

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, August 26, 2003, beginning at 4:30 p.m., in the Board Room of the Educational Service Center, 4730 Colby Avenue, Everett, Washington. Those in attendance were Sue Cooper, Kristie Dutton, Karen Madsen and Paul Roberts. Absent: Roy Yates.

ADOPTION OF AGENDA

President Madsen called for any recommended changes to the agenda. Superintendent Whitehead asked that an executive session be added to tonight's agenda. The topic of the executive session will be personnel and should happen prior to the Board taking action on the Consent Agenda. Dr. Whitehead also noted that the Board would be presented with a revised Personnel Report. With no further changes, Paul Roberts moved to adopt the Board's agenda, as revised, and Sue Cooper seconded the motion. The motion carried unanimously.

**ADOPTION OF
AGENDA**

APPROVAL OF MINUTES

Sue Cooper moved for approval of the minutes of the regular meeting of July 8, 2003, and of the special meetings of July 22, July 31, August 11 and August 21, 2003. Kristie Dutton seconded the motion and the motion carried unanimously.

**APPROVAL OF
MINUTES**

SUPERINTENDENT'S COMMENTS

Dr. Whitehead reported on a number of preparations being made for the first day of school for 2003-2004, including completing last-minute staffing assignments, maintenance activities, etc. Tomorrow is the first day certificated staff will be on site. Dr. Whitehead said she is pleased to report that the teachers recently ratified a three-year agreement with the District and the Board will be asked to approve it tonight.

**SUPT'S
COMMENTS**

District staff members have been focusing on closely tracking enrollment projections and ensuring that staffing assignments align with enrollments; there is no flexibility in the budget and staffing will need to be "tight." A minimum number of guest teachers will be used until enrollment is firm. All vacant administrative positions were filled prior to the Leadership Team retreat, so a full complement of the team was able to participate in this important series of meetings. Also, as a part of the opening of school, staff members are being trained on the use of the new telephone system—among its key features are that each teacher will have a direct line into their classroom (including voice mail), and the system has a 9-1-1 identifier. The new computer system is up and running for most of the certificated staff and training will be taking place. First reports are that staff are very pleased and excited about the opportunities for data management and instructional uses for the new system. The voters, by passing that portion of the bond, are to be thanked for making it possible to purchase the new telephone and computer systems.

Dr. Whitehead shared copies of recent opening-of-the-school-year letters she wrote to certificated and classified staff (E:189/03).

Dr. Whitehead announced that a news conference will take place on Thursday, August 28, at 10 a.m., during which SPI Superintendent Dr. Terry Bergeson will release information regarding WASL testing at grades 4, 7 and 10. The data will be on-line as of 11 a.m. that day. Dr. Whitehead will make time on her calendar later in the day to be available to the media. She went on to note that ESEA (No Child Left Behind) federal legislation activates this year and school districts will be identified whether they have made AYP (adequate yearly progress). There are 37 categories, or

**SUPT'S
COMMENTS
(cont'd.)**

cells, in the data collection matrix of the WASL; students must demonstrate that they have met standard in all cells for a school to have met AYP. Although the information is not yet official, Everett anticipates there will be some cells where its students have not met standard—perhaps between 15 and 17 cells out of all the categories, the majority of which are for students in special ed or ELL (English Language Learners). If a school or district has any of the 37 cells in which students are identified as not meeting standard, then the school and/or district is designated as not having met AYP. There is concern across the nation about this legislation, particularly in the areas of special ed and ELL, since students are in those programs because of their academic learning needs or because they do not speak English and so it follows that they may not meet standard like other students. However, Everett has an outstanding track record of moving students through the ELL system and having them excel after they leave the program. Dr. Whitehead went on to say that it is anticipated that at least one school will fall out in the cell for low-income students. As a school district, Everett will be identified as not meeting AYP because of the percentage of students we have who are in special education and the percentage of students who are ELL. As soon as clean data is available, Dr. Whitehead will share it with the Board. In addition, the Administration will immediately explore ways to change practices to meet AYP. Of note is that next year, districts must meet this year's requirements for AYP plus next year's. Dr. Whitehead also pointed out that the data for some small school districts will not show the same thing as it does for larger school districts. For example, if a school does not have 30 students who are in a particular category, such as Hispanic, and at a particular grade level, such as fourth grade, there will be no mention of that school in that cell. However, across the district at fourth grade, there may be 30 Hispanic students, so the district data would be different than for the individual schools in that district. In a large district, such as Everett, it is more likely there will be at least 30 students in each of the 37 cells. Consequently, the data for large districts will not show the same thing as it does for small districts.

