



## Board of Directors

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## Minutes

Regular Legislative Session  
July 6, 2016, 4:15pm

### **I. Call to Order**

- A. The meeting was called to order at 4:15 pm.
- B. All Directors were present.
- C. Pledge of Allegiance

### **II. Student Presentations**

### **III. Superintendent Comments**

Superintendent Nyland reminded Directors to use the Good News forms to recognize staff and thanked the Board for their service in the last couple weeks. Regarding eliminating opportunity gaps, the African American Male Advisory Committee (AAMAC) had its first meeting this week, and staff were thanked for their work in this area. Supt. Nyland spoke about the continuing education summit meetings and noted the work being done on guiding principles and the timeline for recommendations to the Mayor. He then spoke to making progress on the use of SchoolMessenger that meets the needs for ELL parents, and noted the new opt-out provisions. Regarding compliance funding, this will keep the district in compliance with new laws, and includes increased translation and interpretation. Also, he noted the Every Student Succeeds Act (ESSA) requires state testing should go forward in the top two languages, and this may start as early as next year.

Supt. Nyland then noted some current issues around kindergarten enrollment being down, noting how that trend impacts overall school enrollment year after year, and efforts are being made to ensure all K students are enrolled. He also spoke about the Garfield article regarding ninth grade honors classes, noting they will now be available to all students. In regards to the Schmitz Park building, he noted the district is working with the existing childcare providers and others on how to make that space available, as well as for other services. He then spoke to the district policies around the use of school buildings and how different service models have different fees.

Supt. Nyland spoke to his final school visits for this year to Greenwood, Bagley, and Fairmount Park. He noted the Cabinet and Principals retreats that were held last week to talk about what was learned this year and what is coming up for next year. He noted principals had dedicated professional development time, including a focus on equity and closing the opportunity gap. He spoke about replicating good work across district schools. He then spoke about the retirement of Kimball Principal Jo Lute-Ervin and the new process for submitting and tracking of performance evaluations, thanking staff for their work in this area.

In speaking to the Year in Review, he noted the work done around the 5 Superintendent SMART Goals, calling out specific steps taken to move them forward. He then noted some of the key events in this year along with significant accomplishments, such as the passage of the Operations and BTA IV levies, opening new classrooms, the use of the Smarter Balanced Assessments, work to eliminate opportunity gaps, and the launch of the Seattle Preschool Program.

Supt. Nyland noted the retirements celebrated on June 28th and thanked Directors who participated. He then spoke to the Washington State Civics Mini-Units for new learning standards. He noted that learning doesn't stop in the summer and spoke to the Summer Staircase program. Related to administrative hiring, Supt. Nyland reviewed the third phase of the district reorganization, including Wyeth Jessee being reclassified as the Chief of Student Supports, and the Executive Director of Curriculum & Instruction position being reclassified to Chief of Curriculum & Instruction.

Supt. Nyland then spoke about principal hiring, ongoing interviews for three open positions, postings for other positions, and the soon-to-be posted positions. He noted that work continues toward the Wallace Grant, with a visit in August, and then spoke to the Community Partnership celebration held June 27th. The negotiations for the Principal Association of Seattle Schools (PASS) collective bargaining agreement (CBA) are continuing, and negotiations have opened for Trades and Carpenters, and bargaining for Local 609 will be reopened in two areas, plus there will be an upcoming conversation with Seattle Education Association (SEA) around implementing the 24-credit graduation requirements and the extended school day, as negotiated in the SEA CBA.

Regarding Time-Responsibility-Incentive (TRI) days, the State has changed how they fund teachers for this, and noted professional development at the end of August. He stated the reminders are going out regarding Bell Times changes and then spoke about school starting on September 7th, noting there is a delayed start for kindergarteners to allow teachers to meet with each family the first week, as full-day kindergarten is now fully funded by the state.

Supt. Nyland then requested to remove action item #7, Awarding Refuse Disposal & Mixed Waste Recycling Collection Services, and asked Bruce Skowrya to speak to this request and also what we do related to school grounds during summer. Mr. Skowrya noted how the vendor came back to staff after introduction to address a possible fee increase from the County, asking to modify their bid. They have implemented a 2-month interim contract with the vendor and will be introducing a new RFP for this contract in August. He then spoke to getting 4 new gardeners for the next budget year and the decision to have them start in late July/early August to help with summer work, rather than hire temporary summer gardeners. Directors asked if there would be any maintenance until that time, and he noted the regular staff is there, but with the additional gardeners present, they can provide additional help, including bringing the five new buildings on line. Directors asked how many gardeners we have currently and Mr. Skowrya noted we have 15.

#### IV. Student Comments

#### V. Business Action Items

Director Blanford moved to amend the agenda to remove action item #7, Awarding Refuse Disposal & Mixed Waste Recycling Collection Services, from the agenda. Director Harris seconded.

This motion passed unanimously.

