

# Board Special Meeting



2445 – 3<sup>rd</sup> Avenue South, Seattle WA 98134

Executive Committee of the Whole; Work Session: 2015-16 Board Governance Priorities,  
Superintendent Evaluation Instrument and SMART Goals;  
Executive Session: Evaluate the performance of a public employee  
Wednesday, October 14, 2015, 4:30-8:00pm  
Auditorium, John Stanford Center

## Minutes

### Call to Order

The meeting was called to order at 4:33pm. All Directors were present. The meeting was staffed by Superintendent Larry Nyland, Deputy Superintendent Charles Wright, Acting General Counsel John Cerqui, and Board Office Manager Theresa Hale.

Director Carr spoke of the development of today's agenda, and the requirement that the Board Special Meeting address only the items on the posted agenda.

At 4:37pm, the meeting recessed to the Board Office conference room, and resumed at 4:42pm.

### Approval of agenda

Director McLaren moved to approve the agenda, Director Peaslee seconded. **The agenda was approved unanimously.**

### Executive Committee of the Whole – Discussion and/or Action:

#### Seattle Preschool Program

Charles Wright discussed the decisions on which they needed Board guidance. The first decision is on the motion to continue the 3 classrooms approved in August 2015. The second decision is focused on expanding the number of high quality seats for the 2016-17 year. Mr. Wright noted that they will discuss the expansion, and how Preschool ties to the strategy of closing opportunity gaps.

Cashel Toner provided a status update. She referred back to August 19, 2015, when the Board voted to accept funding for 3 Preschool programs. Ms. Toner noted that since that date, the team has sprung into action, hired staff, engaged the community, and started school. Ms. Toner reviewed the start up at Original Van Asselt, Van Asselt and Bailey Gatzert. Ms. Toner thanked the Board and staff for their support. It's made a profound difference in the students and families lives and the community. Directors and staff noted the tight timeline and the enrollment numbers versus actual capacity.

At 4:45pm, the meeting recessed to the Auditorium, and resumed at 4:47pm.

Mr. Wright discussed having the Board Action Report (BAR) brought to the Board in November 2015 instead of May 2016 to prevent teachers and staff from moving on if we don't have a plan for them in advance. Directors asked how confident staff is that the space would be available next year. Ms. Toner noted it was her understanding that space would continue to be available. Directors discussed the financial state of the District at this time, and asked what funding is necessary for this. Mr. Wright noted the 75% baseline from the City's Preschool Program and the 25% from performance pay. The programmatic milestones give us the infrastructure to move toward hitting the 25% performance pay. Directors asked for detailed info on the current and projected enrollment at all three sites. Mr. Wright noted that the full enrollment numbers will not be known until later in the year.

Directors discussed resolving the issue of the 25% performance pay prior to continuing. John Cerqui noted he had looked into the Director's previous request about diverting K-12 funds for the Preschool program if the 25% milestones were not hit. Mr. Cerqui noted that his preliminary guidance is to say that the Board cannot go back to the City under the pretense that it is unconstitutional. Directors discussed the timeline of moving the motion from May 2016 to November 2015. Directors discussed the fiscal responsibility and waiting until the District had a better idea of how the program was performing before deciding to expand. Directors noted that the priority needs to remain on the K-12 program. Directors and staff discussed making decisions early to give better predictability and stability for families and schools, which may in turn give better outcomes. Directors discussed not moving forward until the concerns with the original Memorandum of Understanding (MOU) are addressed.

Charles Wright discussed the 25% performance pay, and that the 4 year demonstration program was meant to be a learning process, and part of the learning is to achieve the milestones, noting it is extremely unlikely that they wouldn't reach most, if not all, of the milestones. Mr. Wright discussed the potential risk if the milestones were not reached and how the Grant from the Gates Foundation would be available to cover any deficit in the first two years. Directors discussed the risk beyond the first two years. Supt. Nyland stated the two year grant money, if not used, would go in to a reserve, and could help with expansion. Directors asked what funds will help cover beyond the two years, and wanted to know how many sites we are looking at for expansion. Dr. Flip Herndon stated that beyond the three classrooms we currently have, there are seven maximum potential locations for expansion. Directors noted they would like to see how the current three are working before making decisions on expansion.

