

EVERETT PUBLIC SCHOOLS
EVERETT, WASHINGTON
Regular Meeting

The Board of Directors of Everett Public Schools, Snohomish County, Washington, held a regular Board meeting on Tuesday, February 9, 2010, beginning at 4:30 p.m., in the Board Room of the Educational Service Center, 4730 Colby Avenue, Everett, Washington. Those in attendance were: Carol Andrews, Kristie Dutton, Jessica Olson, Ed Petersen and Jeff Russell.

ADOPTION OF AGENDA

President Petersen called for any changes to the agenda, to which Superintendent Gary Cohn reported that there would be a revised Personnel Report. With that, Jeff Russell moved for adoption of the agenda. Kristie Dutton seconded the motion and the motion carried unanimously, with no abstentions.

**ADOPTION OF
AGENDA**

APPROVAL OF MINUTES

Kristie Dutton moved to adopt the minutes of the regular meeting of January 26, 2010. Carol Andrews seconded the motion and the motion carried unanimously, with no abstentions.

**APPROVAL OF
MINUTES**

CONSENT AGENDA

Jessica Olson moved to adopt the revised Consent Agenda. Kristie Dutton seconded the motion.

**CONSENT
AGENDA**

- a) Personnel Report (revised) (E:108/10);
- b) Voucher Lists (E:109/10);
- c) Resolution 982: Certification that James Monroe Elementary School Replacement Project Will Not Create or Aggravate Racial Imbalance (Res. 14/10);
- d) Authorization to Call for Bids: James Monroe Elem. School Replacement (E:110/10);
- e) Approval of the Value Engineering Study for the James Monroe Elementary School Replacement Project (E:111/10).

The motion carried unanimously, with no abstentions.

RECOGNITION OF RETIREES

None.

**RECOGNITION OF
RETIREES**

PUBLIC COMMENT

- 1) Annie Lyman—Local citizen—She has been trying to follow Board proceedings via the Board agenda on the website, but would like to hear more of the discussion. She noted that Channel 21 televises the city proceedings or uses podcast and she recommended that the District take a similar tack. This could be one way of strengthening transparency and access.
- 2) Reverend Jack Richards—Pastor at Prince of Peace Lutheran Church and preschool—Open space is important. An important opportunity was lost when Costco went in—it could have been a park or open space. Perhaps the space at Jefferson could be made into a park.
- 3) Marilyn Taylor—Eastmont resident—The Jefferson Elementary School modernization will be terrific. The 10 acres in question has been used as a teaching area. The open space is needed. It would be a wonderful enhancement to set aside in perpetuity. Regarding the proposed short plat and the new road, she recommended continuing with the current security measures. She cautioned about the additional detention pond in relation to student pedestrian traffic—she suggested installing water permeable paving instead.

**PUBLIC
COMMENT**

- 4) Debra Hardy—Lives adjacent to the school yard—It has been a pleasure being Jefferson's neighbor. She asked that the open space and trees remain. She questioned the safety of the new through road where there has never been one.
 - 5) Leonard White—Lives in the area—The school has been a good neighbor. A park would be the preferred option for the 10 acres. He recommended that the first-right-of-refusal for purchase be offered to Snohomish County.
 - 6) Jeffrey McClimans—Although he does not live in the Eastmont area, he serves on the Board of Directors of Neighbors for Neighborhood. His son attends Whittier Elementary School. How this 10 acres is handled will be a litmus test for other future actions. He urged the District to work with the Eastmont neighbors.
- President Petersen thanked the group for their comments and said the Board will take their statements under serious advisement. He invited Superintendent Cohn to comment.

**PUBLIC
COMMENT
(cont'd.)**

SUPERINTENDENT'S COMMENTS

**SUPT'S
COMMENTS**

Superintendent Cohn said he has been working with the District's Executive Director for Facilities and Operations Mike Gunn and his team on the subject of the Jefferson Elementary School acreage. Dr. Cohn was recently approached by Councilman Brian Sullivan to discuss the acreage; Mike and Dr. Cohn will meet with him on Thursday. Dr. Cohn said he is happy to work with the county and the city, to partner with them and to work closely with our Eastmont neighbors. Eventually, the Board will be presented with some kind of recommendation, maybe this year, maybe next. The Board will be updated. Regarding construction specifications and the process underway at Jefferson, Gary will talk with Mike about possible changes, the costs of those changes and their impact.

