



Agenda

Regular Legislative Session
October 12, 2016, 4:15 p.m.

Board of Directors

2445 – 3rd Avenue South
Seattle, Washington 98134
206-252-0040
www.seattleschools.org

I. Call to Order

1. Directors Harris, Patu, Peters, and Pinkham are present. Director Burke was absent. Director Geary arrived at 4:17 pm, Director Blanford arrived at 6:09 pm.
2. Pledge of Allegiance
3. Recognition
 - o Nesholm Foundation

II. Student Presentations

- Haida Heritage, South Shore K-8

III. Superintendents Comments

- Indigenous Peoples' Day

Dr. Nyland read the Proclamation in recognition of Indigenous Peoples' day. He acknowledged Yom Kippur. He discussed the continued focus on Eliminating the Opportunity Gap. He recognized that although there is proof of exemplary student performance across the District there still are large and unacceptable opportunity gaps for many groups of our students. He pointed to seventeen internal initiatives that the District is working on and noted some of the external supports that are assisting in this direction. He noted that the details on the Closing the Gap campaign can be found online and announced the Day of Solidarity. Dr. Nyland noted the growth boundaries item and invited Associate Superintendent of Facilities and Operations, Flip Herndon to provide more information on the work done in preparation for the introduction of this item.

Dr. Herndon acknowledged the impact that the suggested amendments impose on families and addressed the continued capacity issues the district is facing. He noted the community engagement opportunities held throughout the district and discussed the feedback received at these meetings and through email. He noted that new data can provide cause to re-evaluate the boundaries set by the 2013 Board and that there was a specific request from the Board last year to look at the John Rogers, Cedar Park, and Olympic Hill boundary area. He noted the feedback provided by the community regarding designation of where boundary lines

might be and discussed the use of the race and equity tool. He noted the challenges with grandfathering and the impact that reduced grandfathering will have. Dr. Herndon addressed the concerns around grandfathering and assessing the student assignment plan.

Dr. Nyland noted the increase of 650 students, 90 classrooms, and 5 new schools in the District as well as the continued challenges with capacity in a increasingly growing city. He discussed transportation times and challenges to getting athletes to events without missing too many classes. He noted that the Transportation Department is looking at ways to supplement the need for bus drivers by leasing vans for student transport at special events. He noted the goal is to reduce disruption to instructional time so that students do not miss more than one class period at the end of the school day. He discussed the various community engagement opportunities, training for staff, and the task force that has been developed to focus on how the district can improve in this regard. He provided feedback on community partner meetings and discussed the Race and Equity team’s continued efforts throughout the district to train staff and engage the community in efforts to close the gap. He noted the community meetings that staff has been holding regarding the budget and internal conversations about weighted staffing standards and how to adjust to the *McCleary* funding problems. He provided feedback on his site visits to schools and the districtwide professional development on relationship building. Dr. Nyland highlighted good news from around the district and the growing number of partners that help the District encourage students in their work. He provided information on the District’s position on the City Council’s consideration regarding homeless encampments and the partnership with the Seattle Housing Authority to find housing for homeless students. He recognized Legislator Claudia Kaufman, and Tribal Leader, Cecile Hanson, who provided comments on Resolution 2016/17-1.

IV. Student Comments

V. Business Action Items

A. Consent Agenda

1. Minutes of the **Board Retreat** on September 10, the **Work Sessions** on September 14, and the **Regular Board** meeting on September 21.
2. **Personnel Report**
3. **Warrants**

September 2016 Warrants

General Fund	*Payroll	\$ 999,802.79
	Vendor	\$22,675,766.66
Capital Project Fund	Vendor	\$22,283,374.19
Associated Student Body	Vendor	\$ 202,327.87
Expendable Trust Fund	Vendor	<u>\$ 7,000.00</u>
Grand Total		\$46,161,278.51

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

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| 23. | Jennifer Franzmann ceded to Stephanie Franz | Amendments to Growth Boundaries Plan |
| 24. | Kristin Holsman | Amendments to Growth Boundaries Plan |
| 25. | Michael Lapham | Amendments to Growth Boundaries Plan |
| 26. | Rosa Rodriguez ceded to Mathew Walker | Amendments to Growth Boundaries Plan |