Charles Wright went to part two of conversation, to link the goal of closing opportunity gaps and what that means to SPS. Mr. Wright discussed cohort analysis, test scores and the gaps noted in the research. The biggest lever for closing the opportunity gap, research says, is in high quality preschool. Mr. Wright noted that the team researched what was spent throughout the District for remediation in early learning, which was \$14 million for K-5 last year. He noted that if we think about making a difference for kids, we can make a larger impact than the just the three classrooms currently operating. Mr. Wright noted that data shows that 75% of students are unprepared before reaching Kindergarten. The goal would be to have kids enter kindergarten as prepared as possible, by offering high quality preschool programs. Title I regulations allow us to use Title I funds to address those needs. Mr. Wright noted that the concerns that the Directors have on the 25% performance pay are legitimate, but the dollar risk is very small when compared to the cost of remediation and not closing the opportunity gap. He then asked what amount of risk the Board would be comfortable with.

Directors discussed taking mitigated risks, closing the opportunity gaps, high quality programming, and family engagement. Directors discussed whether this is the best focus for our District when we have so many other concerns; regardless of the money given, consideration needs to be given to the time and resources spent. Directors discussed the mixed outcomes of research on preschool programs and fully utilizing Title I funding to reach the achievement gaps in K-12. Directors discussed the milestones within this preschool program, and that they are process based, not outcome based. Directors discussed the MOU with the City for the preschool program, and that the 25% is not negotiable with the City. So the decision may need to be to stay in the program next year, as is, or to move away from the preschool program if the risks are not agreed upon. Directors discussed sticking to the three current preschool classrooms and looking into other grant funding to leverage. They noted SPS is chronically underfunded by the state, so to risk any of the K-12 money to fund this is problematic

In closing comments, Charles Wright thanked the Directors for discussing this item. He asked Directors to think about the opportunity gap, and where to start in mitigating the gap. Mr. Wright noted that if the District spends money on high quality preschool, then maybe it wouldn't need the \$14 million in remediation dollars in the K-5 grades. Mr. Wright noted an urgency to close the gap early, so that it does not remain throughout the 12 years of school. Mr. Wright thanked the Board for considering this program and looks forward to learning together. He asked that if the district could find private funding, if the Board be willing to move forward.

Director McLaren made the motion to move this item forward to the full Board with a recommendation for consideration. Director Peaslee seconded. **This motion was not approved.**

### Communications Protocol

Erinn Bennett and Theresa Hale reviewed and discussed the Communications Protocol edits from the Board Retreat on September 26, 2015, and also the Executive Committee meeting on October 1, 2015. Ms. Bennett called out the highlighted edits in the packet provided. Directors discussed the changes, and the purpose behind the changes. They also discussed the committee work plans, and that items must be on the appropriate committee's work plan prior to coming to a committee meeting to prevent competing priorities. Ms. Bennett noted that each committee's work plan will be standing item on each committee meeting agenda.

Directors discussed the section on Resolutions and asked for John Cerqui to clarify the purposes described. Mr. Cerqui clarified the non-binding proclamations and gave examples of what each are. The ones that have legal requirements are binding resolutions. Directors discussed the constrictive nature of some items, and discussed making the language less restrictive.

Directors spoke about the restrictive nature of classifying committee meetings as Board Special meetings. John Cerqui discussed Open Public Meetings Act (OPMA) requirements and the legal implications with a quorum. He noted that this change was approved by the Board through an edit to Board policy. Director Carr suggested having this discussion at a future Executive Committee meeting and noted that within OPMA guidelines, committee meeting can either have flexibility with the agenda or be open to all Directors but it cannot be both.