Dr. Cohn called on Chief Academic Officer Terry Edwards to report on on-time graduation. The extended graduation rate for 2008-2009 for Cascade High School was 94.0 percent; Everett High School was 90.9 percent; Jackson High School was 92.4 percent; Sequoia High School was 75.5 percent; and the District as a whole was 90.2 percent, an increase of about nine percentage points from the previous year and approximately 40 percentage points increase from when we started keeping track in 2003. The District's annual high school dropout rate is 2.4 percent, down from a range of 6.7 percent in 2004-2005. Dr. Cohn said this is a significant accomplishment and was achieved by focusing on individual students. State budget cuts can only do harm. He congratulated Terry and his team. President Petersen said this is a great outcome measure and reflects the focus on each child.

Next, Dr. Cohn reported on the WASA/WSSDA Legislative Conference in Olympia. In addition to Board members, six students attended, representing each high school in the District. The group met with most of our local legislators as well as the Governor. They also learned about the judicial branch in a meeting with State Supreme Court Judge Susan Owens. The students helped make the case for continuing support for schools by our state. The Superior Court case on school funding was a hot topic. Dr. Cohn submitted a draft of a thank-you/follow-up note to legislators that he suggested could come from the Board's legislative representative Carol Andrews (E:112/10). Following a review of the note and brief discussion, the Board approved by general consent.

In closing, Dr. Cohn reported that Cascade High School will hold a mid-year commencement on February 19 at 1 p.m.

ITEMS FOR INFORMATION

Terry Edwards presented information on the District's progress in implementing action items in the District Improvement Plan (E:113/10). He introduced Dr. Rich McCullough, the District's Improvement Advisor, whose assistance is paid for as part

**DISTRICT
IMPROVEMENT
PLAN PROGRESS**

of a grant from OSPI. The District entered *Needs Improvement* status of No Child Left Behind (NCLB) for mathematics in 2009. Terry began by saying that NCLB is both a challenge and an opportunity. There is no district improvement without school improvement. Following a PowerPoint presentation, he talked about the State Uniform Bar and the Adequate Yearly Progress (AYP) timeline for districts. He outlined the different steps of *Needs Improvement* and what it takes to exit *Needs Improvement*. He described the District's improvement process and strategies. In terms of student achievement findings, it has been found that poverty is the biggest obstacle to student achievement, with poverty and membership in a special population being next. Ethnicity is muted by poverty and membership in a special population.

DISTRICT IMPROVEMENT PLAN PROGRESS (cont'd.)

Board member Olson asked about research on the curriculum that demonstrates it is effective with special populations. Terry will supply the research. Board member Olson asked whether the elementary summer school program at AYP schools is open to all students, to which Terry said it is limited to the students at that school.

Dr. Cohn reported that the ESEA (NCLB) re-authorization was mentioned frequently at the WASA/WSSDA legislative conference. The Obama administration is re-visiting the notion of a 100 percent target by 2014 and it is also considering the notion of penalties vs. incentives such as the Race to the Top. There could be a very different federal influence on local decision-making if the dollars that have been distributed by formula are changed to a competitive grant processes. It would mean a significant shift in the educational landscape.