Board member Roberts commented regarding ESEA and recommended that the Administration meet with *The Herald's* editorial board to ensure that the story is told that schools who have been doing the best job prior to NCLB will be the first to encounter problems with meeting AYP. In fact, the program is designed to create failure. Dr. Whitehead noted that staff members have been meeting with Eric Stevick over the past few weeks, but she concurred that meeting with the editorial board should also be considered.

Dr. Whitehead surmised that Dr. Bergeson, during her press conference, will talk about the good work that has been done in the state of Washington over a long period of time, the amazing growth, and the hard work of the teachers to help students move forward. The same things can be said about Everett. It is disappointing that the data will come out this way because it does not present a complete picture, but it is important to thoroughly examine the data and perhaps change the way things are done. At no time should the word "failure" be used—Everett is not failing—in fact, Everett is doing an exemplary job of helping students meet standard.

On another subject, Mr. Roberts commended all who have worked to install and train others on the new telephone system. Indeed, this is a fine example to the voters of promises made, promises kept.

PUBLIC COMMENTS

President Madsen reported that two Public Comment cards were submitted:
Public Comment

- 1) Ed Triezenberg—representing the carpenter’s union—Requested that Item 15 on tonight’s Consent Agenda, Award of the H.M. Jackson High School Classroom Addition, be removed from the Consent Agenda and placed as a stand-alone action item for discussion and a re-examination. Mr. Triezenberg reported that the recommended contractor, who is based in Spokane, Washington, has a poor record in Montana, Idaho and Washington. In Mr. Triezenberg’s opinion, this contractor is unethical regarding prevailing wage. The company has been in business for nine years and settled an L&I complaint for over \$60,000. In addition, there are over \$200,000 of outstanding L&I claims against the company. In closing, Mr. Triezenberg submitted that this is not a responsible contractor and taxpayer monies should not be spent in support of a company with its reputation.
- 2) Jeff Heckathorn—parent—Spoke from a prepared text concerning the start and end times at Cascade High School (which is on a six-period day) vs. Jackson High School (which is on a 4x4 schedule) (E:190/03). According to his calculations, JHS students receive only 77 percent of the instructional time as CHS students. Therefore, among Mr. Heckathorn’s proposals are that JHS students should only be awarded $\frac{3}{4}$ credit per 4x4 semester course unless their school day is lengthened or the number of days in the school year increased. He urged that parents be informed of the discrepancy.

President Madsen thanked the speakers for sharing their thoughts.

RECOGNITION OF RETIREES

Director of Communications Gay Campbell introduced Karen Rowe, who is retiring with over 26 years of education, all of them in Everett Public Schools. Among her assignments have been Cascade High School, Evergreen Middle School, and, most recently, Jackson High School. Dr. Whitehead commended Karen for her commitment to her students and noted that a number of them have received District art awards—they are a testimony to her teaching skills. Karen thanked the Board and Administration for the opportunity to work with young people. She commended Everett for being at the forefront of standards-based education. She said she intends to volunteer, paint, draw, travel and "play." President Madsen congratulated Karen and presented her with a memento crystal apple.

ITEMS FOR INFORMATION

Financial Reports were provided for the Board of Directors’ review (E:191/03). The reports include year-to-date information on revenues and expenditures, General Fund projections, a cash report and an investment summary. Jeff Riddle reported that the projected ending fund balance will show spending of approximately \$500,000 more than revenues, which is as expected. Financially, 2002-2003 has been a relatively good year even with enrollment figures falling short of expectations.

At 5 p.m., President Madsen recessed the regular meeting into executive session for discussion of personnel. It was estimated the executive session would be of ten minutes’ duration.

At 5:10 p.m., President Madsen re-convened the regular meeting and recessed immediately into a second executive session for discussion of legal issues. Perkins Coie attorney Jerry Lutz was present for this executive session. It was estimated the second executive session would also be of ten minutes’ duration.

At 5:20 p.m., President Madsen re-convened the regular meeting.

