MEETING MINUTES
COMMITTEE OF THE BOARD MEETING
November 8, 2017

PRESENT:
Board of Education:  J. Schumacher, S. Marchese, J. Brodrick, M. Vanderwert, J. Foster, Z. Ellis, C. Vue (arrived at 4:37 p.m.)


Other:  T. Breker, S. Powers, J. Kopp, J. Verges,

I. CALL TO ORDER

The meeting was called to order at 4:32 p.m.

II. AGENDA

A. Superintendent’s Update

Superintendent Gothard congratulated Director Brodrick and Director Foster for their victory in the recent elections. It will be Director Brodrick’s 5th term, and Director Foster’s first full term as board members. We look forward to continuing our work with them. He also recognized Marny Xiong, who also won in the school board race and will be a new Board Member starting in January; we also look forward to getting to know and working with her. Director Vue will be departing the Board, and will be formally recognized at a future meeting.

Director Schumacher also congratulated the new mayor-elect of Saint Paul, Melvin Carter. We look forward to working with him as well. It is an informed group of people with the understanding of issues as a public school district. It is heartening to see the discussions with them.

B. SEAB Update

Due to the change in timing for the meeting since it conflicted with Election Day, SEAB members weren’t able to fit the newly scheduled time into their schedules. Cedrick Baker, Administrator to the Board, provided an update on the latest SEAB project. SEAB is currently focused on the expansion of student voice in SPPS project. They have requested time to present their findings at an upcoming meeting. A survey was sent to principals, at all age levels, asking about what is currently happening in their buildings, where they hope to go, and what resources they believe they need to increase student voice and partnership. A number of “experts” were interviewed on how they would design an expanded structure and designed a focus group to conduct with SPPS students. The focus group was tested and adjusted recently; SEAB is in the process of scheduling them to be held at school sites. This is an expansion from the initial proposal, and the first phase is to collect information from the student survey.

QUESTIONS/DISCUSSION

• What kinds of questions are they asking in the survey? Answer: They are currently putting it together and have reached out the principals and assistant superintendents
for their thoughts on what would be helpful. We will follow-up on the specific questions on the survey.

C. Final FY Budget Revision
The general fund revisions, including the assigned fund balance re-appropriation, and the Fund 06 to Fund 01 transfer for Facilities LTFM funding were reviewed, as well as the revenue and expenditure changes, and the total of all funds.

FY17 General Fund – Final Budget Revision (Fund Balance Re-appropriations and Transfers)
- In Technology Services, there was a $700,000 assigned fund balance re-appropriation for non-salary expenditures (infrastructure). It was planned from our assigned fund balance; it was for technology infrastructure changes, including a phone system upgrade. That change did take place, as well as the expenditure.
- A budget transfer for the Facilities Long-Term Facilitates Maintenance Plan also occurred for $7,416,999. It was a budget transfer from Fund 06 to Fund 01 for LTFM project expenditures that are less than $2 million per site. The increase will be seen in the general fund for this amount because the original budgeting occurs in Fund 06 (Building Construction). It is an accounting transaction that the District needs to transfer.

FY17 Fully Financed Funds Final Budget Revision (Revenue and Expenditure Changes)
- The revision on fully financed reflects the approval of grants under $500,000 that were not adopted in FY17, as well as revisions to adopted grants. The general fund fully financed increased by about $1.5 million, and the community education also has grants in a separate fund that increased by about half a million dollars. Revenue and expenditures must match.

FY17 Final Budget Revision (All Funds Revenue Changes)
- Revenue also increased in Nutrition Services with a Fuel Up to Play Grant that was $30,000. That change will also be reflected.

FY17 Final Budget Revision (All Funds - Revenue Changes) – Overall Budget
- The overall budget started at about $704 million, and the first revision included changes of $15 million in increases, with about $2 million in final revisions. The final revenue for the District for FY17 is $721,378,190. The District is on target in terms of the general fund.