Erinn Bennett noted the edits made on the Communications Protocol based on Director's comments.

Director McLaren made the motion to approve the Communications Protocol as edited. Director Peaslee seconded. **This motion was approved unanimously.**

### Review of the October 21 legislative session agenda

Theresa Hale stated that this was previously discussed at the October 1, 2015 Executive Committee meeting and pointed out the updates made since then.

John Cerqui recommended that since we haven't yet discussed the item on the partnership with the Alliance for Education, that we defer the approval of the agenda until after that discussion. Staff noted that after the Operations Committee meets tomorrow, there may be an additional item added on Growth Boundary Assignments.

Directors agreed to move on, and come back to the agenda approval later.

### Board Action Items

#### Alliance for Education

Supt. Nyland noted the handouts provided to the Board. He discussed the meetings held with the Alliance over the year since he has been Superintendent, as well as the years prior. There have been long standing differences between the District and the Alliance. He pointed out the recommendation to move the item forward to the full Board for approval.

Director Carr stated for the record, that she has been involved the whole way with the Alliance, and then noted that today's meeting is a special session where all Directors can ask questions, but only the Executive Committee may move an item forward for Board to the October 21, 2015 legislative meeting.

Directors asked for an edit on the BAR, page 3, to add the word “funds” in the middle of the bulleted items, to incorporate all general funds.

Director McLaren made the motion to move this item forward to the full Board with a recommendation for approval. Director Peaslee seconded. **This motion was approved unanimously.**

### Superintendent Performance Review and Contract

John Cerqui discussed his work in creating the BAR presented. The current contract states that there needs to be an annual salary review and the Board may also discuss a contract extension during the timing of the Superintendent evaluation. He noted that as it stands, Directors Carr and Peaslee will have the authority to discuss and draft the evaluation to bring to the full Board for approval. Mr. Cerqui noted that the BAR for this item has not been drafted, but will be by Friday if it is decided that this will move forward to the October 21, 2015 Board meeting.

Directors noted concerns with having Directors Carr and Peaslee conducting the negotiation, as both Directors will not be in office for the remainder of the Superintendent contract terms, and they discussed potentially adding a third Director, or changing the second Director to being one that will still be in office through the majority of the Superintendent’s term. Mr. Cerqui stated this is not a legal decision but up to Directors. Director Carr noted possible challenges in negotiating with more than two Directors, and that she would be open to partnering with someone, but she would retain her role as the President. Directors discussed alternative options for who could be the two people in the negotiation, or if there can be three people in the negotiation. Directors and staff discussed the timeline between now and when it would come to the full Board, to allow for input from all Directors, a review of the SPS Scorecard, the performance and contract duration, and compensation.

Directors and staff noted that the current BAR up for discussion is to delegate which Directors will enter into negotiations with the Superintendent for his performance evaluation. Directors discussed how to decide which person will be the other person after the Board President. They agreed to notify Mr. Cerqui by tomorrow at 3pm if they are interested, and draw from those interested.

Director McLaren made the motion to move this item forward to the full Board with a recommendation for approval for both introduction and action. Director Peaslee seconded. **This motion was approved unanimously.**

The meeting recessed at 6:35pm and reconvened at 6:50pm.

### Work Session: 2015-16 Board Governance Priorities, Superintendent Evaluation Instrument and SMART Goals

Supt. Nyland noted this topic was originally discussed at the Board Retreat on September 26, 2015. He noted that the District is two months ahead of schedule and commended staff for working on these SMART goals and pointed out that now we will have longer in the year to work towards them.

Erinn Bennett noted these are the goals to be evaluated next school year. She discussed the timeline leading up to this point with the drafts of the goals, the rubrics and where the District sits now. She noted that the graphic document provided gives the high level overview of the Governance Priorities and SMART goals in graphic representation, and shows how they align with the strategic plan. Also included is the draft evaluation instrument for the Superintendent. Directors and staff discussed the SMART Goal language, and noted that the rubrics were designed to discover what is needed as a district in order to reach these goals.

