

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, March 23, 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 revisions to the agenda. Superintendent Gary Cohn indicated that there would be an adjustment to the minutes of the special meeting from March 8/11/18, 2010 (E:143/10). He also requested that Items 7d, 7e and 7f be added to the agenda. Two of the new items relate to tabled items from a previous Board meeting. With that, Kristie Dutton moved to adopt the revised agenda. Carol Andrews seconded the motion and the motion carried unanimously, with no abstentions.

**ADOPTION OF
AGENDA**

CONSENT AGENDA

Prior to action on the Consent Agenda, President Petersen said that consideration of the piece of Item 2a—Approval of Minutes, relating to the March 9, 2010 minutes of the regular meeting needed to be delayed to the April 20 Board meeting so that he could review an e-mail from Board member Olson requesting a modification. Kristie Dutton moved to delay consideration of the March 9, 2010 minutes of the regular meeting. Jeff Russell seconded the motion and the motion passed, with no abstentions. Therefore, in relation to Item 2a, the Board members only considered minutes from the special meetings of March 1, March 2, and March 8/11/18, 2010. Kristie Dutton moved to adopt the revised Consent Agenda. Jeff Russell seconded the motion.

**CONSENT
AGENDA**

- a. Approval of Minutes (revised) (E:144/10);
- b. Personnel Report (E:145/10);
- c. Voucher Lists (E:146/10);
- d. Resolution 986: Penny Creek Elementary School Property Sale (Res. 18/10);
- e. Resolution 987: Limited Use Agreement—Whitehall Properties (Res. 19/10);
- f. Declaration of Surplus Property (E:147/10);
- g. Annual Award of Contracts—Athletic Equipment Bid (E:148/10).

The motion passed, with no abstentions.

RECOGNITION OF RETIREES

None.

**RECOGNITION OF
RETIREES**

PUBLIC COMMENT

There was no public comment. Superintendent Cohn took the opportunity to distribute copies of a new audience comment card (E:149/10).

- a. Audience Comments Regarding Items Not on the Agenda—None.
- b. Audience Comments Regarding Items on the Agenda—None.

**PUBLIC
COMMENT**

SUPERINTENDENT'S COMMENTS

Superintendent Cohn confirmed with the Board that the Board's summer workshop will be held August 26 & 27, 2010.

Area 1 Executive Director Molly Ringo announced that four District schools have been selected as 2009 OSPI/SBE Achievement Award recipients. They are Cedar Wood Elementary, Mill Creek Elementary, Silver Firs Elementary and Gateway Middle School. Representatives from each school will attend the April 20 Board meeting.

Dr. Cohn said that at the May 11 Board meeting the Board will get a debrief on this year's state-of-the-school reviews as well as a presentation of data assembled by the Center for Educational Effectiveness (CEE). Dr. Cohn handed out and reviewed information relative to the extended graduation rate showing 2004-2010 data (E:150/10).

The community budget meetings have been completed. There has not been a huge turnout, but much quality input has been received and participants have gained a greater understanding of schools. Yet to come is a March 30 Board budget carousel.

A decision was made by the Supreme Court not to hear the 'Ave Maria' case. Dr. Cohn distributed a collection of messages received to date (attached) and said perhaps the Board will want to work with him to craft one reply so that there is a consistent response.

Staff in the superintendent's office recently heard a BoardDocs presentation. BoardDocs is a paperless system of having paperless Board meetings and maintaining Board minutes. Tonight's Board packet was recently put on the District website, but required four hours to scan the entire packet.

Dr. Cohn commented that many people have worked to put together tonight's agenda.

Regarding the graduation rate, Board member Olson requested information relating to students who received special education diplomas. Regarding the time necessary to scan tonight's Board packet, Board member Olson said four hours seems excessive.

