

**MEETING MINUTES
COMMITTEE OF THE BOARD
September 14, 2010**

PRESENT: **Board of Education:** John Brodrick, Elona Street-Stewart, Jean O'Connell, Anne Carroll, Vallay Varro, Kazoua Kong-Thao, Keith Hardy (joined the meeting at 4:45 p.m.)

Director Kong-Thao left the meeting at 6:30 p.m.
Director Hardy left the meeting at 7:30 p.m.

Staff: Superintendent Silva, Matt Mohs, Andrew Collins, Barbara DeMaster, Jackie Turner, Tim Caske, Michelle Walker, Sharon Freeman, Denise Quinlan, Howie Padilla, Tom Delaney, Mike Kremer, Kate Wilcox-Harris, Joe Munnich, Jaber Alsiddiqui, Terri Bopp, Mary Gilbert, Michael Baumann, Mary Kelly

Other: Jackie Kelly (SEAC), Michaele Caron (SEAC), Mary Barshen (St. Paul City School), Josh Pettit (St. Paul City School), Liz Wynne (Twin City Academy), Mary Apuli (Achieve Language Academy), Nancy Dana (St. Paul City School), Darius Husaih (Face to Face Academy), Doug Belden

I. CALL TO ORDER

The meeting was called to order at 4:37 p.m.

II. AGENDA

- Special Education Advisory Committee Report
- Discussion on the District & Charter Schools
- Health Care Update
- Initial Discussion on 2011 Payable 2012 Property Tax Levy
- Policy Update: Discussion on Policies/Timeline for Development of Procedures

A. Special Education Advisory Committee (SEAC) Report

The SEAC representatives reviewed the purpose of the Special Education Advisory Council (SEAC) which is to provide information, advice and assistance to the Saint Paul Public Schools Board of Education and Director of Special Education on issues related to special education.

They went on to report that during the 2009-10 school year, the council focused on the theme of collaboration, including ways to provide information on policy and procedures to parents with children receiving special education services.

Committee members

- Attended the district Collaboration and Differentiated Instruction Open House in May and staffed a table providing information about the SEAC for staff and the public.
- They participated School Board candidate forums
- They created handouts on the topics of Recreation, Transition and IEPs to provide resource information for parents at the annual Parent School Information Fair
- They invited members of the community to speak at meetings regarding transition into the workforce and community and provided information on advocating for their child, with legislators and school board members as well as others.

- They received information about the three ARRA initiatives
- They were provided with information on Literacy and
- They received a report from the Wilder Foundation on the District-Wide Parent Survey

The chair indicated that In the future SEAC would take steps to strengthen its role as an advisory council to the Department and the Board of Education. They will incorporate the school district's Special Education Continuous Improvement Monitoring Process (CIMP) Committee to assist in making their work data and goal-driven.

The committee provided the following recommendations to the Board:

- Continue to support collaboration and communication between Special Education and General Education to provide the best possible outcomes for students with disabilities in inclusive settings.
- Participation in the Continuous Improvement Monitoring Process (CIMP) Committee to have an ongoing voice in the goals set by the Special Education Department.

QUESTIONS/DISCUSSION:

- Thanks were extended to the SEAC for the support they provide to the Board and their work for all children.
- CIMP and CEAC, will they become one committee or work cooperatively. Response: CIMP was established in the state in 2000 to take the most important indicators of the success of the Special Education system and look at them through the use of data to monitor goals, improvement and the system.
- How will CIMP tie into SEAC to start having conversations about collection of data on how the District is doing and where SEAC is going? Response: The CIMP process will move to SEAC. SEAC will be in the driving position for what they and CIMP are looking at in the area of data. With SEAC there will be additional qualitative data from stakeholders about what they are experiencing and prioritization from parents and the community. This will strengthen both systems making SEAC a stronger driving force and improve the handling of special education data as it will be an active data set rather than just a reporting set. It makes it a living, meaningful process. Parents want to see the data and it enforces transparency.
- Is CIMP a state requirement? Response: No, it is legally mandated but the Minnesota Department of Education (MDE) structured it so the process is overseen by a committee representing stakeholders in the Special Education System. The CIMP process is a legally mandated process.
- By combining this is it adding capacity and enriching the process? How, at the same time, will it ensure that the legal requirements of the state are being met and how do parents become familiar with the process? How will the process continue to move out to the entire Special Ed community in SPPS? Response: Data and accountability is the focus for 2010-11. The District will be using data to redirect instruction. A system-wide data focus may make it easier for Special Ed as it is a system focus not a singular focus. Communicating the information to parents is crucial so they can be actively engaged in the growth of their children. SEAC will help drive the goals set by the CIMP process as well as ensure state compliance. SEAC becomes the driving force in the process ensuring the least restrictive environment, the necessary strategies, instruction and the resources needed. The process is very inclusive of staff, paraprofessionals and many other roles.
- In doing this does SEAC still exist? Yes, CIMP will be under SEAC.
- How does the District provide information to elected officials and the broader public around the areas of independent living, rehabilitative services? Does it monitor growth and progress with graduation as an end result? Are there any new ways being used to articulate what expectations are? Is there oversight in the area of the secondary level of Special Education? Are secondary level issues being looked at? Response: There has been a Transition Committee formed to address secondary issues. This is even around what services are provided, where, do they meet the needs of students as they move through the system. Now there is an effort to provide more job skills so student

could graduate and enter the employment market at an earlier age. The Transition Committee will be part of the SEAC system and address national standards for transition. Transition tool kits have been developed along with assessment tools. Actually there are several sub-committees addressing all 13 areas of Special Ed. Supportive reporting could be provided in this area should the Board desire it.

- How are elected officials being informed? They need to be aware of what SPPS offers in their districts to support the Special Ed effort. Response: This needs to be looked at.
- Are there culturally specific, language specific aids/groups available to parents? Racial ethnic students, non-English speakers – is that being addressed? Is over or under Identification being tracked? There is nothing in the SEAC reports overtly addressing the issues of American Indian, African American students, students coming from non-English speaking families, what is being done to ensure those issues are being addressed and included in reports? Response: SPPS has not been cited for over identification by MDE. The culturally specific piece is that SPPS is acknowledged by MDE as experts and they come to SPPS for information on how it works with second language students. There have also been national groups looking at the SPPS program/process. By addressing the data that comes back to CIMP reporting and that provides information on how that is being/will be addressed through instruction venues, teaching methods, etc.
- Are there sub-groups across the district so parents can be informed and be aware of what resources are available to assist in anticipating other decisions they will need to make as their student progresses through the system? Response: It is mandated that by 9th grade that there be a transition evaluation on every student. This includes a student parent interview, performance goals must be transition driven toward independent living, etc. There are currently no culturally specific groups but support is provided at the different sites and address the needs of the student.
- There are things which are culturally defined within ethnic groups which will not be understood by other groups and there needs to be support provided for these.
- The Board encouraged cultural support.
- What is the demographic breakdown of Special Ed students? Response: Special Ed represents 18% of the total student population. Specific breakdown was not immediately available.
- What is the current demographic make up of SEAC? Response There are six active members; one American Indian, one Asian and four Caucasian.
- Is there a recruitment process to search for ways to draw in more diverse participation? Response: SEAC discusses this regularly. It participates in events at schools and provides their own events to talk about working with Special Education. Special Ed teachers talk to parents during IEP reviews and they encourage parents to participate. SEAC also has a website with information and invitations to participate. A Board member recommended working with advocacy organizations (PACER or ARC) to encourage participation.
- It was recommended that SEAC find someone to provide information on how to recruit in communities of color to find ways to address and bring those parents into the group. Bringing in a more representative group on the committees is important. Response: The Office of Community and Family Involvement has been established to provide outreach to the system and community. They will assist/develop mechanisms to specifically focus on goals and building participation and involvement. There should be a consistent process for all the groups/committees.
- With the cuts across the district, how are teaching and other services for Special Education being maintained? Response: The “labels” for various identifications have helped the schools recognize the special needs of each student. There is an increase in early childhood students and autistic students within the district; identification of special needs is an issue and how to balance this is a challenge. The second challenge is to keep Special Ed in the classroom and maintain the collaboration in the classroom. Finding the necessary expertise, locating programs and testing results are all other issues which can be a challenge.