PUBLIC COMMENTS

RECOGNITION OF RETIREES

FINANCIAL REPORTS

EXECUTIVE SESSION— Personnel

EXECUTIVE SESSION—Legal

ACTION ITEMS

Prior to action on the Consent Agenda, Paul Roberts moved to remove Item 15: Award of Bid for the H.M. Jackson High School Classroom Addition, from the Consent Agenda and place it as Item 7h of the Action Items. Kristie Dutton seconded the motion and the motion carried unanimously.

CONSENT AGENDA

Paul Roberts moved for adoption of the following Consent Agenda items, including the revised Personnel Report and absent Item 15: Award of Bid for the H.M. Jackson High School Classroom Addition. Kristie Dutton seconded the motion.

- 1) Personnel Report—REVISED (E:192/03);
- 2) Voucher Lists (E:193/03);
- 3) Administrative Salary Schedule 1, Administrative Salary Schedule 2 and School Administrative Salary Schedule for 2003-2004 (E:194/03);
- 4) Professional & Technical Salary Schedule 2003-2004 (E:195/03);
- 5) Event Support Personnel Salary Schedule 2003-2004 (E:196/03);
- 6) Classified Non-Represented Non-Exempt Salary Schedule & Vacation Schedule 2003-2004 (E:197/03);
- 7) Tentative Agreement Between Everett School District No. 2 and Everett Education Association/United Teachers of Everett (E:198/03);
- 8) Approval of Contract Between Everett School District No. 2 and Everett Public Schools Foundation (E:199/03);
- 9) Approval of Strategic Plan Strategies for 2002-2005 (E:200/03);
- 10) Resolution 775: Intergovernmental Cooperative Purchasing Agreement (Res.17/03);
- 11) Resolution 777: Cancel Warrants Outstanding Dated Prior to 8/31/02 (Res.18/03);
- 12) 2003-2004 Bid Calendar (E:201/03);
- 13) Award of Contract: Custodial Paper Products (E:202/03);
- 14) Award of Contract: Milk & Dairy Products (E:203/03);
- 15) ~~Award of Bid for the H.M. Jackson High School Classroom Addition (ATT.); &~~
- 16) Approval of Contract Between Everett School District No. 2 and Northwest ESD 189 for Snohomish Discovery (E:204/03).

The motion carried unanimously.

The Administration recommended adopt Resolution 776: Adoption of the Fiscal Year 2003-2004 budget (Res.19/03). Director of Finance Jeff Moore began by acknowledging the efforts of Budget Analysts Karen Buchmann and Shirley Rochon in preparing the budget. He then shared a handout outlining tonight's presentation, which included an update from the July 8 preliminary budget presentation to the Board. He further noted that this budget is adjusted to reflect state funding reductions and increased operating costs; it substantially responds to negotiated settlements; and it follows past budgeting methodologies. In addition to focusing on the General Fund budget, Jeff's presentation also included information pertinent to the Associated Student Body Fund, Debt Service Fund, Capital Projects Fund and the Transportation Vehicle Fund.

RESOLUTION 776: ADOPTION OF FISCAL YEAR 2003-2004 BUDGET

When asked whether students will receive feedback on the results of their work on the ASB Fund budgets, Jeff replied that such a session is planned. He noted that he was impressed by the level of understanding, commitment and problemsolving abilities the students brought to the preparation of this year's ASB budgets.

Sue Cooper moved for the adoption of Resolution 776: Adoption of FY 2003-2004 Budget. Paul Roberts seconded the motion and the motion carried unanimously.

The Administration recommended adoption of the attached proposed new Policy 4316: Notification of Threats of Violence or Harm (E:205/03). Director of Communications Gay Campbell reported that adoption at first reading was recommended because it would be in the best interests of the District. The policy reflects new legislation and must be adopted by September 1, 2003. Legal counsel

PROPOSED POLICY 4316: Notification of Threats of Violence or Harm

has reviewed the proposed policy. Procedures will be developed following adoption of the policy.

Paul Roberts moved for adoption of Policy 4316: Notification of Threats of Violence or Harm. Sue Cooper seconded the motion and the motion carried unanimously.