ITEMS FOR INFORMATION AND/OR BOARD DISCUSSION

During the Board's January workshop, discussion occurred regarding the existing provisions of the Board's policy on accepting public comment during meetings. The Board's legal counsel was consulted regarding the current state of applicable court cases and statutory interpretation on the subject. The Board has received formal legal advice, which has been independently verified by secondary counsel, on the matter of regulating public comment during a meeting. In summary, with limited exception the board is not obligated to accept public comment at a Board meeting (exceptions include budget hearings, school closure hearings, policy adoption). It is customary for school boards to include time for public comment on agenda items and on non-agenda items. The board may regulate the time, place, and certain manner of comment by the public. As a result of these legal reviews and advice, extensive revisions to Board Policy 1441 have been prepared for Board consideration and were provided for first reading, with adoption to be recommended at a future Board meeting (E:151/10). Discussion occurred about the meaning of the sentence in the third paragraph which says, "The Board requires that those addressing the Board be either residents or employees of the District or the representative of such residents or employees." Dr. Cohn will do research to determine the rationale for the wording in the sentence.

SUPT'S COMMENTS

**PROPOSED
REVISED POLICY
1441—AUDIENCE
PARTICIPATION
(first reading)**

The attached proposed new Policy 3424—Student Sports & Athletic Related Activities-Concussion & Head Injuries, was provided to the Board of Directors for first reading, with adoption to be recommended at a future Board meeting (E:152/10). The proposed new policy corresponds with recommendations provided by the Washington State School Directors' Association as a result of the Zackery Lystedt law which was passed during the 2009 legislative session in response to a head injury suffered by Tahoma School District student Zackery Lystedt in a 2006 junior high school football game.

**PROPOSED NEW
POLICY 3424—
STUDENT SPORTS
& ATHLETIC
RELATED
ACTIVITIES—
CONCUSSION &
HEAD INJURIES
(1st reading)**

Molly Ringo commented briefly. Board member Russell said, in his opinion, this is a great policy. It takes a lot of pressure off of coaches to make a strong decision.

ACTION ITEMS

The proposed tuition fee of \$116 per month per student for non-special education pre-school students for the 2010-2011 school year was presented to the Board of Directors for first reading at the March 9, 2010 Board meeting (E:153/10). At tonight's meeting, the Administration recommended the Board of Directors approve the aforementioned tuition fee. Chief Academic Officer Terry Edwards commented briefly, saying there is no change in the fee. Dr. Cohn concurred that this is a routine matter.

**PROPOSED
TUITION FOR
PRE-SCHOOL
PROGRAM (second
reading)**

Board member Olson gave Terry and Mr. Petersen (who gave it to the superintendent) a document containing a series of questions to which President Petersen said staff need to have time to prepare answers (attached). Board member Olson said she wants to understand how the program is developed. Kristie Dutton moved to approve the proposed tuition for pre-school program. Jeff Russell seconded the motion and the motion passed with four yes votes and one abstention.

The Administration recommended the Board of Directors approve the District's attached revised 2010-2013 Curriculum & Technology Plan for Student Learning (E:154/10). Tonight's presentation outlined and summarized the plan as a framework to effectively use technology to enhance student learning. It establishes flexible solutions that maximize current inventories and addresses gaps in technology that enable the teaching and learning of 21st century skills across all curriculum areas. Ken Toyn, Jeanne Willard and Scott Jenkins reviewed the PowerPoint, including key ideas, the vision statement, organization and goals, milestones and next steps.

**TECHNOLOGY
PLAN APPROVAL**

Board member Andrews sought clarification of the definition of the e-rate. She asked whether keyboarding is taught in District schools, to which Jeanne said it varies in every school. Discussion followed about middle school technology classes. Lastly, Ms. Andrews marveled at the department's ability to manage all of the technology in the District with just eight employees, to which Scott said much assistance is provided remotely, student interns assist and there are many teachers who take good care of the equipment. President Petersen asked about the Information Technology requirement that we used to have several years ago; Terry Edwards responded. Mr. Petersen thanked staff for their hard work.

With that, Jeff Russell moved to approve the District's attached revised 2010-2013 Curriculum & Technology Plan for Student Learning. Kristie Dutton seconded the motion and the motion passed with no abstentions.