VIII. Board Comments (Continued)

Leslie Harris acknowledge the public testimony and iterated that the Board is listening to their concerns and noted that she is appreciative of the suggested solutions presented. She thanked the Nesholm Foundation and the Satterberg Foundation and credited them for the beautiful things that are happening at Denny, Aki, and Mercer. She discussed melding the curriculum and practices of those three schools together to replicate the good practices around the district. She discussed the funding of the International Baccalaureate (IB) Program. She thanked the Haida Heritage dance group for their performance. She asked staff to provide a status update on the training of staff on the Since Time Immemorial curriculum in a Friday Memo. She noted her concerns with not having pathways identified before moving boundaries and numbers around. She suggested that staff look at Cedar Park as an option school. She noted the advanced learning and highly capable cohort (HCC) programs as unfunded mandates. She noted a community meeting that will present on issues of testing at Concorde Elementary. Director Harris provided feedback on her school visits. She noted the placement of special education services at option schools. She commented on the October 19th celebration and noted that as soon as she has a date and time for her next community meeting it will be posted online.

- **Internal Audit & Ethics Annual Report - Andrew Medina**

Director Peters introduced Andrew Medina to provide the Annual Internal Audit & Ethics Report. He noted the completion of 10 audits, which is consistent with years prior. He identified the most significant findings that will be monitored to make sure corrective is taking place. He noted that all audit findings have been reported at public open meetings and are available online. He discussed the corrective action plans, which are management functions and approved by the Superintendent. He discussed the issuance of 300 recommendations to date, noting that only 2% are overdue and 7% are in progress. He explained why some items have been delayed due to funding and the collective bargaining process. He noted that the Council of Great City Schools has asked that his team provide a best practices sheet for other schools to utilize.

Director Pinkham asked for clarification on the items that are overdue. Mr. Medina noted only 2% or 7 recommendations are overdue. Director Peters asked Mr. Medina to come back and present on the best practices sheet once it is created. Mr. Medina noted that he hoped to have it ready in time for his oversight work session in May.

Mr. Medina continued his report on the Ethics annual report that discusses the types of ethics contacts his department received. He noted that the majority of these contacts are from staff members who are proactively seeking advice on things. He noted the different kind of complaints received and discussed the situations that would require independent investigation. Director Harris asked for further clarification on the complaints that received independent investigations and asked what the top three request from the Ethics Department were. Mr. Medina noted that having more resources for investigations and a more robust training program would be helpful. Dr. Blanford

asked if there was any trend data. Mr. Medina stated that the information is available but would need to review the log to break it up over time. Mr. Medina discussed the ethics training program as a part of new employee orientation and noted he would like to have the training further expanded and is working with the Media Department to develop an online training tool.

Director Geary thanked all who came to speak and made a special thank you to Chief Sealth students for their statements. She thanked the Nesholm Foundation and thanked them for their recommendation to the Satterberg Foundation. She provided feedback on her recent attendance at the Washington State School Directors Association's Legislative (WSSDA) conference and discussed the agenda that was agreed upon throughout the state. She provided feedback on her site visits to schools and suggested looking into having American Sign Language (ASL) offered as a second language. She thanked the Haida Heritage group and noted her excitement toward the Duwamish Nation Resolution. She voiced that the importance of recognizing the indigenous people of this land and that as a District we are stronger for supporting each other. She provided feedback on the testimony regarding boundary changes and noted that it is too much too fast. She noted that the Board is listening and thinking about what can be done in term of process and how to reduce the discomfort that families and students may have. She discussed the need to get feedback from families regarding bell times issues and the need to mitigate the impact on families as much as possible. She discussed the homeless encampment issues and her hope that the District can work with the City to find plausible and safe solutions. She noted her next community meeting.

This meeting recessed at 7:20 pm and reconvened at 7:33pm.

Director Geary noted and thanked the Laurelhurst group for attending and providing information on the climate survey even though they were unable to provide testimony on it and encouraged them to come to another meeting.

Director Pinkham thanked the Haida Heritage group for their presentation and spoke on the Since Time Immemorial curriculum. He discussed his thoughts on the Duwamish Nation Resolution as a way to bring attention to the fact that there are tribes out there that don't have recognition or access to their treaty rights and benefits, including that of our local indigenous people. He acknowledged the vast amounts of email correspondence received regarding this Resolution, growth boundaries, bell times, homeless camps, transportation and the HCC programs and noted that staff is working hard to address these concerns. Director Pinkham expressed his appreciation for the Nesholm and Satterberg families for their continued support to expand opportunity for our students. He noted his next community meeting and encouraged people to reach out to him to visit their schools and attend their meetings.

