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, April 20, 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 reported that there would be a revision to Item 2i--Resolution 991. The resolution has been refined to be more specific to the interlocal agreement attached to it rather than more general as has been the practice. With that, Kristie Dutton moved to adopt the revised agenda. Carol Andrews seconded the motion and the motion carried unanimously.

ADOPTION OF AGENDA

CONSENT

AGENDA

CONSENT AGENDA

Kristie Dutton moved to approve the revised Consent Agenda; Jeff Russell seconded the motion.

- a. Approval of Minutes (E:161/10);
- b. Personnel Report (E:162/10);
- c. Voucher Lists (E:163/10);
- d. Interagency Agreement with Everett Community College for College in the High School (E:164/10);
- e. Interlocal Cooperative Program Agreement for Northwest Regional Learning Center (E:165/10);
- f. Snohomish Discovery Cooperative Program Agreement (E:166/10);
- g. Declaration of Surplus Property (E:167/10);
- h. Declaration of Surplus Instructional & Library Materials (E:168/10);
- Resolution 991(revised): Authorization to Establish an Interlocal Agreement with Northwest ESD 189 for Unemployment Compensation Pool Cooperative (Res.21/10);
- Financial Report as of February 28, 2010 (E:169/10).

The motion carried unanimously, with no abstentions.

RECOGNITION OF RETIREES

None.

RETIREES

PUBLIC COMMENT

Following a review of the public comment guidelines, President Petersen called on the nine individuals who asked to make public comment:

- Annie Lyman—citizen—She enjoys the podcasting of District Board meetings, but she encouraged the Board to put the podcasts on the District website immediately rather than waiting to do so once the minutes of meetings have been approved by the Board. In addition, the agendas are difficult to find on the District website.
- Erica Drajeske—parent—She supports Mrs. Knutson, a Highly Capable teacher 2) at Mill Creek Elementary. She is an excellent teacher who has had special training in teaching Highly Capable. Erica has spoken with District administration and was told one FTE had to be reduced and it was Mrs. Knutson.
- David Drajeske—father of two children in the Mill Creek Elementary program. He spoke in support of Mrs. Knutson and keeping her in the Highly Capable program. She is highly effective. He asked about the criteria used to re-assign staff.

RECOGNITION OF

PUBLIC COMMENT

- 4) <u>Eric Sager</u>—parent—Spoke in support of Mrs. Knutson. She has helped his daughter make tremendous progress. He urged the Board to reconsider.
- 5) <u>Kimi Boal</u>—parent—Spoke in support of Mrs. Knutson. She is a great teacher who provides children a safe environment in which to learn. As an example, when Ms. Boal sat in on one of Mrs. Knutson's class, the students gave book reports with confidence. She distributed a letter to the Board (E:170/10).
- 6) <u>Kara Moore</u>—parent—Spoke in support of Mrs. Knutson. Ms. Moore has a daughter in Mrs. Knutson's class who has made great strides in writing and math. She is an outstanding instructor.
- 7) <u>Bessie Gong</u>—parent with a potential student in Mrs. Knutson's class—Spoke in support of Mrs. Knutson. She was looking forward to her daughter possibly being in Mrs. Knutson's class. Based on Ms. Gong's research, Mrs. Knutson is a great teacher.

President Petersen said the superintendent is reviewing the above situation.

- 8) Marsha and Kevin Bates—spoke to the Norton overlay issue—They are neighbors to the Norton Avenue playfield. Primary users of the field are the neighbors—it is green space in an urban community. Mr. Bates acknowledged that the District owns the Norton Avenue playfield. He commented about the beauty and history of the trees and encouraged the District to keep the historic overlay of the playfield at 3600 Norton/Grand.
- 9) <u>Valerie Steel</u>—president of Historic Everett—spoke to the Norton overlay issue and referenced the/Rucker Grand overlay and the clear difference between homes in the overlay and those that are not. Homes not in the overlay are not as well kept and there is more crime. The trees have observed important moments in our history. These sentimental trees need to be championed.