The Administration recommended the Board of Directors adopt the attached Resolution 988—Preparations for a Reduction of the 2010-2011 Operating Budget (Res. 20/10). The State of Washington has projected a budget deficit for the remainder of the 2009-2011 biennium of \$2.8 billion. As a result, the State anticipates reducing the funding level to be provided to local school districts. The anticipated reduction, when combined with an anticipated reduction in Federal program contributions, and the cumulative effect of inadequate state funding for the support of public education will result in the District needing to make estimated budget reductions as high as \$7 million for the 2010-2011 school year. In order to ensure an orderly commencement of the 2010-2011 school year and to comply with certain state laws and provisions of collective bargaining agreements, the District must begin making preparations for the development of a reduced educational program for the 2010-2011 school year.

**RESOLUTION 988:
PREPARATIONS
FOR A
REDUCTION OF
THE 2010-2011
OPERATING
BUDGET**

Following a review by Dr. Cohn and Jeff Moore, Kristie Dutton moved to adopt the aforementioned Resolution 988—Preparations for a Reduction of the 2010-2011 Operating Budget. Carol Andrews seconded the motion and the motion passed with no abstentions.

It was recommended that the Board of Directors approve expansion of itemization of items listed on the Accounts Payable Voucher Registers to include the disbursement category in addition to warrant number, warrant date, payee name and warrant amount. Board members were provided alternative methods for display of the accounts payable voucher reports (E:155/10). The summary report used by the board for several years may be replaced by a more detailed report approximately 1.5 times as lengthy, or a detailed report approximately 7 times as lengthy. At this time, there are standards for entry of the data in the first alternative, and wide variation in data entry control in the second alternative. Business services staff are embarking upon a process to evaluate the systems necessary to provide a more granular level of reporting; this will take staff time and staff training.

**ADDENDUM—
ACCOUNTS
PAYABLE
VOUCHER
ITEMIZATION**

President Petersen followed a process of calling for a motion to take from the table the motion to expand the content of the Accounts Payable vouchers, consider that and act on it. Jeff Russell so moved, Jessica Olson seconded and the motion passed with no abstentions.

Next, President Petersen called for a motion to amend the motion on the table by substituting language, “to specify that the Accounts Payable Voucher Registers be expanded to include the disbursement category in addition to warrant number, warrant date, payee name and warrant amount.” Jessica Olson so moved, Jeff Russell seconded the motion and the motion passed with no abstentions.

The original motion, as amended, was already on the table and required only a vote. All Board members voted in favor of using the aforementioned amended format. There were no abstentions.

The Administration recommended that the Board of Directors authorize its individual members to view by appointment with the superintendent copies of unredacted invoices received by the district from legal firms, and that the superintendent provide that unredacted copies of legal firm invoices be retained in a file or notebook, for up to one year, for board member viewing with staff responsible for the maintenance of the invoices (E:156/10). The superintendent may designate a district official to maintain the file or notebook at an office other than the superintendent's office.

**ADDENDUM--
REVIEW OF
ITEMIZED LEGAL
INVOICES**

This item was designed to respond to a board member request for director review of invoices for legal services received by the district from attorney firms which are employed by the district. Historically, invoices contain personally identifiable data or attorney advice relating to student disciplinary cases, special education due process or similar actions, employee actions, property acquisitions, and similar matters exempted from public disclosure under state and federal rules. In order to avoid breaching attorney-client privilege, or various duties to protect certain student and employee information, additional expense will be incurred if legal counsel must redact, or black out, information for the invoices to be published. An alternative that avoids additional expense, employee and staff notifications, and greater potential for district liability is to make a copy available for individual board member review, with the approval of the entire board.

ADDENDUM--
REVIEW OF
ITEMIZED LEGAL
INVOICES
(cont'd.)

Dr. Cohn said this would be a new motion. President Petersen said this provides a mechanism for Board members to have access to information without incurring additional costs, without affecting the efficiency of the staff and without violating individuals' rights.