- What is the process for identification of Special Ed students? Is it an internal process or does the District rely on the State? Response: The District can identify Special Ed needs very quickly through its data so the District should always be aware of whether there is over identification. The State's recommended average is 15%, SPPS is at 18%.
- At what point does a district realize it is over identifying and in what sub-categories? Does that come into the discussion? There is a perception from the families that SPPS is over identifying even though the State says it is not. Response: There may be special issues within the District that is a reality. Prior to a student being referred there have been interventions and an initial assessments have been made. The District is under obligation to identify children with disabilities and SPPS has made a concerted effort over the past two to three years to do the scientific, research-based interventions for students collecting data points as that process occurs and moves into a response to intervention model. It is a partnership of all departments owning all of the kids in method and best practice and standards-based instruction. MCA data is being utilized in assessing, assisting the students.
- A request was made for a follow-up conversation with staff in COB or a work session to get some of the details addressed so the Board knows better how to respond. It was suggested SEAC do more forums to involve the community. This would create opportunities for voices to come forward from various communities as they wish to come forward to ensure there is no lag in what is working and what is not.

MOTION: Ms. Street-Stewart moved the Committee of the Board recommend the Board of Education accept the report of the Special Education Advisory Committee with its thanks. The motion seconded by Ms. Carroll.

Motion passed (Six, Yes, One Abstention [Hardy])

B. Discussion on the District & Charter Schools

The Superintendent stated that at the June 1 Committee of the Board meeting she had recommended SPPS no longer serve as a charter school authorizer. She stated SPPS no longer has the capacity to effectively and efficiently serve as a charter sponsor, given the oversight responsibilities that will be required in the future due to new legislation and the increasing demands of the schools within ISD 625. At that meeting the Board had asked that this issue be revisited in the Fall with the expectation that the charter schools would use the intervening time to begin the process of finding another authorizer.

The Superintendent indicated she had used the time to continue to advocate that MDE identify and approve viable authorizers. To date six authorizers have been approved and 10-15 more groups have begun the application process to become authorizers. Additionally, MDE has provided for one additional application round in February of 2011.

She reminded the Board that the new requirements and application process required by MDE comes at a time when SPPS is in the midst of implementing a new organizational structure, executing the largest single year budget cuts in District history and charting the future course for SPPS.

The Chief of Accountability, Planning and Policy stated SPPS was committed to honoring existing contracts and obligations to the sponsored charter schools through the 2010-11 school year and, depending on MDE implementation, the one contract which runs through 2012. She also mentioned the potential of self-governed schools as a possibility for the charters to consider and indicated there was an input session scheduled on September 16 for schools interested in that possibility.

Representatives from five of the six SPPS sponsored charters were in attendance. All indicated they had pursued finding another authorizer but encouraged SPPS to reconsider

their position and continue as authorizers for the schools. They stated a major issue around sponsorship is the very small number of viable alternative authorizers.

QUESTIONS/DISCUSSION:

- The longer contract -- is the intent to carry that to the end of the contract or will all contracts end on 6/30/11. Response: If, under the new legislation, SPPS does not have authority to act as authorizer as of July 1, 2011, it will not be able to fulfill that contract.
- If after the next round there is some reason under the SPPS strategic plan that it would wish to remain a potential authorizer to present schools could it make application in February? Response: Yes.
- Has there been feedback from current sponsored charter schools on where they are in the process of finding an authorizer? Response: SPPS is firm on the position SPPS will not become an authorizer. The District has many needs and fewer staff to address them. There are a substantial number of issues within the system that need to be addressed. The concern is, as a district, a decision needs to be made on whether or not it will sponsor charter schools. The current structure will barely cover District needs for this year and does not allow for meeting the needs of the charters as well. A final decision will give the schools a chance to move ahead within an adequate timeframe.
- It was noted the other issue, in addition to application, would be the need to re-negotiate contracts with current charters to extend beyond June 30.
- Does the gubernatorial election impact this issue? Response: It will impact the composition of MDE most certainly. The authorization statute is clear in that it adopted a national model and the requirements for authorizers remain the same. There may be pressure to delay application but overall it must be viewed in the bigger context. Feedback is being taken within the legislature on whether the statute should be modified. MDE has hired people to do the reviews so the process is not political. There is a limit on single purpose authorizers with one place remaining open. The February opportunity would have similar training opportunities and specific feedback opportunities to remedy shortcoming in the application that earlier applicants had.
- The contract obligation and the June end date, if the District moves forward with the decision not to become an authorizer are there additional obligations or repercussions? Response: The contracts have a standard clause on termination of contracts. A conversation would be conducted that the SPPS status would not allow it to continue the contract and the contract would be void.
- If the Board moves approval of the recommendation, SPPS is under obligation to June next year? Response: Yes, if nothing is done it has obligations through June 30, 2011.
- Have the charter schools pursued other venues? Has there been an updated? The understanding was that charters would pursue other options. Response: The District has not had that conversation with them at this point.
- There was a request for a status update from the charters. The representatives from the five charters indicated each had searched for and begun the process of application with authorizers. They expressed deep concern that there are not enough authorizers for schools who are looking to continue. There was also concern that the authorizers may not be a good fit with the schools. They noted there could potentially be 40 to 50 charters that would be considered "orphans" at the end of the year. They all indicated they were watching the timeline very carefully.
- What is the impact to SPPS of no longer authorizing the charters versus opportunities if it continues as an authorizer? Response: Implications for SPPS at this point are that there is not internal capacity to serve as authorizers due to the strict requirements of the statute. SPPS has been honest in telling the charters and the Commissioner that it will not continue to sponsor charters. It is the State's responsibility to authorize more agencies to provide support to charters. SPPS has many other challenges it needs to address. If SPPS were to continue, at this point there are no opportunities beyond providing more choice and SPPS has a large diversity of choices within itself. SPPS needs to take what it has learned is working for the District and replicate that across the District.

- Will there be savings? Response: There will be some revenue saved – salary and benefits for one staff person, the staff time involved in the reviews; the review teams involve a great deal of time. The Chief of Accountability provided a comparison of income and expenses which was at this point break even. However, with the new requirements of the statute it would become more costly. Additionally, under the new budget staff involved in reviews were moved to Title I and are no longer available to do reviews which requires the work to be contracted out, an additional expense.
- There was a concrete offer to help with labor from the charter schools wouldn't that help? Response: SPPS needs to put that time into improving SPPS.
- What circumstances would allow SPPS to continue a relationship with the schools where it was not a distraction from what needs to be done for the District? Response: The Superintendent stated she was concerned that SPPS was a system of schools and not a school system, that it is a disaggregation not an aggregation. She stated the work is to align the schools within the system and the charters would be a distraction from that work. The system is going through a culture change and that needs to be the focus of effort without distractions.
- How will SPPS avoid having site-governed schools becoming fiefdoms? Response: SPPS would need to define what self-governing schools would be. There must be great accountability within the structure with alignment back to a central entity. Site governed schools are covered by a contract which the district would dictate to define what is a self-governed school and what the parameters are. It will be up to the Board as to how site-governed schools are shaped.

MOTION: Ms. Street-Stewart moved the Committee of the Board move that the Board of Education approve the Superintendent's recommendation that the Saint Paul Public Schools no longer serve as a charter school authorizer effective July 1, 2011. The motion was seconded by Ms. Varro.

Motion Passed (Six Yes, One Abstention [Hardy])

DISCUSSION ON MOTION:

- The charter schools were again invited to participate in the self-governed school conversation to be held September 16.

Thanks were extended to charters schools for the on-going relationship that has been enjoyed over time.

Ms. Kong-Thao departed from the meeting.

C. Health Care Update

The Executive Director of Human Resources stated Steve Clausen, Hewitt Associates, LLC, would provide a review of the impact of the new health care legislation on the District's plan and an overview of the 2010-11 plan.

Mr. Clausen provided background information on the Health Care Reform Legislation noting it provided some solutions but was only a first step. The legislation addressed the ability of individuals to obtain health insurance. He then went on to note how various provision of the legislation would impact the SPPS Health Care Plan over the next several years. He provided specific information on early retiree reinsurance and the extension of dependent coverage to age 26. He stated SPPS is meeting many of the requirements already.