#### A. Consent Agenda

(action)

1. **Minutes of the Board meeting on June 1, the Work Sessions/Oversight Work Session on June 8, the Work Session and Board meeting (edited) on June 15, and the Public Hearing/Oversight Work Session on June 23.**
2. **Personnel Report** (attachment updated to include missing pages)
3. **Amending Board Policy No. 6805, Keys** – (A&F, June 09, for approval) Approval of this item would amend Board Policy No. 6805, Keys. (action report and attachments edited)
4. **Motion to Accept the Head Start grant, serving 400 pre-school children and families in the amount of \$4,270,691~~195,939~~** – (A&F, May 12 & June 09, for approval) Approval of this item would approve the Head Start funding application and accept the grant funding for Fiscal Year 2017 in the amount of \$4,270,691~~4,195,939~~. (action report and attachments edited)

5. **Substance Abuse Prevention Services Grant from King County Mental Health** – (A&F, June 09, for approval) Approval of this item would authorize the Superintendent to accept the Substance Abuse Prevention Services grant funds from King County, in the amount of \$256,874.
6. **RFQ 01542 Birth to 3 Intervention Administration Services: The Experimental Education Unit (EEU), Wonderland Developmental Center, Northwest Center, Boyer Children’s Clinic** – (A&F/C&I, June 13, for approval) Approval of this item would authorize the Superintendent to execute contracts with the Experimental Education Unit in the amount of \$135,758; the Wonderland Developmental Center in the amount of \$218,182.50; the Northwest Center in the amount of \$703,032.50; and the Boyer Children’s Clinic in the amount of \$1,042,427.50, to ensure the provision of Early Intervention services under the Individuals with Disabilities Education Act.
7. **RFQ 04676 Private School Equitable Services: Spring Academy, Yellow Wood Academy, Hamlin Robinson, Ryther, Brightmont Academy, Catapult Learning** – (A&F/C&I, June 13, for approval) Approval of this item would authorize the Superintendent to execute contracts with Spring Academy in the amount of \$283,500, Yellow Wood Academy in the amount of \$190,350, Hamlin Robinson in the amount of \$89,100, Ryther in the amount of \$87,075, Brightmont Academy in the amount of \$81.00, and Catapult Learning in the amount of \$81.00 to ensure the provision of equitable services to parentally-placed private school students attending approved, non-profit private schools, under the Individuals with Disabilities Education Act (IDEA).
8. **Inter-local Agreement with Edmonds School District to provide services for D/HH Students** – (A&F/C&I, June 13, for approval) Approval of this item would authorize the Superintendent to enter into an inter-local agreement with the Edmonds School District to provide services to the Deaf/Hard of Hearing students for the 2016-17 year in the amount of \$258,214.
9. **Seattle Children’s Hospital Memorandum of Agreement** – (A&F/C&I, June 13, for approval) Approval of this item would authorize the superintendent to enter into a memorandum of agreement with Seattle Children’s Hospital to allow for a flow through of funds for the 2016-17 school year, in the amount of \$465,500.
10. **Overlake Hospital Contract** - (A&F/C&I, June 13, for approval) Approval of this item would authorize the Superintendent to enter into a contract with Overlake Hospital for private placement of students for the 2016-17 school year, in the amount of \$507,740.
11. **Children’s Institute for Learning Differences Contract** - (A&F/C&I, June 13, for approval) Approval of this item would authorize the Superintendent to enter into a contract with Children’s Institute for Learning Differences for private placement of students for the 2016-17 school year in the amount of \$356,512.18.
12. **Yellow Wood Academy Contract** - (A&F/C&I, June 13, for approval) Approval of this item would authorize the Superintendent to enter into a contract with Yellow Wood Academy for private placement of students for the 2016-17 school year, in the amount of \$277,843.
13. **Approval of Washington Schools Risk Management Pool Coverage Agreement for fiscal year 2016-2017** – (A&F, June 09, for approval) Approval of this item would authorize the Superintendent to accept the proposed Washington Schools Risk Management Pool coverage agreement for the 2016-2017 fiscal year and that the expenditure of \$1,922,295 in premium contributions to the WSRMP loss funding pool be authorized. (action report edited)
14. **BTA IV: Award Contract K1255 for Architectural and Engineering Services**

**to Stemper Architects for Roof Replacement at Ballard, Garfield and West Seattle High School project**

– (Ops, May 19, for consideration) Approval of this item would authorize the Superintendent to execute Contract K1255, for Architectural and Engineering Services with S.M. Stemper Architects, for the Roof Replacement at Ballard, Garfield and West Seattle High Schools project in the amount of \$610,420, plus reimbursable expenses. (action report and attachment edited)

Director Peters moved to approve the consent agenda. Director Harris seconded.

This motion passed unanimously.

**B. Items Removed from the Consent Agenda**

**VI. Board Comments**

Announcement of Internal Audit Reports – Director Peters, as the Chair of the Audit & Finance (A&F) Committee, provided an update on the completed audits for the year, as presented at the June 21st A&F Committee Quarterly Audit meeting.

Director Blanford noted his July 16th community meeting will need to be rescheduled due to a meeting in Washington DC.

Director Burke spoke about celebrating the graduations at Ingraham High School and The Center School. He noted a Multi-Tiered Systems of Support (MTSS) realignment meeting last month and how enlightening it was, emphasizing the critical component that instruction meets the needs of 80% of students. He also spoke about issues at Thurgood Marshall and Garfield, noting concerns about community support and getting stuck on adult-focused issues. He noted he has a community meeting scheduled for Saturday, July 23rd at the Fremont Library. He then thanked Stephen Nielsen and his team for the conversation around the \$11M one-time funding for 2016-17 and noted his support for a middle school math materials adoption.

Director Pinkham spoke about a question his daughter asked about acknowledging the Duwamish tribe, whose land we are on, which he recognized. He thanked staff for their work since he joined the Board and noted the increase in transparency and balancing feedback and priorities. He commented on his concerns with the Loyal Heights remodel and noted his plan to meet with the Special Education PTSA. He then stated his support for a math materials adoption, and also more money for mitigation to help schools.