<table>
<thead>
<tr>
<th>FY 17 All Funds - Revenue Changes</th>
<th>Adopted Revenue</th>
<th>Previous Revision</th>
<th>Final Revision</th>
<th>Revised Budget</th>
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<tr>
<td>General Fund</td>
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<tr>
<td>GF Fully Financed</td>
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<td>Food Service</td>
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<tr>
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<tr>
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<td>45,862,122</td>
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<tr>
<td>Debt Service</td>
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<td>0</td>
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<td><strong>TOTAL</strong></td>
<td><strong>$704,140,155</strong></td>
<td><strong>$15,084,621</strong></td>
<td><strong>$2,153,414</strong></td>
<td><strong>$721,378,190</strong></td>
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FY17 Final Budget Revision (All Funds - Expenditure Changes) – Overall Budget
- For all funds, we began the year at about $715.9 million. The first revision was about $18.3 million. The first revision is higher is because we have carryover items and activity from the mid-year. The final revision was about $2.7 million. There is a large budget transfer in Building Construction and the General Fund. The total revised budget for expenditures is $736,818,064.
One thing to note is the difference between revenue and expenditures. We plan to spend fund balance in certain funds; one is debt service. There was a large debt service refunding that took place in the expenditure side. We do not plan to use any of the funds in assigned fund balance in the general fund; these were all non-General fund fund balance plans that were used to spend dollars. It was planned for when doing the debt service budget.

**FY 17 All Funds - Expenditure Changes**

<table>
<thead>
<tr>
<th>Expenditure</th>
<th>Adopted</th>
<th>Previous</th>
<th>Final</th>
<th>Revised</th>
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<tr>
<td>Food Service</td>
<td>28,846,700</td>
<td>15,300</td>
<td>30,000</td>
<td>28,892,000</td>
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<tr>
<td>Community Service</td>
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<tr>
<td>CS Fully Financed</td>
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<tr>
<td>Building Construction</td>
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<td>(7,416,499)</td>
<td>37,031,501</td>
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<td><strong>TOTAL</strong></td>
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<td>$18,267,263</td>
<td>$2,699,394</td>
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QUESTIONS/DISCUSSION - None

**RECOMMENDED MOTION:** Mr. Schumacher moved the Committee of the Board recommend the Board of Education approve the FY 2016-17 final budget revision as presented. The motion was seconded by Mr. Marchese.

The motion passed.

**D. Pay18 Levy Update**

The Chief Financial Officer stated school levy authority is established in law. School budgets are a combination of State, Federal and local funding, including the voter approved referendum. The Pay18 school levy funds the 2018-19 school year. Levies are approximately 20% of the SPPS budget. Districts receive payments after the May and October tax collections from the County. The Levy can only move down after October 1.

All figures in the report provided are based on Administration's best estimates, using the statutory authorized amounts. Minnesota Department of Education (MDE) provided updated Pay18 levy calculations on October 2. SPPS certified the maximum levy ceiling at the September 19 Board of Education meeting.

The CFO went on to describe the factors impacting the Saint Paul levy, such as:

- Overall estimated market values are up 9.8% from prior year and may reach 2008 levels.
- Double digit increases for a number of commercial, industrial and apartment properties
- Residential more moderate—areas of higher increases: Thomas/Dale, North End, Greater East Side, West 7th
- School portion of fiscal disparities aid increasing $449,739 or 1.4%
- Changes to St. Paul Right of Way (ROW)/Street maintenance program

Other factors are:

- Changes in pupil counts
- Legislative changes to education formulas
- Referendum inflationary increase
- Pension contribution changes required by law
- OPEB obligations
- Employment changes that drive severance and unemployment levies
- Capital bonding, refunding of bonds, abatements, long-term maintenance, health & safety projects, lease costs

SPPS levy categories are:
- Operating - general levies that support school functions, including referendum, integration, operating capital, career/technical, transition, safe schools and abatement adjustments.
- Pension/OPEB/Contractual Obligations
- Facilities - includes health and safety, deferred maintenance, new construction and abatements.
- Community Service - community education programs, learning readiness, after school, ECFE.

### Proposed Pay 18 Levy Ceiling

<table>
<thead>
<tr>
<th>Levy Category</th>
<th>Certified Pay17 Levy</th>
<th>Estimated Maximum Pay18 Levy Ceiling as of 10/2/17</th>
<th>Difference</th>
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<tr>
<td>Pension/OPEB/Contractual</td>
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<td>Facilities</td>
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<td>Community Service</td>
<td>3,406,163</td>
<td>3,626,763</td>
<td>220,600</td>
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<td>Total All Levy Categories</td>
<td>$148,069,656</td>
<td>$155,464,946</td>
<td>$7,395,290</td>
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</table>

Percent Change 4.99%

It is good news for taxpayers, while the District will still be covered in terms of plans and projects.