President Petersen thanked all who came forward. The Board is committed to each child and takes tonight's statements very seriously.

SUPERINTENDENT'S COMMENTS

Dr. Cohn called on Matt McCauley for an update on the state-of-the-schools reviews (SOSR) process update. He thanked the Board on behalf of the principals and staffs for Board attendance at the SOSRs. Cabinet will review the benefits of the formal and the alternate SOSRs as well as the support needs shared during the SOSRs. Dr. Cohn expressed his thanks as well. He has been impressed with the SOSRs and the work going on in the schools and looks forward to participating in a review of systemic strengths about which they have learned.

Mike Gunn reminded the Board of the upcoming community engagement activity on April 27, 5:30 to 8:30 p.m. at Cascade High School. This activity will explore how the community can support the District's mission, including current and potential partners in the areas of business, social and civic organizations, public and private agencies and families. Dr. Cohn noted that students have requested a community engagement activity of their own, perhaps on May 18. Dr. Posey has volunteered to help them design it It will be a student event, but a couple of Board members will be asked to attend.

Mike then announced that there will be a Comcast Cares day this Saturday, initiated by Comcast to help clean a number of District sites. Some of the activities happened last weekend as well. The planning has been going on since last January. As many as 500 volunteers may be at the three schools being spruced up—Heatherwood Middle School, Sequoia High School and Jackson High School. A youth football user group will also provide approximately 60 volunteers. Overall, this is a very special service activity for the District and the community.

PUBLIC COMMENT (cont'd.)

SUPT'S COMMENTS Molly Ringo reported that Jackson High School was recognized for its achievement in the WordMasters Challenge, tied in with their curriculum and instruction, placing 11th place out of 526 schools nationwide. Four students in particular did especially well—Megan McGrath (in the top 25); Graeden Gunhort (71st); and two students who won Honorable Mention.

SUPT'S COMMENTS (cont'd.)

Lynn Evans announced that Cheryl Plumb, of the Human Resources department, recently ran the Boston Marathon—she ran a 9-minute mile.

Dr. Cohn reminded the Board of the study session to be held on April 22 at 5 p.m.

Dr. Cohn thanked the Board for their recent participation in the high school art show reception and awards ceremony.

In closing, Dr. Cohn reported that there was a meeting recently at Jefferson Elementary School regarding traffic calming devices on the new through street as well as discussing plans for the ten acres.

ITEMS FOR INFORMATION

Cedar Wood, Mill Creek and Silver Firs Elementaries and Gateway Middle School. have been selected to receive the 2009 OSPI/State Board of Education Achievement Award. Called the Washington Achievement Award, it celebrates excellence by recognizing the state's top performing schools. Principals and staff representatives from the schools were present at tonight's meeting.

At the conclusion of the presentations, President Petersen called a recess at 5:25 p.m. to allow for group photos to be taken.

President Petersen re-convened the regular meeting at 5:30 p.m.

The administration provided a report to the Board of Directors regarding ongoing efforts to recruit and retain certificated and classified staff with continued emphasis on expanding diversity (E:171/10). In addition, the annual report to the Board on progress toward affirmative action goals, per WAC 392-200, followed. Lynn Evans, Randi Seaberg and Carol Stolz reported.

The administration provided the Board of Directors with an update on the work-to-date of the Equity and Access Advisory Council (E:172/10). The council has held three meetings: January 28, February 25, and March 29. Jeff Turner, as a consultant, has facilitated the council work during the first three meetings, assisting in developing council member relations and operating norms. Additionally, Jeff worked with the council regarding elements of effective team performance. The council has reviewed the district's annual strategic plan and the recommendations from last year's Superintendent's Task Force on Diversity. Next steps for the council include the development of a work plan. Matt McCauley reported. He ended by saying that a group from the District will be visiting Federal Way School District tomorrow to talk with them about cultural competency, their ELL program, closing the achievement gap and helping students of color envision going to college.