Director Geary reflected on her time on the Board so far and how with all the conflicting pieces of information received, voices are not ignored, but we are looking for ways to meet the needs of all students, and it is hard work. She spoke to the contract for Northwest School of Innovative Learning (NW SOIL) and keeping in mind that those students are in our care and that our policies be applied to them, even if served by an outside vendor. Regarding MTSS, it is bringing the process of individualized education provided to Special Education students to more students, to meet the needs of each student as individuals. They don't have to be identified as special education to get individual attention. Every student adds value to the whole system. She then spoke about the retirement reception and the dedication of those staff, and attending the Head Start year end celebration, a program which meets the needs of our youngest students.

Director Harris spoke about her next community meeting on July 16th at the Southwest Branch Library. She noted the graduations she attended and how different they were. In speaking to the Middle College graduation, she noted the policy edit this evening to add them to the Alternative Learning Experience list, and also the small number of graduates at this school. She then spoke

about meeting with Carri Campbell to continue the work on the community engagement tool, to get the community's feedback. Director Harris noted how recent highly sensitive issues have been handled and a hope that for these adult issues, people interact as adults, and then asked for space in how we deal with each other to make progress and avoid polarization, to allow for thoughtful and deep conversations and to come to table with best efforts. She noted tension between site-based management and accountability and commented on a community member's survey on leadership teams, which had widely varied results. Director Harris then commented on Schmitz Park and how she had hoped today would have had an announcement for leases signed for childcare and other services. She noted that with a presence in the building, vandalism will go down and there will be some contribution of maintenance by the partners. She noted she is in favor of middle school math materials, to give students a strong foundation for high school. She also noted the increased community engagement plan for next year's budget process. She spoke to the two technology items on tonight's agenda for introduction and action, and the need to fix this process to maintain the trust between the Board and staff. She reflected on her attendance at a Sound Discipline program in Renton, which had terrific modeling and would be great to borrow to put the district that much farther ahead. She noted her enjoyment of this work and her respect for Directors.

Director Peters noted her next community meeting will be either July 16 or 17 and commented on participating as a panelist today for art in education, with a focus this year on the future of cities. Attendees came from 80 countries, and met at The Center School. They toured the school and saw a new class focused on computer graphic design, which is very popular. She noted the district and City staff that were present and how topics discussed included accountability measures and focusing curricula on things that can be tested, which has impacted school schedules. Arts have been a victim of a lack of funding, and the students who have suffered the most are low-income students of color. She then commented on arts initiatives to address increasing arts access and how an attendee noted that Microsoft founder Paul Allen attributed his success to having learned to play the guitar.

Director Patu spoke about attending 5 graduations this year, which are always a wonderful way to celebrate the end of the year, and the different things the schools do for the ceremony. She thanked staff for all of the work they do, and thanked central staff, noting how important they are to the district running well.

## **VII. Public Testimony**

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|-----|----------------------|--|
| 1.  | Frank Swart          | 2016-17 Budget - Loyal Heights Remodel                                 |
| 2.  | Chris Jackins        | 2016-17 Budget; Webster Construction Contract, Loyal Heights           |
| 3.  | John Ellefson        | Loyal Heights Remodel  |
| 4.  | Nidhi Agrawal        | Clarity and Accuracy of Information for parents by District            |
| 5.  | Manoj Agrawal        | Better information disclosures on website for filling out choice forms |
| 6.  | Jim Wurzer           | Loyal Heights ES Building Design                                       |
| 7.  | Maryann Firpo        | BEX IV and Expansion at Loyal Heights ES                               |
| 8.  | Mike Jancola         | BEX IV fund allocation for Loyal Heights ES Rebuild                    |
| 9.  | Patricia Bailey      | School Board Policy  |
| 10. | Kathy George         | Special Education Services Contracts                                   |
| 11. | Sonja Hardenbrook    | Better information disclosures on website for filling out choice forms |
| 12. | Mary Griffin         | Northwest School of Innovative Learning (Fairfax Hospital) Contract    |
| 13. | Yolanda Padilla      | Better information disclosures on website for filling out choice forms |
| 14. | Sylvia Schweinberger | Loyal Heights Elementary Remodel                                       |

## **VIII. Board Comments (continued)**

Director Burke thanked this evening's speakers and noted his appreciation for the insight on the NW

SOIL item. He noted he would like to hear more from the McDonald families and commented on the challenges with the Loyal Heights project, including information about the ability to remove the preschool classrooms from the designs for more play space, but that they would have to be down-selected further in the process. He also noted that if enrollment increased down the road, the play space would be the first place portables would go. The landscaping design is not yet finalized and if play space was prioritized over rain gardens, that could help. He expressed some concerns with downgrading the project in case there is an increase in enrollment. He then noted the privilege of serving on the Board and the interesting conversations that make us a better school district.

Director Peters thanked Director Burke for his thoughtful response and noted the need to publicly share the increase in play space at Loyal Heights. She noted how she got started in advocacy, and spoke to some school remodels where we have already outgrown the remodel. It can be hard to make the right plans and to have the right balance. Because of K-3 class size reductions, we won't have as many students in the school. Regarding NW SOIL, she is looking forward to the discussion and how we choose our providers and how we work with organizations whose practices don't align with ours. She stated her support for a math materials adoption and noted feedback received that states it is outdated and isn't rigorous enough, plus it does not comply with policy. In regards to the Harassment, Intimidation and Bullying (HIB) complaint, she asked staff for an update on this issue, noting there has been a history of this in the district. She appreciates her colleagues comments on equity issues and how schools meet the needs of a diverse population of learners.