The CFO reviewed the estimated annual property tax impact (from 2017 to 2018 assuming 0% increase in market value and assuming a 7.7% (home) and 17.5% (commercial/industrial) increase in market value), for residential and commercial/industrial.

The Pay18 levy calendar was then reviewed. There will be a Truth in Taxation public hearing at 6:00pm on December 5th, 2017 with the Board of Education certifying the Pay18 levy at the December 19, 2017 Board of Education Meeting. SPPS will certify the Pay18 levy to Ramsey County on December 31, 2017.

**QUESTIONS/DISCUSSION**
- How does this compare to previous years? Answer: In prior years it has been as low as 3.25%. A history can be provided to the Board. It has been as low as 1% about two years ago. This number is a little higher than it has been in the past, with about 6% being the highest it has been historically.

**E. Legislative Update**

The SPPS Legislative Liaison provided an overview of the upcoming 2018 Legislative session. It will be Governor Dayton’s last session in office. The legislative veto lawsuit is unresolved. Only House members are up for election; the DFL needs 11 House seats to take the majority. Constitutional offices, 8 congressional seats, and Klobuchar seat will be on the ballot. It is a supplemental budget year and the focus will be on bonding, which is the major work of the session. The November forecast will dictate the Governor’s budget. Human services can have a wide swing, as well as the issued around children’s health plan.

She then went on to describe the proposed legislative agenda topics including:
- Focus on mandates
- Stabilize funding for PreK
- Expand local control
- Pension reform
- Increase supports for at-risk families
- Ensure funding support and flexibility in testing

Fund mandates include:
- Phase out state special education cross-subsidy and maximize Medical Assistance (MA) reimbursement
- Fund Teacher Development and Evaluation (TD&E) and include principals
- Establish plan to update English Learner categorical formula to reduce cross-subsidy and meet SLIFE (student with limited interrupted formal education) needs

Phase Out Special Education Cross-Subsidy
- The SPPS cross-subsidy for special education is over $900 per pupil; the Federal government share is decreasing, instead of increasing
- The statewide cross-subsidy will rise to $656 million by FY19
- Modify regular and excess cost formula to better recognize the cost and concentration of special education students and tuition billing, and phase out cross-subsidy; the average cross-subsidy for a charter school is about $85 per pupil
- State should maximize Medical Assistance (MA) reimbursement for health related services in IEPs, as well as 504 plans and other health related services
- All care and treatment summer programs should be eligible for extended time revenue
- All level four treatment programs should be treated equally

Teacher Development
- Provide ongoing teacher development revenue for TD&E mandate for non-Qcomp districts; include principals
- Increase base funding for teacher residency program to obtain teacher license, especially in high need areas
- Provide incentives for teachers with professional development plans to meet new HLC requirements

Stabilize PreK Funding
- Provide ongoing funding for voluntary prekindergarten in the base (new VPK funding is for two years only)
- Maintain commissioner authority for Pathway II scholarships
- Establish separate region for St. Paul and Minneapolis
- Simplify application process to allow for direct certification

Expand Local Control
- Permit renewal of existing referendum levies with board approval
- Allow boards to opt out of new state mandates that are not funded

Pension Reform
- Adopt pension reform legislation, passed last session, that included both funding and reform for St. Paul Teacher Retirement Association
- Funding should come from state department budget and not K-12 target

Increase Supports for At-Risk Families
- Provide support for programs that support highly mobile, foster, and homeless children and families
- Add funding for Full Service Community Schools and support services grant
- Increase funding for school-linked mental health grants

Testing
• Pay directly for annual administration of ACT test statewide
• Provide flexibility for districts to administer assessments in the way that is most efficient for them (e.g. paper and pencil, online)
• Shorten the MCAs
• Require that testing vendors provide assurances that upgrades are aligned and functioning to device operating systems

QUESTIONS/DISCUSSION
• We are responsible for the special needs of all our students, regardless of where they attend school. How do these formulas work for a child with special needs who is attending a charter school? Answer: There are 2 ways – a more traditional school will identify a child with special needs and draw down their categorical aid, just like we do. However, they have to fund 10% of the total cost of their special education and bill us for the difference. Because their special education aid is based on the previous year and there is a one-year lag time, they pay 10% of it, and bill us for the remaining balance. There is a subtraction in the special education formula for tuition billing which accounts for this and is automatically deducted and given to a charter school. Last year for 2016 it was $10.3 million dollars, and about $7.7 million was to charter schools. In some schools, like Metro Deaf, which provide all specialized services, they can charge the District back for 100% of the difference. The unfunded mandate falls largely on us.