Executive Director of Finance & Operations Jeff Moore provided an update on the progress of the State legislative session, Fiscal Advisory Council (FAC) activities and budget development process. He talked about the work of the Fiscal Advisory Council which meets each Wednesday in February and into March. More laypersons are in the group and they are sorting through the level of informed decisions they can make. They recognize the priority of preserving student achievement and the challenges associated with any changes in class size. The plan for any reductions would be to begin as far away from the classroom as possible. The District is looking at an approximate \$7 million shortfall for the upcoming budget. The FAC realizes there is "no back door out of the box." By May 15, a large population of the District staff must be notified whether they will have a job for the next year. If a levy lid lift were enacted and the Board decided to go to the voters, the first dollars would not come until April 2011. Jeff then talked about the McCleary case relating to Judge Erlick's recent decision regarding school funding that says, under the state's current financing system, the state is failing in its constitutional duty to "make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste or sex." Judge Erlick then ordered the state to determine the actual costs of providing all children with the knowledge and skills set forth in the state's academic standards and to fully fund that actual cost using stable and dependable state sources. Jeff said one might hear the whole spectrum of reactions to this decision; it is speculated that the most that would be recovered would be LEA. Jeff distributed a list of budget-setting guiding principles that were used during last year's process (E:114/10). The revenue projection from the state should be available on Friday, February 12. The House or Senate budget should be available sometime between February 22 and February 26. The end of the legislative session is scheduled for March 12 and a special Board meeting will take place on March 16 whereby audience members have an opportunity to speak individually with Board members on a "carousel" type system. The budget presentation, budget hearing and budget adoption will be held on June 8, June 22 and July 6, respectively.

BUDGET DEVELOPMENT PROCESS UPDATE

The proposed revised Policy 1712—Conflicts of Interest, was provided to the Board of Directors for first reading, with adoption to be recommended at a future time (E:115/10). Dr. Cohn said the recommended changes from the last Board meeting have been incorporated. Board member Olson said she continues to prefer the term “pecuniary” vs. “beneficial” in the first sentence—“beneficial” is too broad and subject to interpretation. Dr. Cohn noted that the language comes directly from the statute. If the Board should choose to use “pecuniary,” that does not relieve the Board from the statute.

**PROPOSED
REVISED POLICY
1712—CONFLICTS
OF INTEREST**

President Petersen said he is pleased to see the last sentence in the second paragraph which says, “The interest of the Director must be disclosed to the Board and noted in the official minutes before the formation of the contract.” Board member Dutton said the word “beneficial” vs. “pecuniary” allows the Board to fully disclose using the language in the second paragraph. Dr. Cohn said he obtained a fairly lengthy legal opinion on the matter.

Board member Dutton said she is happy with the revisions. Board member Russell thanked Dr. Cohn for the work on this revision. Board member Andrews said it is clearer. President Petersen said he is aware much time and effort was devoted to the revision to get it right.

The attached proposed revised Policy 7000—Financial Management, was provided for the Board of Directors for first reading, with adoption to be recommended at a future time (E:116/10). Executive Director for Finance and Operations Jeff Moore commented briefly. Dr. Cohn said it will be important that the revised policy carry the meaning that the Board intends. Board member Dutton thanked Jeff and Dr. Cohn for their work.

**PROPOSED
REVISED POLICY
7000—FINANCIAL
MANAGEMENT—
*first reading***

President Petersen said the word “target” in the text means “not set in stone.” The Board understands the necessity for some flexibility. Board member Russell said the third sentence of paragraph A concerning the budget is important. President Petersen said the revision helps clarify how much the District has of unrestricted vs. unreserved monies. Board member Olson talked about the policy’s usefulness relating to bond ratings. Dr. Cohn said the policy sends a message that the Board is not willing to take a higher level of risk by lowering the fund balance to meet other entities’ needs. President Petersen said the revision helps position the District for the future. Board member Dutton said it helps protect the District against the whipsaw effect of economic ebbs and flows. Dr. Cohn said it also says the District will not hoard resources.

The attached proposed tuition increase for all-day kindergarten was provided for the Board of Directors for first reading, with adoption to be recommended at a future Board meeting (E:117/10). The Administration recommended that the tuition be set at \$2,940 for the 2010-2011 school year, which represents an increase of \$4 from the 2009-2010 fee of \$2,936. The annual methodology for calculating this rate is based upon current-year salaries and benefits, as well as the state-allocated salary and non-salary data projected forward based upon the Governor’s budget. Jeff Moore said the fee is based on a break-even model, not a market assessment. It stays true to our methodology.