At the conclusion of the report, President Petersen requested that the council, at some point in the future, discuss the topic of culture.

Board member Russell thanked the administration for its work in this area. In his opinion, the Board is very committed to doing well in this area.

RECOGNITION OF WASHINGTON ACHIEVEMENT AWARD RECIPIENTS

AFFIRMATIVE
ACTION ANNUAL
UPDATE—
EMPLOYEE
RECRUITMENT AND
RETENTION

UPDATE ON EQUITY & ACCESS ADVISORY COUNCIL

ACTION ITEMS

The Administration recommended the Board approve a request to the City of Everett to remove the Norton Avenue playfield property from the proposed Norton/Grand Historic Overlay Zone expansion (E:173/10). The City of Everett is proposing to modify its zoning code by expanding the Norton/Grand Historic Overlay Zone to include the Norton Avenue playfield and the Sequoia High School facilities. This proposal, if approved, would impose new regulatory requirements for all new construction and modifications to existing buildings in the expansion area, including the District's Sequoia High School and Norton Avenue playfield properties, and approximately 23 existing homes in the adjacent neighborhood. The proposal will be considered by the City's planning commission this evening (April 20, 2010). The remaining step in the process, after planning commission approval, is City Council approval.

PROPOSED NORTON/GRAND HISTORIC OVERLAY ZONE EXPANSION

Dr. Cohn indicated that this is a Board request item that first came to the Board in February, at which time the Board elected to take no action, so the administration did nothing. Since then, the City has moved ahead with its process. In the interim, some Board members have indicated it would be advisable to re-visit the issue; thus, the item appeared on tonight's Board agenda. A different recommendation has been developed since the time the agenda was prepared. Mike Gunn provided an update and called on Laura Brent of Shockey-Brent to outline the alternative. Mike referred to supplementary materials that were provided to the Board earlier (attached).

At the February 23 Board meeting, the Board posed some questions to which Mike replied tonight: 1) Why wasn't Doyle Park included in the historic overlay discussion? Because it is already part of the original Norton/Grand overlay zone. 2) Are there more legal documents that relate to this issue? The supplementary materials referenced above contain all documentation relating to this issue that has not already been provided. 3) Are public buildings such as schools exempt from these requirements? No, schools are treated by the City of Everett and most jurisdictions as commercial in nature under a special property use permit process called a conditional use permit (CUP) process or, in the City of Everett, a special property use (SPU) permit process. 4) Please provide a better description on how this proposal would affect District properties. Staff members have provided all documentation that they have. The District would have to comply with all the guidelines and requirements contained within the neighborhood conservation guidelines and historical overlay zone standards that are shown in Attachment B of the supplementary materials.

Mike offered an alternative recommendation for the Board's consideration: "Request that additional language be added to the historical overlay expansion requirements and guidelines allowing the two school district properties to continue to operate under SPU (Special Property Use) permit and process requirements and not be subject to the historical overlay expansion requirements until such time as there is a change to a non-school use or a change in ownership. At that time, all of the historical overlay expansion requirements and guidelines would apply."

Laura Brent reviewed conversations that have occurred with the city.

Board member Dutton said the new proposal is a "win-win" in that it provides flexibility for the District to preserve the nature of Sequoia, an historical piece of Everett, while protecting the City and its concerns.

President Petersen said at the last meeting the Board did not take action because it was uncertain of the implications. The issue came before the planning commission rather quickly. The Board values history and what Sequoia represents. The question is the

Norton playfield, which is not historic. The Board is obliged to ensure the assets of the District are used for education. Board member Russell said he wants to go on record saying that he is in favor of preserving history and the integrity of these old buildings such as Sequoia. This is not a vote against open space or community use of school property or parks. Board member Andrews asked questions about when Doyle Park was brought into the historic overlay zone. The potential compromise with the City relating to Sequoia and Norton playfield sounds like a good solution.

PROPOSED NORTON/GRAND HISTORIC OVERLAY ZONE EXPANSION (cont'd.)