Director Patu commented on something she had said before, looking at building size, and noted her comments were because alternative schools were being closed due to low enrollment and how those schools need to be open to serve students who need that particular program to be able to thrive. She also commented on a speaker's call for more preschools in the southeast region, stating that the area has preschool in almost every school. Her next community meeting will be on July 16.

Director Pinkham thanked staff from Middle College at Northgate for his visit, and noted challenges there with internet access, which isn't equitable when compared to students in regular buildings. He also noted for the NW SOIL contract, we need to look into these concerns, and couldn't see approving this contract if they allow use of restraints. For the McDonald family, he noted that forms may be understood by staff but we need to be sure they are clear for all possible families, especially those for whom English is not their first language. Regarding the HIB complaint, he spoke to not putting things off when you are not getting a response from the district to reach a resolution, as it could go beyond the point when anything can be done. He does not want the learning moment to be lost to identify how to improve how the district runs. For the Loyal Heights redesign, he still supports the families, and commented on fighting the landmarks issue to possibly allow for a third floor in the building, as well as needing more playground space. He noted how one reason he ran for the Board was to see how to get the district away from being budget driven to being priority driven.

Director Patu recessed the meeting at 6:23 pm and reconvened the meeting at 6:40 pm.

## **IX. Business Action Items (continued)**

### **C. Action Items**

1. ~~**Principal Association for Seattle Schools Collective Bargaining Agreement**~~ (action)  
~~— (Exec, June 2, for consideration) Approval of this item would authorize the Superintendent to execute the Collective Bargaining Agreement with the Principals' Association of Seattle Schools. (This action item has been delayed to the August 24<sup>th</sup> Board meeting, as approved by the Executive Committee on June 30<sup>th</sup>)~~

Director Patu noted this item had been moved to the August 24th Board meeting by the Executive Committee on June 30th.

2. **Resolution 2015/16-19, Approval of 2016-17 Operating & Capital Budgets** – (A&F, June 09, for approval) Approval of this item would adopt Resolution 2015/16-19, to fix and adopt the 2016-2017 Budgets as presented in the Budget Book attached to the Board Action Report. (6/15 Presentation) (7/6 Presentation – slide 6 updated) (action)

Director Peters moved to approve this item. Director Harris seconded this motion. Director Peters noted the review of this item by the Audit & Finance Committee.

Stephen Nielsen spoke to some of the changes to the budget from prior years, and thanked the budget office for their work to put this together. The process used to prepare our budget and work with our schools is unique to Seattle. JoLynn Berge reviewed the budget presentation, reviewing the amount of each of the four fund budgets, the development calendar for this budget, and the upcoming work for the 2017-18 budget cycle, which includes more opportunities for the community to engage in the process. She spoke to ongoing issues in the district, such as Cost of Living Adjustments and K-3 teachers that are unfunded by the state, where the state does not allocate enough funds to cover the full cost to implement these. She then spoke about the Per-Pupil-Inflator (PPI) and how that impacts Seattle and other districts in the amount of levy dollars we can collect. She reviewed the Levy Cliff, which will be a main topic of the next legislative session, and the impact to the district for the 2017-18 budget. The legislature must take action during the 2017 session to avoid the levy cliff impact.

Mr. Nielsen noted the steps of the 2017-18 budget timeline and engagement with our stakeholders on school funding and use of resources, and what options exist. The activity would help to show that we can't do everything we want to do, and to also help with stakeholder engagement for legislative action in the next year and help people understand what options we have if we don't get more dollars next year, or full funding per *McCleary*. He continued to note the different steps of the process, including further community engagement, Board work sessions and retreats. He also noted the need to look at how school funds are allocated, as we do this differently than other districts in the state, and the advantages and disadvantages of doing this work earlier versus later in the year.

Directors asked to whom stakeholders refer and Mr. Nielsen noted that includes internal staff, bargaining partners, external stakeholders including parent groups, and also legislators. Directors asked about the August and September plan for input, and how to do that in light of the summer break. Mr. Nielsen noted concerns with the timeline if we wait too long to then plan the Weighted Staffing Standards (WSS) and stated that the first meeting will be on how we receive funds and will be held in the third week of August, and the September meeting will be on how we use our funds. He noted he has done this kind of engagement before and people have walked away understanding that we can't get everything we want with the funds we have, and while that realization is frustrating, it is also very informative. He also noted that this isn't the only stakeholder engagement. Directors asked about the September date and Ms. Berge noted it would be one month after the August meeting.

Directors asked about discussion of the \$11M one-time funds. Ms. Berge noted the money is within the amounts in the resolution presented. Per the June 30th discussion, money has been set aside for International Baccalaureate, Tier 1 and Tier 2 school funding, some