**PROPOSED
TUITION
INCREASE FOR
ALL-DAY
KINDERGARTEN
—*first reading***

Financial reports as of December 31, 2009 were provided for the Board of Directors’ review (E:118/10). The reports include year-to-date information on revenues and expenditures, General Fund projections, a cash report and an investment summary. Jeff Moore said the report is relatively unchanged from prior months, with \$9.4 million in the General Fund (5.26 percent). There are no indications of a wide swing from that number although it is being watched closely.

**FINANCIAL
REPORTS AS OF
DECEMBER 31,
2009**

ACTION ITEMS

None.

BOARD COMMENTS

Board member Dutton said it was wonderful to hear about the extended graduation rate. Terry, his team, every school and every teacher in the District are to be commended. She then commented about the WASA/WSSDA Legislative Conference. Dr. Cohn did a masterful job of including the students. Board member Russell echoed those comments and said it was great for the students and for the legislators to hear our interests. Board member Andrews said it was a marathon weekend that Dr. Cohn did an amazing job of orchestrating. The students were well prepared and it was fun to get to know them. Hopefully, students can be involved in more activities. Board member Russell commented that the difficult piece of the trip was the recognition of the lack of political will and political courage among our representatives. Board members must speak to the representatives and to our fellow citizens and make the case to them so they can speak to the legislators. Dr. Cohn acknowledged the outstanding work of Debbie Vanderwilt, executive staff assistant in the superintendent's office, in working out the logistics of the trip, including setting appointments with legislators and arranging accommodations for the students. Thanks also to Jeff Russell and Jeff Moore for transporting the students. President Petersen said it was a useful experience in terms of pursuing student participation with the Board in the future. Board member Russell said the students are eager to join the Board again. Superintendent Cohn said the students did a great deal of preparation.

Board member Olson referred to a recent court ruling regarding the use of the Discovering Algebra series in Seattle Schools (E:119/10). The decision is an indictment of the math curriculum and the District should look at why we use it. A copy of the ruling will be included in the Board's Friday packet.

President Petersen said he is delighted that our students have opportunities to go to the Jazz Festival in California, and the Shakespeare Festival in Ashland, Oregon, to name a few. It was very special to see the students at Everett High School perform in the school's recent centennial celebration and to see the pride they took in performing. It is important to acknowledge these kinds of opportunities for students and keep our focus on the whole child, knowing that arts, music and sports are how we tap into the passions of students.

President Petersen said he and Sue Dedrick have been serving on the steering committee of the Gates Foundation Initiative to look at homelessness in Snohomish County. They are creating a process to help articulate, align and coordinate the homeless delivery system in the county in new ways, thus providing a link among homeless providers, homeless service delivery systems and the education system. He is pleased that the process is moving along. It has been a year in the planning. He went on to say there were 679,000 homeless children in schools in the United States during the 2006-2007 school year. Last year it rose to 1,000,000. Of those, 24,000 are in Washington state and 600 to 800 in Everett Public Schools. An event has been planned for March or April that will bring together all homeless liaisons and superintendents.

WORK/STUDY SESSION

None.

President Petersen called for a ten-minute recess/rest break at 6:20 p.m. to move to Conference Room A (in the same building as the Board Room) for the executive session to discuss with legal counsel representing the District in litigation.

ACTION ITEMS

BOARD COMMENTS

WORK/STUDY SESSION

RECESS

EXECUTIVE/CLOSED SESSION

President Petersen re-convened the regular meeting at 6:30 p.m. and moved immediately into executive session to discuss with legal counsel representing the District in litigation. Board member Olson absented herself from the executive session because she was a party to the litigation being discussed and therefore had a conflict of interest and thus a duty to recuse herself from Board discussion of same. Before going into executive session, it was announced that the executive session would be of approximately 15 minutes' duration and no action would be taken. At 6:45 p.m., the door was opened and it was announced the executive session would extend for approximately ten minutes.

President Petersen re-convened the regular meeting at 6:55 p.m. and adjourned immediately.

**EXECUTIVE
SESSION—
DISCUSS WITH
LEGAL COUNSEL
REPRESENTING
THE DISTRICT IN
LITIGATION**

Gary Cohn, Secretary

Ed Petersen, President