The Administration recommended adoption of the attached proposed revised Policy 4413: Release of Information Concerning Sexual and Kidnapping Offenders (E:206/03). Director of Communications Gay Campbell said adoption at first reading was recommended because it would be in the best interests of the District. This change in policy reflects a joint request received from the police agencies in the City of Everett, City of Mill Creek, and Snohomish County Sheriff's office regarding the dissemination of information to the public regarding sex and kidnapping offenders. Legal counsel has reviewed the proposed revised policy. Procedures will be revised following adoption of the revised policy.

Sue Cooper moved for adoption of the aforementioned revised Policy 4413: Release of Information Concerning Sexual and Kidnapping Offenders. Kristie Dutton seconded the motion and the motion carried unanimously.

The Administration recommended the Board of Directors approve Resolution 773: Acquisition of Easement for Access to the Silver Lake Elementary School Campus (Res.20/03). This easement will provide Everett Public Schools an easement to utilize a portion of private property, adjacent to Silver Lake Elementary School, for a new access from 127th Place Southeast to the District's proposed parking lot expansion. This access is necessary to provide a safer way for vehicles and students to access the school site and to accommodate the widening of SR 527 by the Washington State Department of Transportation. The cost for acquiring the access easement is \$4,250. Director of Facilities and Planning Mike Gunn commented. He showed an overhead view of the property in relation to Silver Lake Elementary School. He further noted that Exhibit C (legal description) contained in the Board's attachment was incorrect and should be replaced with the attached revised Exhibit C.

Sue Cooper moved to adopt Resolution 773: Acquisition of Easement for Access to the Silver Lake Elementary School Campus, including the revised Exhibit C. Paul Roberts seconded the motion and the motion carried unanimously.

The Administration recommended that the Board approve Resolution 774: Condemnation of Real Property for Improvements to the Silver Lake Elementary School Campus (Res.21/03). This action will allow the District to proceed with acquisition of property immediately south of Silver Lake Elementary School for use as a new vehicular and pedestrian access from the school parking lot to 129th Place S.E. This access is necessary to provide a safer way for buses and students to access the school site and to accommodate the widening of SR 527 by the Washington State Department of Transportation. The District has been unsuccessful in negotiating an acceptable purchase price with the property owner and needs to establish ownership in order to be ready to begin construction in the spring/summer of 2004.

Director of Facilities and Planning Mike Gunn outlined the condemnation process, which includes two phases: to determine that the property is needed for public use and necessity; and to determine just compensation. He showed an overhead view of the property in relation to Silver Lake Elementary School.

Paul Roberts moved for adoption of Resolution 774: Condemnation of Real Property for Improvements to the Silver Lake Elementary School Campus. Sue Cooper seconded the motion and the motion carried unanimously.

**PROPOSED
POLICY 4316:
Notification of
Threats of Violence
or Harm (cont'd.)**

**PROPOSED
REV.POLICY 4413:
Release of
Information
Concerning Sexual
and Kidnapping
Offenders**

**RESOLUTION 773:
Acquisition of
Easement for Access
to the Silver Lake
Elementary School
Campus**

**RESOLUTION 774:
Condemnation of
Real Property for
Improvements to the
Silver Lake
Elementary School
Campus**

The Administration recommended the Board of Directors waive the irregularity contained in the bid of Allied Construction Associates, Inc., for the Everett High School Lincoln Field Softball Facility, and award the bid to Allied Construction Associates, Inc., of Everett, Washington, for the base bid including alternate number three in the amount of \$1,242,694, plus Washington state sales tax (Bid 11:02/03). Six bids were received on August 13, 2003. Base bids ranged from \$853,700 to \$1,190,000. Attached is a description of the irregularity contained in Allied Construction Associates, Inc., bid; a summary of the bids and a letter from Dykeman Architects recommending the award of the bid. Director of Construction Hal Beumel commented briefly.

**AWARD OF BID
FOR EVERETT
HIGH SCHOOL
LINCOLN FIELD
SOFTBALL
FACILITY**

Paul Roberts moved to waive the irregularity as noted above and award the bid for the Everett High School Lincoln Field Softball Facility to Allied Construction Associates, Inc., of Everett, Washington, for the base bid and alternate three as noted above. Sue Cooper seconded the motion and the motion carried unanimously.

