsen provided comments on how *McCleary* plays into funding technology and notes the concerns about possible changes to Levy structures by legislators. He further noted that the proposal is not to over spend but rather to use the money that was already approved at an alternative speed.

Directors further commented on the funding sources and the need to be cautious in our expenditures and use of resources. Mr. Nielsen noted the technology standards required by law that the District also needs to consider when planning the purchase of new technology. Directors and staff discussed the potential for changes to Levy structures that will affect funding technology. Mr. Nielsen noted that *McCleary* currently does not specifically discuss technology.

Directors asked for clarification on the interest free aspect of the loan proposal. Mr. Nielsen noted that the interest amount is not significant enough to require the need to apply an interest rate.

Directors discussed the difference in BTA and BEX Levy's and the items that they fund and how they may or may not apply to funding technology. Directors and staff further discussed the breakdown of how the loan would be spent to meet the technology needs of the district.

3. **1-year agreement extension with PCMG for Microsoft Enrollment for Education Solutions** – (Ops) Approval of this item would authorize the Superintendent to execute a 1-year contract agreement extension with PCMG, to provide Microsoft Enrollment for Education Solutions from June 1, 2016 to May 31, 2017 in the amount of \$346,098.52.

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

Mr. Rahm provided an overview of costs associated with software licensing. He noted that the cost would average about \$10 per computer per year. He provided further insight on the bidding process and licensing contract. He noted that the cost is based on number of employees not the number of computers using the program. Directors discussed the potential to cater the licensing package to meet the complete needs of the District and not to include programs that are available for free in different venues.

4. **BEX IV: Final Acceptance for Public Works Contract P5054 with Iliad Construction, for demolition work at Hazel Wolf K8 at Pinehurst Phase I** – (Ops) Approval of this item would accept the work performed under BEX IV Public Works Contract P5054, with Iliad Inc. for Hazel Wolf K-8 @ Pinehurst Phase I Project, as final.

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

Richard Best provided information on this project and reported that all work was confirmed to be completed. He noted the change order and provided information on the necessity of the change order. He confirmed that all close out documents were completed and provided as an attachment to the BAR.

5. **BTA III: Program Project Underspend transfer to the Leschi Reroof Project Budget** – (Ops) Approval of this item would increase the original project budget for the Leschi Reroof Project from \$710,280 to \$1,610,280 and approve the transfer of \$900,000 from the BTA III Program Project Underspend to the Leschi Reroof Project budget.

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

Richard Best noted that the bid on this item was not open at the time of committee review, but that the bid had now closed. He provided an overview of the project costs and noted that the entire roof will be replaced. He acknowledged the need to repair the entire roof now and provided historical information on the roof and noted the conditions and assessments report conducted by the Facilities Department in 2006, which was used in obtaining the BTA funding.

6. **BEX III & BEX IV: Award Construction Contract K5064 to Bates Roofing, LLC for Leschi Elementary School Re-roof** – (Ops) Approval of this item would authorize the Superintendent to execute construction contract K5064, to Bates Roofing, LLC for the Leschi Elementary School Reroof in the amount of \$1,065,150, including alternates 1, 2 and 3, plus Washington State sales tax, in the form of the draft agreement, attached to the Board Action Report, with any minor additions, deletions, and modifications deemed necessary by the Superintendent, and to take any necessary action to implement the contract.

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

Richard Best noted that the project had not gone to bid at the time of committee. He noted this item is related to the previous item. He noted that Bates Roofing was the lowest bidder. Mr. Best also highlighted the approval of alternates 1, 2, and 3, listed in the attachments. Director Blanford noted the discussion that occurred at Operations on this item.

7. **BEX IV & BTA IV: Award Architectural & Engineering Services Contract P1436, to Bassetti Architects, for modernization of Lincoln High School** – (Ops) Approval of this item would authorize the Superintendent to execute an agreement with Bassetti Architects, in the amount of \$6,705,588, plus tax, for Architectural and Engineering Services for BEX IV & BTA IV project at Lincoln High School, in the form of the draft agreement

attached to the Board Action Report, with any minor additions, deletions, and modifications deemed necessary by the Superintendent and to take any necessary actions to implement the agreement.

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

Richard Best noted the recommendation to approve the contract award to Bassetti Architects and noted that the “plus sales tax” language in the BAR will be removed prior to action. Mr. Best noted that the District has entered into an agreement with Bassetti Architects to begin this work after they were selected in fall of 2015 to conduct site investigations to provide better cost estimates for construction. Mr. Best pointed out the two contracts attached to the BAR.

Directors addressed the concerns raised in testimony regarding potential conflicts of interest between Bassetti Architects and the Landmarks Board. Mr. Herndon noted that there were no conflicts that he was aware of and that he would follow up and provide information prior to the next Board meeting. Director asked for point of reference in regards to the contract value being proportionate to the total cost bill. Mr. Best noted that given the landmark requirements involved in this building the fees were not considered to be abnormal.

X. Executive Session: Evaluate the performance of a public employee; 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 8:05 pm, Director Patu announced that the Board was immediately recessing the regular Board meeting into executive session to evaluate the performance of a public employee and discuss potential litigation, for approximately 30 minutes.

All Directors were present.

Supt. Larry Nyland, Dep. Supt. Stephen Nielsen, General Counsel Noel Treat, Deputy General Counsel John Cerqui, and Associate Supt. of Teaching & Learning Michael Tolley were present.

At 8:39pm, Director Patu announced that the executive session to evaluate the performance of a public employee and discuss potential litigation was now expected to go an additional 45 minutes, with an anticipated end time of 9:15pm.

Director Burke left at 9:02pm and Director Blanford left at 9:05pm.

At 9:15pm, Director Patu recessed out of the executive session.

XI. The regular Board meeting reconvened at 9:17pm and there being no further business to come before the Board, Director Patu adjourned the meeting at 9:17pm.