President Petersen called for a motion for the Board to authorize its individual Board members to view by appointment with the superintendent copies of unredacted invoices received by the District from legal firms and that the superintendent provide the unredacted copies of legal firm invoices be retained in a file or notebook, for up to one year, for Board member viewing with staff responsible for the maintenance of the invoices. The superintendent may designate a District official to maintain the file or notebook at an office other than the superintendent's office. Jessica Olson so moved, Jeff Russell seconded. Board member Dutton commented that implicit in this action is that Board members may view the aforementioned invoices, but may not share, copy or use the invoices anywhere outside of their personal lives. The motion passed, with no abstentions.

The Administration recommended that the Board of Directors approve the Accounts Payable Voucher Registers provided with the regular Board agenda be placed with the other agenda items on the web site at the same time the entire packet is published by the superintendent (E:157/10). This item provides an opportunity on the March 23, 2010 regular meeting agenda to take from the table the item of business related to Action Item 7d above (Accounts Payable Voucher Registers), clear the pending item, and clarify the Board's intent to follow the action taken in Action Item 7d.

ADDENDUM—
PUBLISHING
VOUCHER
REPORTS

President Petersen called for a motion to take from the table the motion to publish the content of the Accounts Payable Registers on the web site. Jessica Olson so moved; Jeff Russell seconded and the motion passed with no abstentions. President Petersen called for a motion to amend the original motion by substituting "to include the Accounts Payable Voucher Registers provided with the regular Board agenda be placed with the other agenda items on the web site at the same time the entire packet is published by the superintendent." Jessica Olson so moved; Jeff Russell seconded the motion and the motion passed with no abstentions. The Board then voted on the amended main motion. The motion passed with no abstentions.

BOARD COMMENTS

Board member Dutton thanked all for the support of those who came to the benefit breakfast. 364 individuals attended. The goal was \$100,000 and is at \$96,000, which surpasses last year's numbers. She thanked Dr. Cohn for his comments. President Petersen congratulated Kristie and her board for their marvelous work. President Petersen went on to say that United Way of Snohomish County chose Kristie as the campaign manager of the year.

BOARD
COMMENTS

**BOARD
COMMENTS
(cont'd.)**

Board member Russell said the ‘Ave Maria’ case is interesting. There are oftentimes competing values; First Amendment issues and the right of expression are frequently mentioned. The Board must be attuned to the value of the dis-establishment clause, that we are not about the establishment of religion; we work hard to create an environment in which our students do not feel excluded from full participation in the life of the District regardless of their religious background or their right not to believe at all. This is a value that was retained in the District’s side of the case and not something the District needs to apologize for. President Petersen said Ave Maria was embraced as a learning tool for our kids; the kids were taught this music, celebrated it and performed it in public. It was not about this piece of music—it was about helping all of our graduates and all of our families perform this together and how do you respect all of the participants in an event so that no one goes away feeling wounded or oppressed. Some of the comments that are coming through are very one-sided and lack the broader perspective about the process that we went through. Board member Olson said when the District took its viewpoint, it needed to ask, “What is it going to hurt?” We cannot always look out for the minority viewpoint; sometimes one must ask themselves whether they are being neutral in their viewpoint. She does not agree with the court’s decision. Board member Russell said it is not a matter of neutrality, but a matter of establishment and does the District appear to be establishing a religious viewpoint based upon the selection of the music at that public event, and that is the question of the debate. Ms. Olson said she understands that viewpoint. Board member Dutton said she is glad it is done.

President Petersen reminded the group of the budget carousel on Tuesday, March 30, at 5 p.m. in the Board Room.

With no further comments, President Petersen called for a rest break at 6:10 p.m. and to allow time for the meeting to move down the hall to Conference Rooms C1 & C2.

President Petersen re-convened the regular meeting at 6:20 p.m. and immediately moved into the study session.

WORK/STUDY SESSION

The Board of Directors held a strategic plan study session concerning facilitators (instructional/curriculum coaches) (E:158/10). Mike Gunn and Molly Ringo opened this segment and moved to Terry Edwards who introduced staff, five of whom are facilitators, who shared real-life stories of their work: Loretta Comfort, Christy Clausen, Brian Day, Cathy Woods, Tom Lundberg, Sue Dedrick, Celia O’Connor-Weaver, Lynn Evans and LaRae Marks.