SMART Goals, and Compliance, and the remaining amount would go into a reserve, to discuss with Board in August. Director Peters spoke to the areas where she would like to see the one-time funds spend: middle school (MS) math adoption, more funds for school mitigation, and funds for the new budget goal with a possible budget audit. Director Burke spoke to the areas that had his support: MS math adoption and how the process could be handled. He also commented on the idea of a budget audit as well as building-based funds that are above and beyond the WSS. Director Geary commented on the purpose of today's vote and noted she would like to see the math proposal run through the race & equity tool. She also stated concerns about staff priorities related to a math adoption, and looking at the larger picture of having students prepared to succeed in math when they reach middle school. Director Blanford asked for a point of order on whether the Board was discussing the budget put forward or the \$11M one-time funds, and if they should be discussed separately. Mr. Nielsen noted the motion was to approve the entire budget, of which the \$11M is included. He noted the opportunity to have the discussion on the \$11M outside of tonight's budget vote, which is planned for August, and staff is working on the areas already identified to be prepared to share process and progress at that time. Director Blanford asked if we need a motion to discuss the \$11M funds or to move to the budget vote. Noel Treat spoke about the parliamentary process on addressing the motion as presented, or amending to include more detail. Mr. Nielsen noted that approving the budget as presented sets up for a meeting in August to go into discussion on the remaining dollars. Tonight's motion does not limit that discussion in August. Director Harris asked if she needed to have a point of personal privilege to continue giving her input, and Mr. Treat noted that was not necessary, as the conversation is germane to the vote. Director Harris spoke about the importance of this discussion and noted her concerns with the district being behind in our curriculum adoptions, and the need to bring that to the attention of the legislators. She noted her concerns with how we are addressing the budget asks for the \$11M, calling out that she would like to revisit the Moss Adams report. She noted the need for more transparency in this process to have more people in the room to understand the process. Director Blanford noted the need for a discussion on fiscal responsibility and his concern with spending dollars from underspend, hoping the legislature comes to save us for the next year's budget. He noted cuts made in prior years, and how it could be used to help mitigate cuts that may come up. Director Patu spoke about making the budget work with our needs, and the value we could have with someone reviewing our entire budget, looking for possible savings or efficiencies. Schools have many needs and is important that we mitigate concerns to allow schools to provide quality education to our students. Director Peters noted she would like to move to the vote and have the \$11M discussion in August, noting concerns she has heard from staff on MS math. Director Harris contended that giving every student a book does not give the complete picture on what a materials adoption can produce, including professional development and developing a theory of action for the work.

This motion passed unanimously.

3. **Placing Conditional Certification Applications on Board Personnel Report** – (A&F, June 09, for approval) Approval of this item would authorize the Superintendent to list conditional certification applications on the Human Resources Personnel Report for approval. (action report and attachments edited) (attachment added) (action)

Director Peters moved to approve this item. Director Harris seconded this motion. Director Peters noted the review of this item by the Audit & Finance (A&F) Committee.

Director Peters thanked Clover Codd for the information added to the action report, and

Ms. Codd spoke to the question about the level of quality of people who apply for conditional certification, and noted an interview rubric that staff has developed to use with conditional applicants before they move forward with the conditional certification application to the Office of Superintendent of Public Instruction (OSPI) for quality hires. The Board would approve the conditional certification applicant prior to the submission of the application to OSPI. Ms. Codd noted it would be a small number of hires, and stated that we do not have a contract with Teach for America, but we do have positions that sit open all year, and could use this method to fill certain positions. Directors noted the attachments do not include the rubric document, and staff noted it would be attached to the action report after tonight's meeting.

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

4. **Northwest School of Innovative Learning (Fairfax Hospital)** (action)

**Contract** - (A&F/C&I, June 13, for approval) Approval of this item would authorize the Superintendent to enter into a contract with Northwest School of Innovative Learning (Fairfax Hospital) to provide educational services for students in private placement for the 2016-17 school year, in the amount of \$619,992.

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 (C&I) Committee.

Director Geary noted community concern around this contract related to NW SOIL's physical management policy. Wyeth Jessee spoke about having contracted with NW SOIL for a number of years. In providing therapeutic services, they have to have a Non-Public Agency (NPA) status, co-signed between districts and OSPI, and then they come under the same laws and regulations as public schools, including isolation and restraint. NW SOIL has undergone a lot of transformation, and they have made improvements and have a new director. Mr. Jessee spoke to language included in NW SOIL's intake form and physical management policy, which is geared toward de-escalation, with the least amount of physical restraint, and in compliance with Individual Education Plan (IEP) and behavior intervention plans. He noted these kinds of placements included specially skilled staff and the district works with them on how to improve their services, to work from a preventative stance. He spoke to a recent OSPI report on how NW SOIL responds to incidents, which showed a positive sign to us and OSPI. Because of this, staff can be in support of this contract, with a continued eye on the services being provided to the students being placed there.

Directors asked about the accountability piece and what our obligation is in how they follow through. Mr. Jessee noted that is why staff works with them so much to have oversight and help them improve their practices, and we are responsible for the implementation of the IEP. Directors also asked if the organization is compliant with state law on use of restraints on students, and Mr. Jessee noted that based upon the OSPI report, they are, but noted that he couldn't say 100%, but their stance is to operate in conjunction with the law. NW SOIL has received training from a vendor in restraint, but that doesn't mean they are implementing those practices. Directors asked if we have to monitor them, what would we be getting for our money and why not do ourselves. Mr. Jessee noted there are only three local providers for these services, and everyone has room for improvement, and working with challenging behaviors is a lot of work. That is why we are in the middle of an RFP (request for proposal) process around working with outside experts to start our

