

**Madison Metropolitan School District  
Madison, Wisconsin**

**Art Rainwater, Superintendent**

**BOARD OF EDUCATION  
Minutes for EQUITY TASK FORCE  
March 28, 2007**

**Doyle Administration Building, Room 103  
545 West Dayton Street  
Madison, Wisconsin**

Lisa Cuevas and Thomas Mertz provided an update on the health of Christa Bruhn. They noted she appreciates their concern and welcomes telephone calls.

The Equity Task Force meeting was called to order by Jack Jorgensen at approximately 6:30 p.m.

MEMBERS PRESENT: David Cohen, Lisa Cuevas, Rafael Gomez, Tiffany Jones, Zina Knox, Paul Kusuda, Thomas Mertz, Glenn Parks, Wendy Sauve, Matt Silvern, Beth Swedeen, Jackie Woodruff

MEMBERS ABSENT: Christa Bruhn, Toya Robinson

STAFF PRESENT: Jack Jorgensen, Kathleen Lyngaas

Jack Jorgensen noted the meeting was being tape recorded in the absence of a secretary.

Jackie Woodruff noted Zina Knox received the Joe Thomas Community Service Award for Students for volunteer and community work, including her service to this task force.

**1. *Approval of Minutes***

**It was moved by Paul Kusuda and seconded by Beth Swedeen to approve the minutes of the Task Force meeting dated February 12, 2007. Motion unanimously carried by those present.**

**2. *Appendix C of the Task Force Report to the Board of Education***

(Written materials provided in advance: Attachment C – Recommendations to the Board of Education (original version). Written material provided at the meeting: Attachment C as proposed by T.J. Mertz. Written material attached for the minutes – Attachments C as revised at this meeting. – attached to the original of these minutes.)

Kathy Lyngaas presented the current version of Appendix C listing some editorial (word) changes that had been suggested earlier via e-mail. Minor editorial changes were made. Another suggestion was to switch the order of the items (1 and 2).

**Thomas Mertz proposed an alternative version** (attached to the original copy of these minutes). He felt the order of importance is better switched (1 and 2). The language included in his "1a" is a substitution taken largely from the current equity policy: "*Codify in policy formulas and processes based on demographics, achievement, participation, climate and attitude for use in allocation of resources to schools and the evaluation of results.*" Mr. Mertz stated this reflects current practice and not policy; it is a decision by the administration to use, but the Board has never explicitly asked the administration to use it nor have they voted for the administration to use it. In response to the question of whether the suggested task force would make the decisions regarding the formulas and processes, Mr. Mertz responded that the new task force may revisit this.

**DISCUSSION:**

- Requires the district to use the formulas, despite any changes that might occur in staff, in superintendent. Legal Counsel included it in his 2005 draft because he felt it was relied on by staff.
- Does appointing a task force to generate policy have to come first? May be difficult or inappropriate to determine what the processes would be based on until that task force does its work; in reverse order.

Paul Kusuda recommended going back to the original version of Attachment C. The thrust of the Task Force is to present a report. The first item should be the request to the Board to receive wide input as it reviews the policy. After that, the Task Force recommends that the Board of Education appoint a task force, including both community members and members of the administration in order to decide what the components should be in a formula and to make a recommendation about that formula distribution. The second item should be a recommendation that the Board of Education formulate a policy that will codify formulas and processes used to allocate resources, etc. The original version of the Appendix seems to be more relevant to the charge that the Task Force was given and to the report that the Task Force is presenting. Conceptually, this format makes more sense.

Proposals were made to divide items 1 and 2 into separate Appendices (C and D) (T.J. Mertz) and to divide items 1, a, and b into three separate items (1, 2, 3).

DISCUSSION:

- Calling for wider input to the entire work is different than calling for input about the resource formulas. The order was suggested based on perception of priority. May be a good idea to separate 1 and 2 into two separate attachments (C and D).
- Because they are both recommendations, could be numbered under that heading, representing a series. There may be more added.
- Order represents a difference of opinion about what is more central to the Task Force's work.
- There were questions 5-7 years ago about how the formula was being utilized. Board President at that time indicated that the formula was not part of the board policy. If formulas are codified in policy, the Board must utilize them, or change them. Basic formulas represent the most functional way equity is achieved in buildings.
- Pulling (b) out as a separate item presents a separate recommendation codifying that formula as opposed to being a subsection of creating another task force.
- Discussion with Board members supported that (b) had more teeth than (a). Even if Board does not go as far as (a), (b) is recommended as individual action.

**It was moved by T.J. Mertz - on the question of order only, not content – that items 1a and 1b be separated into two separate items in Attachment C.**

DISCUSSION:

- Prefer original language with three separate items.
- Wording of Mertz version reflects more flexible policy. Do not want to write into policy the ERF and ENI formulas they exist now – should be “living” formula.
- May be outside of the charge to comment on what is used in creating a formula for a policy.
- What is in the report meets the charge with appendices that provide additional thoughts and direction (recommendations) for the Board?

**It was proposed by Paul Kusuda (a substitute motion) that the Attachment begin, using the language in the original version of Attachment C, “The Equity Task Force recommends that the Board of Education:” and that there be three separate points that deal with: 1) formulating the policy, 2) appointing a task force, and 3) seeking wide and extensive community input. This proposal was approved unanimously by a show of hands.**

**T.J. Mertz withdrew his proposed version of Attachment C.** He indicated that the changes that have been made satisfy his concerns.