He then mentioned briefly the Mental Health Parity and Equity Act of 2008 which will apply to SPPS January 1, 2011. The regulation changes how plan benefits are provided for mental health and substance abuse treatment. A plan may not provide separate lower annual or lifetime limits as compared to other medical benefits. A plan cannot be more restrictive (deductibles, cost sharing, out-of-pocket limits) than other medical benefits and it cannot be more restrictive on treatment limitations than of other medical benefits.

\$10,759,129 over Pay 10. This levy will be paid by taxpayers in May and October of 2011. Several levies have an aid penalty which means if SPPS does not levy for the required amount, it will lose State aid which results in a double hit for the District.

He provided a chart of the proposed SPPS maximum levy.

Fund	<u>Pay 10</u>	<u>Pay 11</u>
General Fund	\$ 72,209,685	\$ 76,688,599
Community Service Fund	\$ 3,668,391	\$ 3,571,836
Debt Service Fund	<u>\$ 35,814,161</u>	<u>\$ 42,190,931</u>
Total	\$111,692,237	\$122,451,366

The percent of increase at maximum level would be 9.6%. For the median value home in St. Paul this represents an increase of approximately \$55/year.

Reasons for the increase include (1) the State increased authorization for OPEB for districts that sunset or limit retiree health insurance programs and (2) adjustments for new and existing debt, debt excess adjustments and refinancing. It is expected that the OPEB amount will remain flat in subsequent years. The debt service needs to be met on an annual basis. It is expected that this will go down next year. These two key areas which caused an increase this year should not be a problem for SPPS next year.

The timeline for future action is:

- 9/21 – Adoption of the maximum levy certification by the Board
- 9/30 – Deadline for SPPS to submit data changes to MDE
- 9/30 – Deadline for BOE to certify levy limitations to county auditors
- 11/30 – Public comment at BOE (following scheduled COB meeting)
- 12/14 – Board certifies the Pay 11 levy
- 12/27 – Deadline for SPPS to adopt final property tax levy
- 12/27 – Deadline for SPPS to certify final adopted levies to county auditor
- 12/27 – Deadline for SPPS to submit FY 10 actual building/land lease costs

QUESTIONS/DISCUSSION:

- Is the increase on the taxes for the homes linear. Response: No, it is non-linear. There are many things going on in this calculation, it is complex. The \$55 mentioned is only the St. Paul portion when everything else is calculated in with the Home Credit, etc. it may be less. The Combined Levy (District, City, County) is estimated to be a 3% increase overall. Again, all of these calculations are complex and involve many other factors.
- The Debt Service Levy -- why the increase? Response: SPPS works with the State on its schedules and receives adjustments from the State on the schedules so year-to-year there is some variation in debt service. The District has to levy for the amount which will be owed on the bonds sold in past and the bond process is a very dynamic process. SPPS is meeting the requirements of the State in regard to its debt. It is up partially due to refinancing and debt load transitions as calculations are done at the State. The District projects this to go down in the next fiscal year.
- Since there is a “blip” in OPEB this year, has consideration been given to doing the OPEB option over two years to smooth out the burden on taxpayers? Response: What is being discussed is the maximum levy, there are some options. With the General Fund, if the levy is reduced that will have a reciprocal effect on the general fund shortfall in FY 12. Also, if payment is delayed the effect over X number of years will result in the loss of a year to the end result. As this moves forward it will be flat so next year will not reflect on the taxpayers.
- The OPEB levy is general fund money and it is money which would be available for SPPS to use to pay for retiree health insurance obligations or to contribute a portion into an OPEB fund. It could be used both ways. If the District fails to make the entire levy it will limit decisions as next year's budget is developed next spring. It would be money that is not available. When the legislature established the opportunities to create OPEB

it set up two structures; districts could establish a trust which would enable the district to incur debt, sell bonds, do interest payments, etc. SPPS determined that was a very risky option. The second option was a Pay-Go Levy to address the concerns of OPEB under the new accounting rules. SPPS opted for this option. The reason there was an increase last year was because levy limits spread across all districts were capped at \$14 million. This year the cap went up. If districts do not take full advantage of the opportunity, the legislature may opt to take it away or change it. The other thing is that while this is an increase because the levy limit went up, the future levies will be relatively stable based on previous year's expenditures. Additionally, a delay in the TRA increase on the pension should put the District in a better position next fall.