Director Blanford provided feedback on his attendance at the Washington State Equity and Engagement conference and expressed appreciation for Addie Simmons for her leadership. He acknowledged the concerns expressed with the growth boundary changes. He noted his appreciation of the complexity of this issue and difficulty to accommodate every parent's particular needs. He expressed interest in hearing proposals around grandfathering and identifying creative solutions that will work best for everyone. Director Blanford noted his gratitude for the long-standing support from the Nesholm family and the ability to see first-hand the impact that philanthropy and collaboration has within Seattle Public Schools. He noted his next community meetings. He provided information on the reason for his delayed attendance at the meeting and

addressed the emails received regarding the teachers' choice to wear Black Lives Matter t-shirts on October 19th. He discussed the importance of symbolism and going beyond that to take action.

Director Peters thanked the student representatives from Chief Sealth, the Haida Heritage dancers and the writer of the book that was presented to each of the Board members. She thanked all of the public testimony speakers and addressed the concerns presented around growth boundaries and grandfathering rights. She acknowledged the emotional nature of these proposals and asked that staff work to find the least disruptive solutions as possible. She noted the need to take into account the HCC pathways in the growth boundaries decisions. She addressed the Since Time Immemorial curriculum and the hope to get the Board trained up on the curriculum and the need to do more outreach and professional development for staff. She noted that the Board and staff are continuing the conversation around HCC and Advanced Learning programs within our schools and recognized that these programs are unfunded state mandates. She provided feedback on her site visits and her interest in seeing how instruction on digital citizenship and literacy can be spread around the District. She requested more information on how to resolve the transportation of students to athletic events. She expressed her support of ideas presented by Director Geary as a result of her attendance at the WSSDA Legislative Conference and for the idea of having ASL as a language credit option. She provided feedback from her recent discussion on Charter Schools. She noted her upcoming community meetings and discussed the topic of social justice, racial justice and Black Lives Matter. She applauded the teachers who want to connect what is going on in the real world with what is going on in the classroom and making things relevant to students.

Director Peters read comments provided by Director Burke in his absence. These comments thanked people for their thoughtful feedback, innovative ideas and supportive data provided by email and voiced his appreciation of Director Pinkham's and staff's work on the Duwamish Resolution. This statement also included his upcoming community meetings.

Director Patu provided a heartfelt thank you to the Nesholm Foundation for their commitment to the children of Seattle Public Schools. She expressed her appreciation for the students who spoke and the performance of the Haida Heritage dancers. She addressed the concerns and the equity issues brought forward in public testimony around growth boundaries. She acknowledged the importance of looking at ways to keep families together and to make the least disruptive changes as possible. She expressed the need to maintain the relationships built with families and the schools they attend. She discussed the significant aspiration to make sure every student at SPS gets the best education possible and noted the efforts to make sure that happens.

IX. Business Action Items (Continued)

C. Action Items

1. **Resolution 2016/17-1, Memorialize Support of Treaty Rights and Benefits of the Duwamish Nation** – (Exec, August 17, for approval) Approval of this item would memorialize support of treaty rights and benefits of Duwamish Nation as the original people of our area and increasing the emphasis on Native education within our schools.

Director Peters moved to approve this item. Director Harris seconded. Director Peters noted the Executive Committee recommendation.

Director Patu vocalized her support of the Resolution. Director Peters thanked Director Pinkham for his work and for bringing this Resolution to the Board.

This motion passed unanimously.

2. **Elementary Feeder School Grant from the Satterberg Foundation** - (C&I, Sept. 12, for approval) Approval of this item would authorize the Superintendent to accept the Elementary Feeder School grant funds from the Satterberg Foundation, in the amount of \$300,000.

Director Peters moved to approve this item. Director Harris seconded. Director Pinkham noted the Curriculum & Instruction Policy Committee recommendation.

This motion passed unanimously.

3. **Approval of the TRI Settlement with Seattle Education Association**- (Exec, Oct. 6, for approval) Approval of this item would approve the execution and implementation of the Settlement Agreement between the District and the Seattle Education Association. ***(This item is for introduction and action at this meeting)***

Director Peters moved to approve this item. Director Harris seconded. Director Peters noted the Executive Committee recommendation.

Director Harris noted her contention on this issue and voiced her appreciation for the staff's response to this systematic error and work to prevent this from happening again.