own therapeutic services here at Seattle Public Schools, to have better oversight and services. Directors asked if something happened with a student, what would the district's position be. Noel Treat noted we would likely be a defendant, as there is potential liability if a provider harms a student. Directors then asked if we ask parents to sign the agreement, if we are violating their civil rights. Mr. Treat noted he doesn't see the form as waiving any rights or waiving the provider from complying with the law. Courts could invalidate the form if it takes away rights. Directors asked if we could ask them to change the form, and noted they would like to see the OSPI reports. Directors and staff discussed our leverage in the negotiations, and then Directors asked if action was delayed to August, if that would give time for possible changes and more background. Mr. Jessee noted we are responsible for services outlined in students' IEPs, and given the few close locations, if we were to wait until August, and it didn't get approved, we would have 9 placements to make and we could end up on a wait list. Directors asked if staff's recommendation is to approve the contract and if Mr. Jessee has confidence regarding the concerns raised, and that those can be alleviated through conversations with the vendor. Mr. Jessee confirmed that is the case. Directors asked if he had any concerns that this vendor in this category is different than other providers in this area. Mr. Jessee noted NW SOIL has not had a great reputation, but they have changed a lot of things based on observations, and the new law helps and aids them and us. Director Geary noted that placement in this school requires the signing of the form, and parents are inadvertently being forced to agree that they are having their child placed without necessarily understanding they are buying into a waiver of our policy and law. She noted she would like to see the IEP be referenced earlier in the form, and also asked if the Special Education department could set the practice for IEP teams to discuss the restraint and isolation policy with parents and what that looks like in the context of their student's plan in relation to placement at NW SOIL. Mr. Jessee noted that would be possible. Directors asked about the physical management form and staff noted it is a form of NW SOIL's. Directors then asked about the line of the contract that services must comply with applicable laws and if that provides both legal justification for us to mandate they follow state law, and provide leverage that they follow our policy. Mr. Treat noted it does provide leverage that the vendor follows state and federal law, but may not go to the level that they must follow our exact policy. He further noted he does not see the form as waiving parent rights, and to maintain their accreditation, they have to comply with law. Directors and staff discussed how the form could be improved.

Directors asked what happens if a parent refuses to sign the form and if they get placed at another facility, does that facility have the same practices. Mr. Jessee noted he was not aware of a situation like that occurring, so he couldn't comment on what would happen.

Director Peters noted how this conversation is not codified in the motion, which doesn't provide any assurances.

Director Geary then moved to amend the motion as follows: Approval of contract means that SPS will engage in a process whereby the IEP team, prior to placement of a student, will review the rights of the parents with regards to the form and make sure that the physical management plan is part of the IEP, as well as continue to work with NW SOIL to amend the contract so as, at a minimum, to give prominence to the idea that any physical restraints or physical management that is being used shall be in accordance with the IEP, developed by the IEP team. Director Blanford seconded.

Directors asked for staff to speak to operational challenges associated with implementing this work. Mr. Jessee noted that this is not our form and while we can get them to make some changes, he is not sure to what level. Director Geary noted the amendment would be to work toward that end, to do what we can to make sure the form is fair, that the IEP team

process is transparent and fair, and that families understand their rights. Mr. Jessee noted they can provide an attachment for families to provide that clarity.

The amendment passed by a vote of 4-3 (Directors Blanford, Burke, Geary and Peters voted yes; Directors Harris, Patu and Pinkham voted no).

The amended motion did not pass by a vote of 3-4 (Directors Blanford, Burke and Geary voted yes; Directors Harris, Patu, Peters and Pinkham voted no).

5. **Authorizing a one-year additional agreement with PowerSchool for Enterprise Management Services** (intro/action) – (A&F, June 30, for approval)

Approval of this item would authorize the Superintendent to execute a one-year additional support agreement with PowerSchool to provide Enterprise Management Services from June 8, 2016 to June 7, 2017, in the amount of \$50,000.

Director Peters moved to approve this item. Director Harris seconded this motion. Director Peters noted the review of this item by the Audit & Finance Committee.

Stephen Nielsen noted how this item and item #6 are both up for introduction and action this evening, and noted staff's work to align district contracting practices. He called out that this is a quick turnaround and understands the Board's concern, and appreciates this item would have functionality for schools in the fall. Director Peters noted it is not ideal to have intro and action at the same meeting and goes against transparency. Director Harris noted her request last week for an Internal Auditor review of this work, and it was pointed out to her to refer to the IA was overreaching, and that this would need to go to the A&F Committee and the chair of the A&F Committee, and to discuss with the IA where it belongs or if that is the best use of resources. She noted her concern if there isn't a lessons learned conversation around this work. Director Burke noted the cost components for this vendor, noting that the second contract puts this work over \$250k, and he expressed concern that we already have this money invested in this vendor, and the incremental cost for extended support seems egregious. Director Patu noted her disappointment with this situation and while they understand the reason this item has to come to the Board now; it does not excuse the late process. Nancy Petersen spoke to the overall support contract of \$240k and noted the \$50k contract is the first time staff has considered using this support with this vendor, as we have done our own upgrades before and have managed the costs. She noted we are one year behind in versions and this has created problems in needing to get escalated support. Utilizing this support will allow Technology Services the ability to complete other critical projects. She further noted that the contract includes the ability to cancel the contract after 60 days, which would allow for a refund of a portion of the \$50k if we are not satisfied with service, to help mitigate the risk. Directors asked about the implications of not approving this item today. Ms. Petersen would then need to negotiate a different level of support and by waiting until later in year, it would have impacts to families and students, and staff would look at other projects on the plate for this summer to manage their capacity. Directors asked about the refund option, and Ms. Petersen noted the trial run of the services. Directors and staff discussed the components of the additional work and the skills of our technology services staff.

This motion passed by a vote of 5-2 (Directors Blanford, Geary, Harris, Patu and Pinkham voted yes; Directors Burke and Peters voted no).