• Is the tuition billing going to be a focus of the effort even though you are looking at the cross-subsidy issue as a whole? It seems a little more technical and focused; the District is being billed for students for whom we receive no funding. Do you see that as something as a focused approach to move forward? Answer: We are looking at several components to the cross-subsidy with tuition billing being one of them. One of the discussions will be on the special education formula. Originally, the legislature gave charter schools the 10%, as well as more revenue as part of the special education formula, hoping to reduce what would be billed back to the resident school district; that has not work out as predicted. The other is look to see if the State would be interested in researching the cost of a student with a certain disability. One of the previous bills involved the State directly paying the high cost charter schools, and the State may then take a deeper look at the costs of the services and how they were provided to see if they were reasonable. The regular formula, the excess cost formula, and the way tuition billing is done are three components to addressing the special education cross-subsidy. The final one, which doesn’t require state appropriation, is improving the way the State maximizes medical reimbursement. We are not allowed to bill back for those services, unless we are a CTSS provider. Since it is a supplemental budget year, we are focused on those items that do not require state appropriation first.

• Has anyone considered using the courts to move policies? Answer: The school district can always sue the state on an adequacy lawsuit, however that is also a big endeavor. Because we provide the services and have a Federal Maintenance of Effort to spend the same amount on students with an IEP as the previous year, we are still providing the services that students need. The question would then be if the other students are receiving the adequate funding that they need, and that’s where the question of adequacy would come into play.
  o Other members of the Board questioned and supported this proposal. One question raised is who would we sue? Previous politicians brought this before the government every year. Other members noted this as an interesting thought. We have a negotiation that we do with legislature, and we are mandated to provide services by law, while we are also providing education to the general student population. We have a political process which we cannot control. Is there any legal support for a strategy that would include something else? It could be used as a helpful lever in a political environment. It becomes a different context to explore other avenues, including appealing to the courts
system. The Legislative Liaison noted that there have been adequacy cases in the past, but they also had issues, so the legislature stepped in with debt service equalization and referendum equalization for districts. There will be opportunities to talk to colleagues about this also. Efforts are also being coordinated with other districts to compel change.

- If the federal government would make good on their promise of 40%, how much relief would there be for the statewide cross-subsidy? Answer: Right now they are paying less than 7%. It would be a substantial amount. When the State determines their cross-subsidy formula, they only want to include the State amount, and hold the Federal government accountable for their portion. At some point, there will need to be a better plan to be more fair.

- Do you think providing that information will be adequate? Do we need to hire somebody to publish and position the information and distribute it to the public in a way to pressure their policymakers? Can we do that? Answer: This is not a new issue; it is a proverbial issue at the legislature. At the same time, we believe in an inclusive education, and provide the services to students that are deserving. When looking at the system and the one funding mechanism, we have the scope and the economy of scale to do it in a way that other schools cannot. The funding mechanism is not fair.

- It is important to note the discussion on special education cross-subsidy as a fiscal issue and how the formulas affect the outcome, as well as the fact that it is an ongoing issue.

- A failure of the political process to address this is not guaranteed to change, and a question on the legal strategy needs to be brought forth at some point. We are being negatively impacted collectively, as well as our students are being negatively impacted collectively by the inability of the State legislatures do enact an obligation. It shouldn't be something we shy away in defense of our students and staff in SPPS.

- There may also be a workgroup that looks at only information on special education and formulates a recommendation. There will also be conversations with a commissioner on the recommendations of the Governor.

- If we became CTSS, could we be reimbursed in those other programs and then bill for it? Answer: We are a CTSS provider at RiverEast. The CTSS system needs to be easier to implement in all schools, and have reasonable responsibilities. We are working with the department in taking what we currently do in terms of diagnostics and assessments with students so that we can set up a system for school districts. The reason we haven't expanded yet is because it is so labor intensive. The districts that have implemented CTSS have let an outside provider come in to provide those mental health services; they run it as a CTSS system and add the special education as part of that. Examples of the unreasonable aspects of CTSS were also discussed.