Dr. Cohn said the essence of the Board's decision is the extent to which the Board wants to defend against additional bureaucracy, costs and requirements. Ironically, the overlay could improve the value of the property.

Kristie Dutton moved to go with the updated recommendation from District staff as stated above in quotes, in consultation with Laura Brent and in consultation with City staff. Jeff Russell seconded the motion.

Board member Olson said the work-around solution sounds pretty good, but she is disappointed with the timing of all of this. The consensus in February was that the Board needed more information. When the City notified the District that this was coming up again, better use of time should have been made, notifying the public and the Board more quickly. She is concerned that the Administration heard about this solution last week and the Board did not hear about it until right now.

Board member Russell said he will vote yes, but his vote should not be considered in any way as thinking about developing the Norton Avenue playfield at this time.

It is Board member Andrews' understanding that this solution arrived in the last couple of days. Although tight, the timing was unavoidable.

Dr. Cohn said the first time he learned of the alternative proposal was Friday morning (April 16) while he was away at a superintendents' meeting and after the written document had been prepared for the Board's agenda packet.

The motion passed, with Board member Olson abstaining.

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 were prepared for Board consideration and are provided here for second reading and adoption (E:174/10). First reading took place at the March 23, 2010 Board meeting.

PROPOSED REVISED POLICY 1441—AUDIENCE PARTICIPATION (2nd reading)

Superintendent Cohn summarized.

Jeff Russell moved for adoption of the aforementioned proposed revised Policy 1441 relating to audience participation. Kristie Dutton seconded the motion.

Board member Russell thanked staff and legal counsel for their extensive work on this revision. The Board meetings are business meetings, but it is important for the Board to give the public time to speak. This methodology provides a good balance of getting business completed and giving the public an opportunity to comment.

Board member Andrews said tonight was a good example of the Board valuing public comment, but this is also a business meeting. Board member Russell said he appreciates the exception clause. In the end, the Board will rule on who will be allowed to speak. Board member Olson agreed with Mr. Russell about the exception clause and said the policy is vastly improved, but she would like to see the residence requirement removed from the policy. She read from a statement by the AG open government ombudsman.

PROPOSED
REVISED POLICY
1441—AUDIENCE
PARTICIPATION
(2nd reading)
(cont'd.)

PROPOSED NEW

STUDENT SPORTS

POLICY 3424—

& ATHLETIC

ACTIVITIES—

CONCUSSION &

HEAD INJURIES (2nd reading)

RELATED

The motion passed, with Board member Olson abstaining.

The attached proposed new Policy 3424—Student Sports & Athletic Related Activities-Concussion & Head Injuries, was provided to the Board of Directors for second reading and adoption (E:175/10). First reading took place at the March 23, 2010 Board meeting. 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.

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Jessica Olson moved to adopt the proposed new Policy 3424—Student Sports & Athletic Related Activities—Concussion & Head Injuries. Carol Andrews seconded the motion and the motion carried unanimously.

President Petersen called for a brief rest break at 6:40 p.m. President Petersen re-convened the regular meeting at 6:50 p.m.

The administration recommended that the Board of Directors adopt Resolution 989 regarding the adoption of the 2010-2011 reduced educational program plan (Res.22/10).

Jeff Moore introduced Eric Sprink, president of Coastal Community Bank, and Ted Wenta, vice president for operations at the YMCA. Both are members of the District Facilities Advisory Council (FAC). District staff on hand tonight were Shirley Rochon and Jennifer Farmer. Jeff reviewed the PowerPoint presentation. He spoke of the purpose of the Reduced Educational Program (REP) and reviewed position cuts last year. State funding cuts drive the REP—the House budget prevailed for the most part this year. The REP is based on \$3.81 million in reductions.

Ted Wenta expressed his thanks for the opportunity to serve on the FAC. It was an interesting task, but also a moving target. The FAC members felt good about the process. The council worked to protect the classroom. The process was open and the depth of conversations far reaching.