6. **Purchase of Technology for New BEX IV Schools, Capacity** (intro/action)

**Classrooms, K-3 Class Size Reduction Classrooms and Special Education Classrooms** - (A&F, June 30, for approval)

Approval of this item would authorize the Superintendent to execute purchase orders through Bid No. B09510 with Dell and Apple for a total amount of NTE \$2,000,000, plus Washington State Sales Tax over fiscal years 2015/2016 and 2016/2017.

Director Peters moved to approve this item. Director Harris seconded this motion. Director Peters noted the review of this item by the Audit & Finance Committee.

Director Peters noted her appreciation for staff bringing this item forward for Board approval, after the April A&F Committee discussion, but she cannot support this item as it does not allow for necessary oversight. Directors asked about the quantities on the purchase orders, and what is the allocation basis. David Oestreicher spoke to how the allocation process is conducted, and how schools chose between Dell and Apple. The allocation ratio is 2.7 to 1. Crystal Kowsky noted the direction was given for 6 devices per classrooms, plus also computer labs and libraries or special education.

This motion passed by a vote of 5-2 (Directors Blanford, Burke, Geary, Harris, and Pinkham voted yes; Directors Patu and Peters voted no).

7. **Awarding Refuse Disposal & Mixed Waste Recycling Collection Services Bid No. B03660** (action)  
~~(Ops, May 19, for consideration) Approval of this item would authorize the Superintendent to execute a contract with Recology CleanScapes, covering the period from August 1, 2016 to July 31, 2019, in the amount of \$553,486.10 annually over the three year term of the contract for Refuse Disposal & Mixed Waste Recycling Collection. (the Superintendent has requested to remove this item from the agenda)~~

Director Patu noted this item had been removed from the agenda by the earlier motion.

8. **BTA IV: Award Contract P1461 for Architectural/Engineering (AE) Services to TCF Architecture for the Daniel Webster Modernization project** (action)  
~~(Ops, May 19, for consideration) Approval of this item would authorize the Superintendent to execute Contract P1461, for Architectural and Engineering Services with TCF Architecture, for the Modernization and Addition at Daniel Webster Elementary School project in the amount of \$2,938,704, plus \$19,690, reimbursable expenses. (action report and attachment edited)~~

Director Peters moved to approve this item. Director Harris seconded this motion. Director Blanford noted the review of this item by the Operations Committee.

Eric Becker noted there were changes to finalize the fee amount of the contract, as well as the contract is now included, plus the shortlisting of architects is noted. Directors asked about the planned use of the Webster site, and what additional costs or impediments could we run into further on, by not having the school focus determined now. Mr. Becker noted there are impacts which could occur and they do have a little time on this project to study options. Directors asked if there is an estimated date by which to make those choices and Mr. Becker noted it would be early next year.

Directors asked about the level of the school. Staff spoke to the benefits of the architect. Directors asked whether there was an adverse impact to approving this item at the next meeting. Staff spoke to the delay of the start of the project and the State Environmental

Protection Agency (SEPA) environmental studies, noting the benefits of an early start. Directors asked about the target open date, which is 2020. Directors then asked about the target enrollment and design elements of the building. Staff spoke to the landmark designation. Directors discussed the timing of this approval and what additional information could be gained by delaying this to a later meeting. Directors asked for clarity of when we will know the purpose of the building.

This motion passed by a vote of 5-2 (Directors Blanford, Geary, Harris, Patu and Peters voted yes; Directors Burke and Pinkham voted no).

9. **BTA III: Award Construction Contract K5071, Bid No. 04671 to ( ), for the Ingraham High School Waterline Upgrades project** (action)  
~~(Ops, May 19, for consideration) Approval of this item would execute a construction contract with \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for the Ingraham High School Waterline Upgrades project. (This action item has been delayed to the August 24<sup>th</sup> Board meeting, as approved by the Executive Committee on June 30<sup>th</sup>.)~~

Director Patu noted this item had been moved to the August 24th Board meeting by the Executive Committee on June 30th.

#### D. **Introduction Items**

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

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

Michael Tolley spoke to the request to amend the policy to include Middle College and Nova as ALE schools, noting the legal requirements of ALEs. Mr. Tolley spoke to the approval of the two current ALE schools on December 2, 2015 and commented that this item does not change that action item but adds two additional schools. Mr. Tolley spoke to the steps that would be taken if this motion passed, including documentation. Directors asked who initiated this idea and Mr. Tolley said that both schools requested to return to this model, mentioning the required training the schools had to undergo. Directors asked about community engagement and whether there is a necessity for deeper engagement with other stakeholders. Mr. Tolley said the amount of engagement that occurred at the school level was sufficient. Directors asked about the implications of the new model. Mr. Tolley spoke to the funding differences in the ALE model. Directors asked about previous situations where there were issues with schools on the ALE model and asked for clarity about ALEs and site schools. Mr. Tolley clarified the changes regarding funding models.

2. **Award of RFP 03662 and approval of maximum expenditure for CloudBook student use laptops** (introduction)  
(Ops, June 16, for consideration)  
Approval of this item would authorize the Superintendent to execute the award of RFP 03662 with Thornburg Computer Services, LLC for Dell CloudBook student use laptops in an amount not to exceed \$6,000,000.