- Julie Williams at the University of Minnesota was also recognized for her creative work in College in the Schools program. Their work has made the HLC requirements seamless and easy for teachers, who have gone above and beyond to keep up with certifications and classes to keep up with the professional development for the concurrent enrollment classes.

F. Facilities Vendor Diversity Plan
Thanks were noted to SPPS for pushing the administration to go down this path and to consider how to diversify our vendor base. We have made great progress, and that progress so far will be discussed at this meeting.

This work started with the construction projects, but we want to look at all our vendors as a District, and then see how we can diversify them across all areas. We want to ensure our vendors represent the District as a whole. We need a process to hold ourselves accountable and then be able to provide ongoing feedback.

The goal of the Facilities Vendor Diversity Plan is to:
• Proactively create an environment through policies and procedures that will cultivate and sustain a more diverse workforce of construction suppliers/vendors that is reflective of the diversity of Saint Paul Public Schools.

The definitions of vendor diversity and workforce participation were then reviewed:
• Vendor Diversity: A proactive business program to include historically underutilized businesses in order to have our supplier pool reflect our community.
• Workforce Participation: A program to ensure that the people working on our jobsites reflect the diversity of our community.
• Vendor diversity looks at the owners of those businesses, while workforce participation looks at the people working within those businesses and organizations. We will be looking at both of those.

Group Structure and Members
• The work in this plan cannot be done in isolation, and will need input from both internal and external stakeholders.
• Currently there is not a policy on vendor diversity, so the Board’s help will also be needed in implementing this plan. There will be language and thoughts brought forth in terms of policy development.
• Community Advisory Council
  o It is our vehicle to tap into community knowledge.
  o Sam Powers is the Community Advisor. He has done a phenomenal job in bringing together 25 experts in the community that represent the construction field and have a diverse background and experience. He facilitates the meetings and communicates with others, as well as establishing a base line of data of our vendors.
  o In reaching out the community, we have found that people want to help in this work and feel good about our vendors.
  o The Community Advisory Council is comprised of members that represent diversity with business advocates and business inclusion. There are representatives overseeing similar programs in other organizations. The non-profit Community Action Partnership, contractors, suppliers, trades and labor unions are included. Compliance is ensured by the Financial and Legal departments. With the Facilities department leading the plan, the Purchasing department is also involved in the program.
• There will be movement between program development and program implementation throughout the process. We know there will need to be policies put into place and modifications will need to be made. The Community Advisory Council and Community Outreach Advisor will also work toward program development. Most of the work will occur during program implementation.
• Legal will be at the table to advise on this program.
• We know there will be a cost to this; we are not naïve to that. We have learned that when we have a program in place, we will need a support system to monitor how well we’re doing overall. It needs to be a collective effort; if it is up to everyone individually, it will not be as effective.
• The CAC helps to propose and encourage administration to find alternate solutions that may arise in the development and implementation of this program.
• Monica Watkins and Sam Powers were recognized for their work in this program.

Process – Part I: Research and Analysis
• SPPS opportunities are reviewed in terms of existing policies and current procurement systems.
• Existing programs are reviewed in terms of vendor diversity and workforce participation.
Both feed into SPPS target policies, which include workforce utilization, minorities, females, small business, local businesses, internships, and other groups. Other targets may be found as well.

Joint Disparity Study
- Should be completed in early 2018, so the timing is in alignment
- It will be looking at:
  o Availability of those businesses that are minority- and women-owned
  o Utilization of those business

Process – Part II: Synthesis and Recommendations
- The data will be synthesized and updates in terms of procurements, the bidding process, as well as the cost.
- At the same time, similar programs will be examined if they could be used as a tool. Do their targets and goals align with SPPS? Can we use them as a model to both target these entities and use their compliance metrics?
- Based on the findings, a final report will outline the data and recommendations.

A timeline of the program was then presented with a recommendation to the Board of Education mid-year 2018.