- Why did the Community Service Fund go down? Response: It is down very little, the aid equalization is based on a formula and it is just the way the formula works out. What you lose in the levy you gain in the aid.

MOTION: Ms. Street-Stewart moved the Committee of the Board recommend the Board of Education accept the report on the 2011 Payable 2012 Property Tax Levy. Motion seconded by Ms. Carroll.

Motion passed.

MOTION: Ms. Street-Stewart moved the Committee of the Board recommend the Board of Education approve scheduling a Truth In Taxation hearing for November 30, 2010 following the already scheduled Committee of the Board meeting; specific time and location to be established later. Also, that the Board accept the entire levy schedule as presented. Motion seconded by Ms. Carroll..

Motion passed.

The Board was reminded that a time certain and a location would need to be established soon as the County needs the date by September 27 in order to print the Truth in Taxation notices which must include three hearings with dates, times and locations.

Staff was asked to put together talking points for Board members on the levy this should include what the levy is for, sources of education funding, how SPPS fits with the county and city, how the levy impacts property taxes, etc.

E. Standing Item: School & Program Changes – No Report

F. Standing Item: Policy Update

1. Discussion on Policies/Timeline for Development of Procedures

The Superintendent asked the Chief Officer of Accountability, Planning and Policy to review SPPS policies in the following areas:

- Accountability (No current SPPS policy)
- Academics (including grading and homework)
- Staff Development
- Diversity and Equity

SPPS has policies in the area of Academics (601.01 *Achievement* and 510.01 *Promotion and Retention.*); Staff Development (421.00 *Staff Development*) and Diversity/Equity (102.00 *Equal Opportunity/Non-Discrimination* and 602.00 *Multicultural, Intercultural, Non-Racist, Non-Sex-Biased, Gender and Disability Fair Education*).

As a result of the review, it appears SPPS is in need of an accountability policy. It needs to be established if this will be a broad overall policy or an “academic achievement” policy. Once that is established a policy will be developed and brought to the Board at the October 5 COB.

Changes in the other areas would be more appropriately made within the SPPS Procedures Manual. This process does not require Board readings or approval and thus can be changed as needed. It is anticipated that procedures in the four areas mentioned could be provided in time for the January Annual Meeting. A schedule for reviewing and updating all other procedures will be prepared.

The *Staff Development* policy may be revised to move some of its content to procedures.

It was stated the intention is to keep policy at the governance level with the procedures there to address day-to-day processes.

One additional area that needs to be explored/addressed is the dissemination of policy to the schools/departments/committees. A procedures needs to be developed in this area.

QUESTIONS/DISCUSSION:

- Board members were invited to attend the discussions if they wished.
- The policies need to be disseminated in multiple languages
- The Board was reminded that it needs to put time on their meeting calendars for review of the policies prior to the Annual Meeting.
- The Board Secretary was asked to convert the policies as an entire document to a PDF and place it on line.
- Other areas which need to be addressed are homework, grading and internet communications.

G. Work Session

1. Winter Carnival Participation

Board members decided that they would participate in the January 29 Grand Day Parade but not as an individual unit. Rather they would participate as part of a school group (should any be participating). To that end the Assistant Superintendents will be asked to notify the Board Secretary of any schools they are aware of who will participate on that day by November 30.

2. Board Travel to Conferences

Following extensive discussion on Board travel the Board decided that all appropriate national conferences (i.e., NSBA, CUBE, CGCS) should be brought to their attention and consideration would then be given as to who would attend. For local conferences, Board members were encouraged to attend as their schedules permitted. A form for reporting on the conference needs to be developed for inclusion in the Board book as appropriate. A standing item for conferences should be placed on the Board agenda.

III. ADJOURNMENT

MOTION:	Ms. Varro moved the meeting adjourn. Motion seconded by Ms. Street-Stewart.
Motion passed.	

The meeting adjourned at 8:52 p.m.

Respectfully submitted by,

Marilyn Polsfuss
Assistant Clerk