Eric Sprink said he was flattered to be invited into the process. The group was very representative. They trusted, but verified. He concurred with everything that Ted said. He evaluated the work for bureaucratic inadequacies, listened to the folks with whom they spoke, including Dr. Cohn, employees and labor unions. He was shocked that there would be such a thorough process. The information provided to him was extensive and terrific.

RESOLUTION 989: ADOPTION OF 2010-2011 REDUCED EDUCATIONAL PROGRAM PLAN

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Board member Russell thanked the council members for their work. Although it was an onerous task, it was also a thorough and transparent process.

Dr. Cohn said next year more participants from the community will be brought into the process and a rotation of the membership will be established. Planning will start sooner, but the job will be tougher.

President Petersen said the Board owes the membership a debt of thanks for sharing their perspectives.

Jeff Moore talked about the reductions and implications.

Board member Olson asked how the Employee Benefit Trust fits in, to which Jeff Moore said it is a separate fiduciary entity and not an element that we can affect. Dr. Cohn said the Trust is very solid.

Board member Dutton said this has been a very thorough process at the various levels. Good decisions are being made that can be justified. The Board must be proactive and responsible.

Board member Russell said the hard work and process are to be commended. In a district that has worked diligently not to impact the classroom, we are still taking out about 70 FTE and that is a grim prospect.

To a question from President Petersen about enrollment projections, Jeff said they are fairly flat. Dr. Cohn commented that the District team's ability to accurately predict enrollments is very sound. President Petersen asked about legal fees, to which Jeff said we are doing a better job of accessing our risk pool arrangement and there are no new litigious items. President Petersen then asked about the effect of an additional levy on this REP; Jeff said the timing of a levy would be such that the first dollar would not come until April 2011. So, asked Mr. Petersen, in this budget, we are not assuming any additional levy? Jeff said yes. What about safety net funding? Jeff replied that this budget includes receiving \$1 million of safety net.

President Petersen asked Terry Edwards about the thinking on how to look at the future for the facilitators, to which Terry replied that we continue to fund ten positions across all content areas. Fewer facilitators will change how teachers work with the facilitators—there will not be as much of a classroom development piece. Board member Dutton said the loss of I-728 is huge. Terry concurred.

Board member Dutton said it will be important to give parents adequate notification so they can make arrangements and Board member Russell added that staff will need notification as well.

Dr. Cohn said the Cabinet, FAC, and Superintendent's Leadership Team did a lot of work to contribute to tonight's recommendation.

With that, Jessica Olson moved to adopt the aforementioned Resolution 989 regarding the adoption of the 2010-2011 reduced educational program plan. Kristie Dutton seconded the motion and the motion carried unanimously.

BOARD COMMENTS

President Petersen reported that he and Board members Dutton and Russell recently attended the annual NSBA Conference. It was excellent, with many superb workshops. The keynote speaker, musician Wynton Marsalis, was amazing. While weaving music

RESOLUTION 989: ADOPTION OF 2010-2011 REDUCED EDUCATIONAL PROGRAM PLAN (cont'd.)

BOARD COMMENTS into his presentation, he talked about the importance of the arts in public schools. Other interesting and relevant topics were religion in public schools, partnership for 21st century skills, ESEA authorization, *RttT* issues, benchmarking and developing a culture of trust.

BOARD COMMENTS (cont'd.)

President Petersen said yesterday's high school art show reception and awards ceremony was awesome. Kudos to all who organized this event. There were lots of smiles on lots of faces.

Board member Andrews went to a performance of *Beauty and the Beast*—it was very good. On another subject, she reminded her colleagues that it is time to submit legislative proposals to WSSDA again, so start thinking about it.

WORK/STUDY SESSION

None.

WORK/STUDY SESSION

EXECUTIVE/CLOSED SESSION

None.

With no further discussion President F	etersen adjourned the regular meeting at 8:25 pn
Com Cohn Socratom	Ed Petersen, President
Gary Cohn, Secretary	Ed Petersen, President