So far to date, there have been two meetings with the community group and analyzing our own data. We have started to look at the accessibility of our procurement process. One aspect that was noted of importance is communication with potential vendors. In order to make this program effective, we need to develop a relationship with them. We need the ability to either match them with the right projects, or to match them with larger entities that can utilize them; we need to understand their capabilities.

The next steps in the program were then reviewed, including the review of similar programs, policies, and tools necessary for compliance and to implement this program in Saint Paul Public Schools.

QUESTIONS/DISCUSSION
- We know we are legally locked into a bid process structure. How do you reconcile that process that bid process with outreach with minority vendors? What are the issues and how do we reconcile those concepts? Answer: That is what we need to look at – what our legal and policy boundaries allow us to do. There are other governmental agencies with similar programs in place. They are also operating within similar boundaries. We could possibly introduce additional factors other than just the lowest price into the bid process, but we are not to that point yet in analyzing the impact and making a recommendation. We are at an elementary stage where we are looking at all possibilities and analyzing them right now.
  - Through this process, we have found there is a way to give points to businesses that meet and show their workforce utilization represents the community. Low bid is the belief that is out there, but it will be impossible to diversify our vendor pool if we continue to think low bid is the only criteria in the process. This program may not be the cheapest, but it will be the best value for the District because it will help us:
    - Diversify our vendors
    - Provide jobs for the community, and potentially our families
    - Improve our communities (a school district where it’s a great place to live, work, and learn)
- Is there a way for us to give preference to local vendors versus non-local vendors? Answer: That is part of our process of analyzing what will make this program unique and important and what equity of vendors means for us, because it can be included as
well. We need to figure out a way to focus on different groups. We can focus on vendor diversity and workforce participation, but we can also focus on where both of those groups are coming from in terms of location of business or where workforce is living.

- In the long run, this will be a benefit for the District and community. But in the short-term, can we justify awarding a project if it costs us more than if we were to buy it from someone else? Is there a potential for lawsuits if we were to award a contract on the basis of what we want to do instead of the lowest bid? Answer: The general counsel will be involved in this process to ensure legal compliance. Similar programs are also being implemented in other governmental agencies in the state and country. We are also not strictly limited by the lowest bidder. There is best value alternative, and a number of other ways that the bid can be structured. The Legal office will ensure the legality of the process.

- Do we have a percentage of vendors of diversity in our current pool? Answer: No, we do not have that yet.

- An awareness of the diversity in vendors needs to be routine; it is that awareness that builds policy and practice. This is just the beginning of our work, and will lead us to where we need to be. Thanks to the community for their work.

- The Board noted that the plan presented in mid-year 2018 will need to be confirmed by the Legal Department. A Board member noted that this is a great idea for the District, and when the plan is presented it needs to be tied together with input from those departmental stakeholders.

- As you look at other programs, such as the city of Saint Paul, the pool of vendors may be duplicated. Are there things you will see/see already that will be points to be aware of that they have already found? It seems that we could learn an extensive amount from their work that has already been done. Answer: Yes, we can learn a lot from them. There are three members on the CAC that previously worked with the city, and bring that knowledge to the council. We are also learning from our sister school district that had vendor diversity goals in their benefit statements. We have a wealth of knowledge to help us accomplish these hurdles. We’ve also heard some things that we can do ourselves – including the relationship and communication with those vendors. If we want them to come to our table, we need to be inviting to them. We have met with women and minority-owned businesses already, and they have given us input on specific things. There are aspects that we can start without policies; it will just be about doing our work differently.

- It was also noted that this plan idea was brought forth by former board member, Cedrick Baker, with interest from other members. It would also be great to be added to the calendar for the meetings and to see how it is all coming together.

III. ADJOURNMENT

It was motioned to adjourn the meeting at 6:30 p.m. The motion passed by acclaim.

III. WORK SESSION

A discussion on the upcoming lease renewal of MacBooks for the district staff was presented. The current lease terms are for 2,335 Pro 13” laptops at 256 GB. The cost for this lease is $988,300.00. The recommendations for the lease renewal include 3,900 13” MacBook Airs laptops with 128 GB. The cost for this lease is $1,034,917 annually for 4 years. At a future meeting, administration will be asking for the Board’s approval on the RFB for the sale of the current laptops, as well as support for the new lease agreement.

Respectfully submitted,

Sarah Dahlke
Assistant Clerk