Goal 1 – Multi-Tiered Systems of Support (MTSS)-A: Michael Tolley noted that the language for Goals #1 and #2 have been considered through the Board Retreat and the Work Session on Closing Opportunity Gaps. The language has not changed, per the Board Guidance received. Shauna Heath noted that the rubric looks at a framework of assessment considered by stakeholders and at

collaboration and data teams. Staff feels they have fulfilled all the “basic” measures based on focus groups. Of the 8 schools that have data sets, the outcomes reached fit in the “basic” category. The next step is to reach “proficient.” Ms. Heath discussed the measures and outcomes required to reach that level and those to reach “distinguished.” One of the contingencies to move from “basic” to “proficient,” would be access to formative data and schools understanding how to use formative assessments. Ms. Heath discussed delays that could be possible with getting to the next level.

Directors expressed concern with the data that is focused on African American males and not calling out the other groups of underserved students and how it could be perceived by those students. Staff noted that they will continue to focus on all struggling students. This is more about changing the environment and systems and how it’s implemented and that the goal is to focus on all students, not just African Americans.

Directors and staff discussed how the goals and outcomes are measured. Michael Tolley stated the goal is to improve outcomes for all students within the system and close opportunity gaps where they exist. He noted that it is outcomes for all students, of all subgroups, which is why we were using the inclusive language that was decided upon after feedback from the Directors and staff. Ms. Heath noted that MTSS-A states the goal is to be comprehensive to include every student, as it’s stated in the goal, and the components listed are the strategies to reach that goal. She noted that in closing the achievement gap, all students will be moving, and that the students currently not achieving will have to move the fastest in order for the gap to close.

Directors discussed targeted universalism, the zero-sum paradigm in communities, John Powell’s research on underserved populations, and strategies to help all students rise in performance. They further noted that serving the most underserved can ultimately raise the performance on all students. Directors discussed language in the goal to be more inclusive, such as, “...our most underserved students, including African Americans, Latinos, etc.” The task force will take the Director’s feedback for consideration as the Goal language is finalized.

Goal 2 – MTSS-B. Michael Tolley noted that it says the same language as Goal 1, and they will work on adjusting the language. Bernardo Ruiz discussed the goal language, the target to be “proficient” by November 2016, and that this item will be taken to the Curriculum & Instruction Policy Committee. This goal includes the moratorium on elementary out-of-school suspension, and noted that it is aligned with the district scorecard metrics. Pat Sander discussed the rubric and the targeted universalism strategy. This Goal also includes the school-based equity committees, which were part of the Seattle Education Association Collective Bargaining Agreement (CBA) language. The idea is to share strategies between schools, find those schools that are making a difference, and leverage their expertise to give guidance to other schools. Mr. Ruiz discussed engaging the community through the think tank and the African American parents in a few regions to make sure there is a comprehensive plan and to get feedback for the whole city to support this initiative. He further noted that the think tank was a task force of principals, teachers, students and parents, to provide recommendations to the Superintendent, and to engage in a dialog from their recommendations. Directors and staff discussed the difference between the task forces and the equity teams. Mr. Ruiz discussed the different advisory committees per Title VII on how to better serve certain groups in the schools.

Directors asked for a numerical target to show improvement. Mr. Tolley noted the district scorecard, and the numbers that are associated with the goals. Directors would like to see measures of accountability and expected outcomes, not just process improvement, all on one document. Pat Sander discussed the information on the data collection process and the metrics that are being identified. Mr. Tolley noted he can incorporate the numbers into the rubric. Directors and staff further discussed the possible language changes for Goals 1 and 2.

Goal 3 – Special Education: Michael Tolley noted the Memorandum of Understanding (MOU) with the Office of Superintendent of Public Instruction (OSPI) and that the District had successfully completed this work. He also noted the rubric, and the requirements within the MOU that will allow the District to

successfully implement these strategies. Directors asked for clarification on the MOU. Mr. Tolley discussed the verification visits coming up and verifying the implementation of the goals.