The Administration recommended the Board of Directors award the bid for the H.M. Jackson High School Classroom Addition to StoneRidge Development Corporation of Spokane, Washington, for the base bid including alternates one and two in the amount of \$2,665,886, plus Washington State sales tax (Bid 12:02/03). This project is funded by the 2002 bond issue. A summary of the bids and a letter from Dykeman Architects recommending the award of the bid are attached.

**ADDENDUM--
AWARD OF BID
FOR THE H.M.
JACKSON H.S.
CLASSROOM
ADDITION**

Previously, this item appeared on tonight's Consent Agenda as Item 15, but was removed, by a unanimous vote of the Board, to appear as Action Item 7h of the agenda.

Director of Facilities and Planning Mike Gunn reported that five bids were received for this project. The District followed the usual process to confirm that the bidders were responsible and responsive. The architects conducted reference checks with other architects and contractors. Contractors are required to submit a qualification statement to confirm their responsibility. It is a very comprehensive document consisting of approximately 15 pages.

Mike reported that StoneRidge has been in business for nine years, having done a lot of work in Spokane, including Spokane School District. They have also handled a number of projects on this side of the mountains, including Seattle and Tacoma School Districts. Everett checked with its counterparts in those organizations. Of the information the District has gathered, the references said this company is aggressively managed and the references would aggressively manage future projects with the company, but they would have this company do work for them again. Based on the information gathered, the Administration believes StoneRidge Development Corporation is a responsible and responsive bidder.

When asked whether the District will aggressively manage this contract, Mike said yes, but Everett is always aggressive. The District appreciates the information it has been given and will exercise an aggressive management style. He went on to say that with any contract, the District modifies its approach to the job and the contractor. For example, because this is a new building, the District will ensure a soils engineer is on site. Once a project of this nature is "out of the ground," the potential for change orders decreases. Jeff Riddle emphasized that the District will take steps to ensure the project is managed appropriately and that the contract will be honored as written. The Board requested that they be kept apprised of the progress of the project and be made aware of concerns that arise.

President Madsen recognized Ed Triezenberg, who spoke earlier in the evening and who represents the carpenters' union. He provided additional information, stating that the engineer's estimate for the project was over \$3 million and no company other than StoneRidge bid less than \$3 million, resulting in an almost \$500,000 spread. He further noted that StoneRidge's bond company dropped them six months prior to settling the \$64,000 L&I claim. Currently, there are \$215,000 issues under review. In Mr. Triezenberg's opinion, StoneRidge's current bond company will probably drop them. He questions the advisability of awarding a contract to a company with that kind of liability. In closing, Mr. Triezenberg thanked the Board for considering his comments and he requested that the District closely monitor the prevailing wage aspect of the project.

ADDENDUM--
AWARD OF BID
FOR THE H.M.
JACKSON H.S.
CLASSROOM
ADDITION (cont'd.)

With no further discussion, Sue Cooper moved to award the bid for the H.M. Jackson High School Classroom Addition to StoneRidge Development Corporation of Spokane, Washington, for the base bid including alternates one and two in the amount of \$2,665,886, plus Washington State sales tax. Paul Roberts seconded the motion and the motion carried unanimously.

BOARD COMMENTS

Board member Roberts expressed his appreciation for Dr. Whitehead speaking at the Legislative Joint Committee on Veterans' and Military Affairs meeting regarding how the state legislature and the state of Washington can be of assistance during the next round of base closures. To have received her testimony, including information about the education of military dependents, was important. Her unique qualifications as the best superintendent in the state, in addition to her experience in the Bremerton School District, was extremely helpful. The committee also expressed its appreciation for her testimony.

BOARD
COMMENTS

Mr. Roberts further noted that he will be attending the upcoming WSSDA legislative conference and he would welcome any thoughts the Board wants conveyed in the prioritization of legislative matters.

President Madsen opened the subject of the Board's self-evaluation. At the Board's request, Gay Campbell was asked to draft questions to be directed to various audiences for feedback. The Board will review the questions and respond to Gay. In addition, President Madsen shared copies of the results from last year's self-evaluation. Thirdly, the Board has in its possession a sample self-evaluation submitted by Board member Dutton, as well as the self-evaluation document used by the Board over the past few years. The Board will review all of the materials and be prepared to discuss them at the next Board meeting.

With no further comments, President Madsen adjourned the regular meeting at 6:25 p.m.

Carol Whitehead, Secretary

Karen Madsen, President