**STRATEGIC PLAN
STUDY SESSION 1:
FACILITATORS
(INSTRUCTIONAL/
CURRICULUM
COACHES)**

At the conclusion of the presentation, Terry said, due to budget constraints, we have cut in excess of 20 FTE over the last two years and may cut four or five more. Terry shared a history of facilitators in the District that included the funding collapse in the last year. The challenge is to provide support while we ride out this economic storm.

President Petersen spoke of a facilitator who came to the Board budget carousel last year and spoke eloquently of the need for facilitators. Tonight’s presentation was very helpful in gaining more understanding of the role of the facilitator. Board member Russell said it seems the model has changed significantly and it seems we need to find a model that is economically sustainable over time. In addition, relationships and trust are key. Well-defined goals are also necessary. Board member Dutton asked Tom which model he liked best, to which he said it is hard to feel like he has the same impact as when he was just at Cascade. Board member Dutton said teacher facilitators facilitate success.

Board member Olson noted that curriculum is only as good as the teachers know how to use it. She asked about the biggest challenge of getting teachers to do what they need to do. Brian's reply was that getting teachers to work together is his greatest challenge. Jessica said it was good to hear that in the ELL program, they were able to measure the effectiveness of the facilitators.

Board member Andrews said the reading materials in tonight's packet were very helpful. She wondered how one gets to be a facilitator, to which Molly, Loretta and Christy spoke to the personality traits of a facilitator as well as the application process to become a facilitator.

President Petersen asked who are the critics or opponents of this model of facilitators, to which Sue said there are those who see other ways to use resources; and they may or may not have the broad picture of the District.

The discussion concluded at 8 p.m. and the meeting was moved across the hall to Conference Room C3 for the work session for the community engagement debrief.

During its summer planning workshop, the Board of Directors requested that a strategic plan renewal process and community engagement process be designed and both commenced during the 2009-10 school year. Dr. Pam Posey and Kenneth Jones were retained to design and facilitate both processes. During the fall the board refined community engagement and strategic study session topics, and then approved a strategic planning renewal program. The first community engagement session, on global perspectives, was held March 2 at Eisenhower Middle School. Approximately 60 people attended, including board members. The Board has scheduled a "debriefing" session on the engagement session process and results. Both Mr. Jones and Dr. Posey joined the Board to review the experience and discuss outcomes of the event. A summary of respondent feedback on the event process and a summary of the major themes gathered from the "gallery walk" phase of the session are attached (E:159/10). When asked how many of the attendees were not connected with the District, Bob Reese said he would research that number.

Board member Olson said it was a good discussion at her table, but when they were asked the questions, it felt like they were being led down a path. She wondered whether, with different topics, the turnout would have been improved. Board member Andrews said more people from the community need to attend. The Board members need to recruit people.

April 27 is the next community engagement session.

The work session ended at 8:50 p.m. and the next work session began immediately thereafter.

A work session was held with the Board of Directors concerning the 2010-2011 Strategic Plan (E:160/10). The group reviewed and provided insights about which strategic actions should be continued, strengthened, modified or removed. The feedback will be used in conjunction with the Superintendent's Leadership Team feedback in the development of the 2010-2011 Strategic Plan.

The work session ended at 9:15 p.m. President Petersen called for a brief rest break

**STRATEGIC PLAN
STUDY SESSION 1:
FACILITATORS
(INSTRUCTIONAL/
CURRICULUM
COACHES)
(cont'd.)**

**WORK SESSION—
COMMUNITY
ENGAGEMENT
DEBRIEF**

**WORK SESSION—
STRATEGIC PLAN
2010-2011**

EXECUTIVE/CLOSED SESSION

At 9:30 p.m., President Petersen announced there would be a closed session for discussion of negotiations. Prior to going into closed session, it was announced the closed session would be of 30 minutes' duration.

The closed session concluded at 9:55 p.m.

At 9:55 p.m., President Petersen reconvened the regular meeting and adjourned immediately.

**CLOSED
SESSION—
NEGOTIATIONS**

Gary Cohn, Secretary

Ed Petersen, President