**Goal 4 – Early Hiring:** Flip Herndon and Brent Jones discussed the goal of getting to market first, and the competitive advantage in securing the best talent. SPS historically hasn't been quick enough to secure this goal. They discussed the collaboration between Dr. Herndon and Mr. Jones' groups being the key to the success of achieving this goal. Dr. Herndon discussed open enrollment and accurate enrolment projections to appropriately allocate our resources. Directors discussed the adjustments in staff that have happened recently and asked if we surveyed other districts and how they work through this process. Dr. Herndon discussed his professional experience in working in 5 Washington school districts, and noted that the size of our district does make a large impact, although this is a challenge in all districts. Directors discussed having principals and executive directors be part of the discussion on deployments in the future.

**Goal 5 – Bell Times:** Erinn Bennett noted the handout. Pegi McEvoy noted this was a continuation from last years' goal, which focused on analysis; this year is implementation. She identified September 1, 2016 as the target goal, so it's ready before the next school year. Ms. McEvoy noted three major considerations that were carried throughout all portions. She noted the analysis that has been done so far, including work with Communities in Schools, and the bell times initiative, to not make the opportunity gap any worse. Directors discussed the timeline. Ms. McEvoy discussed that this decision is for next years' bell times, and that every year the transportation service standards are adopted.

**Goal 6 – Customer Service:** Clover Codd and Jacque Coe discussed the Board Governance Priorities and the tie in to the District SMART goals. Ms. Coe discussed the customer service component, community engagement, and language per the work session, and noted the tenets of customer service being two-way communication. She then reviewed the rubric details and noted that right now clear norms of customer service are being established to provide a guide for staff to utilize, by walking them through certain situations. Staff noted the goal is to have clear and easy to find information on the website, and to have that information searchable. Dr. Codd discussed being better about engaging with parents, families and the community, and to provide the appropriate training with our staff on how and when to engage. She noted that every SPS employee is responsible for community engagement at some level, which is our overall goal. Ms. Coe noted that in the area of parent satisfaction, we are currently at 39%, and discussed what it would look like if we were "proficient" in this area. Ms. Coe discussed being more consistent with messaging to the community, in terms of guidelines and processes, to build trust and confidence from the public. Directors discussed the definition of community engagement and the steps to fulfill that goal, and discussed predictability for the public. Directors asked if we could be more aspirational on the "distinguished" rating for this goal, by adding more in between the steps. Directors noted their appreciation for the metrics listed under this goal. Dr. Codd asked for guidance on the measurements, and whether it's realistic to reach the 75% parent satisfaction goals. Directors discussed that it's not a fail if the 75% isn't reached, and that there can be a range which would show progress toward the goal. They noted the specificity of strategic plan goals in the past, and how it seemed that the strategic plan was failing, even though progress was being made. Directors discussed adding a range in each category, and also a growth metric, showing the percentage increase that would be represented.

Ms. Bennett discussed the instrument document and the timeline for coming to the Board. She pointed out that it is a multi-year instrument, and some have SMART goals attached to them. She called out edits to the document and discussed which committee would take on each SMART goal, and that each Director could take on advocacy for each goal. Ms. Bennett will continue to refine the documents per today's discussion before bringing to the board.

### **Executive Session: Evaluate the performance of a public employee (closed to the public)**

Director Carr announced at 8:10pm that the Board was going into executive session to evaluate the performance of a public employee, and the meeting was scheduled for approximately 30 minutes, with an anticipated end time of 8:40pm.

The special meeting immediately recessed into executive session.

Director Carr called the executive session to order at 8:41pm. All Directors were present. Staff present was Superintendent Larry Nyland and Acting General Counsel John Cerqui.

At 8:39pm, Director Carr recessed the Board out of executive session.

The Special Meeting reconvened at 8:40pm and there being no further business to come before the Board, Director Carr adjourned the Special Meeting at 8:40pm.