Editorial changes were made to the version proposed by Mr. Kusuda, with individual members providing their reasons for supporting particular wording. Kathy Lyngaas noted that the original version contains old language that has been replaced with new language from the Educational Framework. **T.J. Mertz moved approval of Attachment C as revised.** There were additional editorial changes and discussion. **The following statement was approved (unanimous show of hands) as item 1: Codify in policy formulas and processes based on but not limited to demographics, achievement and engagement for use in the allocation of resources to schools and the evaluation of the results.**

**There was further editing of items 2 and 3 of Attachment C, with the following approved by a majority show of hands:**

**Item 2 – Appoint a task force comprised of district staff and community members with expertise and interest in examining the existing formulas and processes used to distribute resources in the Madison Metropolitan School District.**

**Item 3 – The Equity Task Force encourages the Board of Education to seek wide and extensive community input in reviewing this proposed Equity policy, systematically including key community stakeholder groups while reaching out to constituents potentially unlikely to participate in traditional feedback forums.**

### 3. **Consideration of Requests by Task Force Members**

(Written materials provided at the meeting: Socio Economic Diversity and Equity, submitted by T.J. Mertz – attached to the original copy of these minutes.)

- a. Thomas Mertz presented a recommendation that statements be included in the proposed policy and report addressing the importance of socio-economic diversity at the school and class level to creating equity (attached to the original copy of these minutes). He proposed the following statement be included in the Relationships section of the report as an additional bullet and added to the responsibility chart, assigning responsibility to the Superintendent and Board of Education: *"Promote and monitor socio-economic diversity in assignments and transfers of students to schools and classrooms."*

Mr. Mertz clarified that the suggestions relating to policy are intended to be forwarded to Legal Counsel with a cover letter identifying them as policy language considerations.

**There was consensus to add the statement in the body of the report in the Relationships section. There was consensus to add the statement to the Responsibility Chart.**

Regarding the recommendation to forward additional information to Legal Counsel, concern was voiced that there had not been time for task force members to fully review the items related to policy. It was noted that task force members will have opportunity to make comments after this meeting and after Legal Counsel has issued a draft. **Jack Jorgensen asked whether task force members would be in support of advancing this proposed language to Legal Counsel for consideration for including in the policy. A majority of task force members showed their support by a show of hands.**

The proposed language follows:

*"The Superintendent shall annually report to the Board any school with a racial or linguistically identifiable population that exceeds x% of the district average. The Superintendent shall also report to the Board any school where the population receiving free or reduced lunch exceeds x% of the district average.*

*The Superintendent shall annually report to the Board any classroom with a racial or linguistically identifiable population that exceeds x% of the population of the school where it is located. The Superintendent shall annually report to the Board any classroom where the population receiving free or reduced lunch exceeds x% of the average of the school where it is located.*

*In any of the cases to be reported above, the Superintendent may recommend boundary changes or the transfer of students to bring the school or class more in line with the averages.*

*The constitutionality of the use of racial or linguistic measures may be decided in the pending cases of Community Schools v. Seattle School District No. 1 (05-908) and Meredith v. Jefferson County Board (05-915). If the use of these criteria is ruled unconstitutional, those portions of this policy employing free and reduced lunch measures will remain in force."*

- b. Jackie Woodruff proposed including as Appendix D of the Task Force report a copy of the presentation Superintendent Art Rainwater made to the Board of Education on September 25, 2006 in response to questions posed by Board members about what the current policy is and how it is being implemented. She asked that the report, *An Analysis of Board Policy #9001 and Current Practice*, an executive summary of that report, and a PowerPoint about the Equity Resource Formula be included. She indicated there had been small group work within the task force regarding the current policy and inclusion in the Appendix would indicate to the Board that the task force is aware of current policy and practice.

#### DISCUSSION:

- See no purpose to include it; Board already had received it. How many task force members read it? If they had, they would have concerns about the correlation of the executive summary with the main report.
- Would prefer the task force would prepare their own report but Board will understand that this is a report from the Superintendent and is not a statement by the task force.
- Task force is making recommendations but also educating people. Report was handed to only a very small group, is a good explanation of current policy, task force could refer to it during the meeting. Would be provided as a resource, not an opinion of the task force.
- Including it in the Appendix would be helpful for those looking for information/references in the future.
- Might better be included as a footnote.
- Will provide as much information for citizens as it does for the Board.

Jack Jorgensen asked whether the Task Force members wish to include An Analysis of Board Policy #9001 and Current Practice, the Executive Summary of that Report, and the PowerPoint presentation about the Equity Resource Formula prepared by Superintendent Rainwater in Appendix D of the Task Force Report. Motion carried with a majority show of hands.

**4. *Plan for Presentation of the Final Report and Proposed Policy to the Board of Education***

Kathy Lyngaas raised the question whether there should be an Executive Summary of the Task Force's report. There have been several changes made since the report was last provided to the Board of Education.

**It was moved by Thomas Mertz and seconded by Jackie Woodruff that Jack Jorgensen and Kathy Lyngaas prepare information for the Board of Education outlining the additional items and changes made as a result of this meeting, refraining from commenting about whether any item falls within or outside the charge. Motion carried.**

Jack Jorgensen shared the plan for the presentation. It is not intended that there be a PowerPoint presentation. The role of the co-chairs will be to set the context for discussion and note highlights of the report and proposed policy in light of the charge. Task Force members indicated they would like to know the preference of the Board regarding whether task force members should join them on the stage or sit in the audience. Task force members preferred to sit in the audience.

Jack Jorgensen indicated the date of the presentation may be changed because all Board members are not able to be present on April 9; the date may be changed to April 16. Task force members indicated that setting the time of the meeting to begin before 6 p.m. would be problematic.

Task force members indicated that any costs that might be incurred to honor task force members for their service be returned instead to the school district.

**5. *Adjournment***

**The meeting was adjourned at approximately 8:30 p.m.**

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