Director Peters noted her agreement with Director Harris that this settlement was not handled according to policy and procedure and that staff and the Board has since done the best they could in investigating the systematic errors and implementing corrective action. She noted that the issues with this item is not the merit of paying the substitutes their fair due, but rather the process in which the settlement was handled. She thanked staff for their prompt response and bringing the item forward with the fullest transparency possible. Director Blanford asked Dr. Codd to provide a brief synopsis of what transpired.

Clover Codd provided an overview of the history and context of the TRI pay settlement. She noted the timeline of the settlement negotiation, when the settlement agreement was executed and discussed the systematic errors that occurred. She provided information on what payments have already been made as a part of the settlement agreement and what payment was still outstanding, pending action on this item. Dr. Codd discussed the remedies initiated in order to prevent this from occurring again and noted the stipend and language in the Collective Bargaining Agreement to remedy concerns regarding substitute pay.

This motion passed 5-0-1 (Directors Blandford, Geary, Harris, Peters and Patu voted yes, Director Pinkham abstained).

D. Introduction Items

1. **2016-2017 Board Governance Priorities and Superintendent Goals** - (Exec, Sept. 8 & Oct. 6, for consideration) Approval of this item would approve the 2016-17 Board Governance Priorities and the Goals on which the Superintendent and District will be focused for this year.

Director Patu noted this item was presented at the Executive Committee and provided a timeline of how these Goals were built and discussed at various work sessions and Board retreats. She identified the five Superintendent SMART Goals and highlighted that Goals 1, 3, and 5 were carried over from the previous year. She pointed out that each goal has an attached rubric which includes key baseline elements and targets. She noted the Executive Committee's recommendation for this item. Dr. Nyland thanked the Board for the continuity of the three goals and acknowledged some of the things that this continuity of focus has allowed the District to do. Director Harris addressed Goal one's focus on Multi-Tiered Systems of Support and her hope to have this framed in a simple way that will show what exactly the District is doing and how it is being measured without the use of education jargon. Director Blanford addressed Goal two and the theory of action behind closing the opportunity gap. He discussed the responsibility of the Board and Senior Administrative staff to increase the understanding of the very complex issue of addressing the achievement and opportunity gaps and our role in either addressing them appropriately or potentially exacerbating them.

2. **Approval of 2017-18 Implementation Amendments to 2013-20 Growth Boundaries Plan for Student Assignment** - (Ops, Sept. 15, for consideration) Approval of this item would amend the 2013-20 Growth Boundaries Plan for Student Assignment.

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

Flip Herndon provided an overview of the Action Report and noted the community engagement and feedback provided throughout the process of assessing the recommendation presented within the amendments. He acknowledged that the goal was to figure out how to resolve the concerns of the impacted communities as well as the capacity needs presented within these boundaries. He introduced Ashley Davis to further address the process and data gathered in preparation for these amendments.

Ashley Davis provided information on the proposed amendments and feedback from families in regards to these changes. She acknowledged that the Growth Boundaries team has concentrated on proposing changes that would allow the District to accommodate all of its students and create environments that are best for student learning while minimizing the impact the change may impose on students. She addressed the capacity concerns and the hope that the amendments would alleviate some of the overcrowding in classrooms and need for portables. Ms. Davis addressed each proposed amendment in detail.

Director Harris asked about access to option schools and providing some sort of tie-breaker based upon socio-economic considerations. Ms. Davis noted that would be a change to the student assignment plan and that her department would need to look at that from an equity analysis standpoint and would need to get community input on that type of change. Ms. Davis further discussed Geo-zones and proposed amendments. Director Blanford asked Director Harris to clarify her request regarding the socio-economic considerations. Director Harris clarified that she was asking that staff look at creative ways to identify students that may need more assistance with access to schools that may provide programs that will reduce the opportunity gap. General Counsel, Noel Treat, noted that the use of socio-economic data, such as those who receive free and reduced lunch, is very limited. Director Harris asked if that limitation precludes the District from collecting other data during the enrollment process. Mr. Treat noted that it did not. Ms. Davis continued her presentation on the proposed amendments and noted the process the Growth Boundaries team used to gather information and feedback in order to provide thoroughly thought out proposals. She provided information on the next steps regarding addressing grandfathering, pathways and transportation concerns. She requested that Directors work with the Growth Boundaries team when drafting their proposed amendments so that the team can provide a better analysis of what the

impact would be from the Director's proposed amendments. Director Blanford asked how much time would be needed in advance for proper analysis to occur. Ms. Davis noted that it would depend on the complexity and number of amendments presented.