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

David Oestreicher spoke to the motion and the RFP for CloudBook devices, noting the needs of students in schools and the need to match students' activities to the right device, and how the CloudBook is a lower cost option. He noted that teachers and students looked at the devices so that staff could get their input. Mr. Oestreicher stated that the CloudBook is the best value and noted the bid is for an initial term of three years, with an option for a fourth and fifth year. Directors asked about the number of laptops and schools and Mr. Oestreicher commented that these laptops can be used in many situations, and the initial plan is for school refreshes in the fall, and other groups are also interested in trying out the devices. He also stated that if the full amount was spent in the 5-year term, it would come to around 18,000 laptops for all schools. Directors commented on having funds for technology, but not for curriculum adoptions. Stephen Nielsen spoke to funding from BTA levy funds supporting technology purchases. Directors asked whether there is an inventory of all devices we possess. Mr. Oestreicher noted there is inventory information but the district has not done as well in removing outdated machines in a timely manner, and the need to get on a regular refresh cycle. Directors asked about the value students get out of these devices and noted the constant need to keep up with technology. Mr. Oestreicher noted that it isn't about the device but what the student and teacher are doing with it, noted the important thing is getting it out there and having teachers use it to engage with students. Directors asked how this interlaces with how we deliver instruction and also about laptops being lost. Mr. Oestreicher noted that the computers are only for in-school use, not to go home with students. Directors noted the need for a clear educational vision when discussing 1-to-1 computers for students. Mr. Oestreicher noted the contract is to cover a 5-year term and the devices will not all be bought at once. Directors asked if we are increasing the net number of devices in district, or just replacing obsolete technology. Mr. Oestreicher noted it is a combination of both – some schools are doing a refresh and some are getting new devices. Directors and staff discussed increases in support staff and ramping up automation processes so the department's work can be done more efficiently. Directors asked about the 5-year term, and also if money is just designated for hardware or can it be allocated in other areas in technology. Mr. Nielsen suggested removing this item from the August 24th agenda, and to come back at another meeting with a long term plan.

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

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

Eric Becker provided a review of this item, noting there is an interim contract in place for pre-planning services. Directors asked about the source of funding for the interim contract and Mr. Becker noted the funds would be from the Capital fund, either BTA or BEX IV, but BEX funds are more easily accessible.

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

Eric Becker provided a review of this item. Director Blanford noted the review of this item by the Operations Committee. Mr. Becker noted the interim contract in place for pre-planning services.

5. **BEX III: Final Acceptance of Public Works Contract P5039, Pioneer Masonry Restoration Company, Inc., for the Franklin High School Phase I Façade Restoration project** – (Ops, June 16, for approval) Approval of this item would accept the work performed under BEX III Public Works contract P5039, Pioneer Masonry Restoration Construction, Inc. for the Franklin High School Phase I Façade Restoration project as complete. (introduction)

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

Eric Becker provided a review of this item, noting what the change orders included.

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

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

Eric Becker provided a review of this item.

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

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

Eric Becker provided a review of this item. Directors asked to what the signature authority applies. Directors and staff discussed OSPI's D-form process.

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

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

Eric Becker provided an overview of this item. Directors asked about the 2015 educational specifications document and Mr. Becker noted this is the current version for all district elementary schools. Directors asked about the frequency of updates to the ed specs, and Mr. Becker noted he believes it is around every 3-4 years. Directors also asked about the disconnect between the community who works with staff to develop these specifications, and the community who comes to disagree with how schools are designed. Directors noted

they would like additional information on how these are developed. Supt. Nyland spoke about developing a standard that is applied district-wide, with an eye to equity. Directors asked about the site specific customizations, and if they will be completed as part of the approval process or if that happens further downstream. Mr. Becker noted how enrollment projections impact the work by creating the need. Directors asked if the detail gets fleshed out before approval and Mr. Becker noted it will continue to be vetted with revision. Directors asked that Capital and Teaching & Learning work together in establishing these school spaces related to our program needs.

Directors asked the Superintendent about equal vs. equitable allocation of space.

9. **BEX IV/BTA III: Resolution 2015/16-24 Accepting the Building Commissioning Report for the Horace Mann School Addition and Renovation Project** (introduction)  
– (Ops, June 16, for approval) Approval of this item would approve Resolution 2015/16-24 accepting the Final Building Commissioning Report for the Horace Mann School Addition and Renovation Project.

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

Lucy Morello provided an overview of this item.

10. **BTA III & BEX IV: Final Acceptance of Contract K5049, Construction Services, Inc., for the Historic Horace Mann School Addition and Renovation project** (introduction)  
– (Ops, May 19, for approval) Approval of this item would accept the work performed under Public Works Contract K5049, with Construction Services, Inc., for the Historic Horace Mann School Addition and Renovation project as final.

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

Lucy Morello provided an overview of this item. Director Blanford complimented staff on the building improvements. Directors asked what was the cost of the delay in construction when the building was occupied, and Ms. Morello noted it was approximately \$82,000.

11. **BTA III: Final Acceptance of Public Works contract K5057, McGilvra Elementary School, Emergency Lighting, Fire Sprinkler System, Seismic Upgrades, and Partial Re-roofing project, with Bayley Construction** (introduction)  
– (Ops, June 16, for approval) Approval of this item would accept the work performed under BTA III Public Works Contract K5057, with Bayley Construction, a General Partnership, for McGilvra Elementary School, Emergency Lighting, Fire Sprinkler System, Seismic Upgrades, and Partial Re-roofing project as final.

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

Lucy Morello provided an overview of this item.

Supt. Nyland noted that he will be out of the office for much of July and Stephen Nielsen, Michael Tolley, and Flip Herndon will serve in his absence.

## **X. The meeting was adjourned at 9:41 pm.**