Director Geary asked for information on the enrollment for option schools in the north end of the District. Ms. Davis noted that all of them have waitlists and pointed to the Enrollment and Planning webpage for further information. Director Geary suggested that if it was possible to break out the amendments that pose less of a controversy from those that may receive more opposition at the next meeting, to assist in the flow of presentation. Dr. Herndon noted past practices and that it is a procedural question that he would have to get more information from staff on. Directors and staff acknowledged that this process may prove somewhat confusing. Director Geary noted the taskforce and the assumption that the taskforce would be able to provide recommendations earlier to assist in processing the information presented today and better prepare for the proposed amendments. She further discussed and proposed considerations around grandfathering.

Director Harris noted that there had been discussion on a Board Resolution regarding program placement and noted that information is lacking regarding the overlay of that Resolution and enrollment. She noted her concerns with not having pathway considerations in place. Director Peters noted her agreement that the concern is that by voting on these amendments without those considerations there stands a chance that the District would be locked into something that may cause complications down the road. She asked what type of considerations regarding pathways have been taken leading up to these amendments. Ms. Davis provided information on the discussions in the past and intentions of the HCC pathways, potential splits and other site considered for these pathways. She noted that further conversations are occurring with leadership in the north end around these pathways. Director Peters also encouraged the potential to have a school with Advanced Learning programs that people can opt into that includes HCC and spectrum component. She noted her interest in making this transition as seamless and painless as possible for families. Director Peters asked if it was possible to look at ways to ensure that families were not split up between schools and what that would take from a logistics standpoint. Dr. Herndon noted that there might not be a way to guarantee that won't occur, but in the student assignment plan, the tie-breaker is sibling attendance. Director Peters addressed her concerns regarding the socio-economic imbalances that are created with some of the proposals and asked for a better resolution of these issues. Ms. Davis noted that the Growth Boundaries team addressed the issues that dense populations in those areas provides and tried to address the challenges that were presented with a variety of scenarios. She noted that they tried to find the least impactful options on these populations and that the continued issues around the physical capacity of schools make it very challenging.

Director Pinkham acknowledged the complexity and challenges of these amendments and the process leading up to them. He addressed the potential to change the way the District is looking at fixing the capacity problems by thinking about changing the assignment plan rather than just create or adjust the boundaries. He noted that these issues are also impacted by new schools being built and the concerns regarding creating racially imbalanced schools. He further addressed the need to look at data regarding socio-economic status and homelessness and potentially partner with the City to provide better resources to handle the potential change to the demographics of these high density areas. Ms. Davis noted that ultimately the District does want to look and think in the perspective that the decisions that are made will increase the positive outcomes for our students while following District policies.

Director Peters read a statement from Director Burke regarding this item that addressed the feedback he has received from the community. This statement addressed the concerns that this plan creates system wide disruption for school communities that create a split from established routines

and supportive resources. The statement requests that more in-depth analysis be done on alternate enrollment models and notes the overwhelming community call for a grandfathering.

X. Executive Session: Potential Litigation; Evaluate the Performance of a Public Employee; Labor Negotiations - This Executive Session will begin at the conclusion of the regular Board meeting and last approximately 60 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 9:31 pm, Director Patu announced that the Board was immediately recessing the regular Board meeting into executive session to discuss litigation and labor negotiations, and evaluate the performance of a public employee for approximately 60 minutes.

The executive session was called to order at 9:35 pm.

Directors Blanford, Geary, Harris, Patu, Peters, and Pinkham were present.

Staff present were: Superintendent Larry Nyland, General Counsel Noel Treat, Deputy General Counsel John Cerqui, Assistant Superintendent for Human Resources Clover Codd, and Assistant Superintendent for Business & Finance JoLynn Berge.

At 10:35 pm, Director Patu announced that the executive session to evaluate the performance of a public employee, labor relations, and litigation was now expected to go an additional 15 minutes, with an anticipated end time of 10:50 pm.

At 10:50 pm, Director Patu recessed out of the executive session.

The regular Board meeting reconvened at 10:50 pm and there being no further business to come before the Board, Director Patu adjourned the meeting.

XI. This meeting was adjourned at 10:50 pm.