



Legislation Details (With Text)

**File #:** CB 119967    **Version:** 1    **Name:** CB 119967  
**Type:** Ordinance (Ord)    **Status:** Passed  
**In control:** City Clerk

**On agenda:** 12/14/2020  
**Final Action:** 12/16/2020    **Ord. No.** Ord 126259

**Title:** AN ORDINANCE relating to the 2018 Families, Education, Preschool, and Promise Levy; amending the levy implementation and evaluation plan adopted by Ordinance 125807 to grant the Department of Education and Early Learning temporary authority to modify the implementation and evaluation plan in response to the COVID-19 pandemic; and ratifying and confirming certain prior acts.

**Sponsors:** M. Lorena González

**Indexes:**

**Attachments:** 1. Att 1 - FEPP Levy Implementation and Evaluation Plan, 2. Att 2 - Addendum No.pdf, 3. Summary and Fiscal Note, 4. Summary Att 1 – LOC Recommendation Letter, 5. Presentation, 6. Signed Ordinance 126259, 7. Affidavit of Publication

Date	Ver.	Action By	Action	Result
12/16/2020	1	City Clerk	attested by City Clerk	
12/16/2020	1	Mayor	returned	
12/15/2020	1	Mayor	Signed	
12/15/2020	1	City Clerk	submitted for Mayor's signature	
12/14/2020	1	City Council	passed	Pass
12/8/2020	1	Governance and Education Committee	pass	Pass
12/7/2020	1	City Council	referred	
12/1/2020	1	Council President's Office	sent for review	
11/10/2020	1	City Clerk	sent for review	
11/10/2020	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

COUNCIL BILL \_\_\_\_\_

..title

AN ORDINANCE relating to the 2018 Families, Education, Preschool, and Promise Levy; amending the levy implementation and evaluation plan adopted by Ordinance 125807 to grant the Department of Education and Early Learning temporary authority to modify the implementation and evaluation plan in response to the COVID-19 pandemic; and ratifying and confirming certain prior acts.

WHEREAS, on March 11, 2020, the World Health Organization announced that the novel coronavirus (COVID

-19) is officially a global pandemic; and

WHEREAS, on February 29, 2020, Governor Jay Inslee issued Proclamation 20-05, proclaiming a state of emergency for all counties throughout the state of Washington in response to new cases of COVID-19, and

WHEREAS, on March 3, 2020, Mayor Jenny Durkan issued a proclamation of civil emergency in response to outbreaks of the COVID-19 disease, authorizing the Mayor to exercise the emergency powers necessary for the protection of the public peace, safety, and welfare; and

WHEREAS, on March 12, 2020, Governor Inslee issued an order closing schools in King, Snohomish, and Pierce Counties, and the next day Governor Inslee expanded the order to require the statewide closure of K-12 public and private schools until April 24, 2020; and

WHEREAS, on June 11, 2020, Chris Reykdal, Superintendent of Public Instruction issued *Reopening Washington Schools 2020: District Planning Guide*, which outlines health and safety and key statutory requirements for reopening; and

WHEREAS, on August 12, 2020, the Seattle Public Schools District No. 1 Board of Directors approved Resolution 2020/21-4, adopting a reopening plan and remote learning model for the 2020-2021 school year; and

WHEREAS, Resolution 2020/21-4 indicates Seattle Public Schools will continue in a remote learning model until the risk of significant transmission of COVID-19 cases has decreased enough to resume in-person instruction; and

WHEREAS, on August 1, 2020, the Washington State Higher Education Re-opening Workgroup delivered principles and guidance for re-opening higher education institutions to Governor Inslee; and

WHEREAS, on August 5, 2020, the Seattle Colleges announced their plan to serve students with most instruction offered remotely in accordance with their Infection Control Plan; and

WHEREAS, as a result of Resolution 2020/21-4 and Seattle Colleges' August 5, 2020, announcement, the vast

majority of Seattle children, youth, and Seattle Promise scholars will not receive in-person classroom instruction for the foreseeable future; and

WHEREAS, while Seattle Public Schools is working to provide remote learning instruction to students, remote instruction alone does not fill the need for student supervision and developmentally appropriate expanded learning activities that support student well-being and enrichment; and

WHEREAS, the Centers for Disease Control and Prevention acknowledge health equity concerns in Black, Latino, and Native American communities disproportionately affected by the pandemic due to the longstanding impacts of systemic racism in the health, education, housing, and justice sectors; and

WHEREAS, the Brookings Institution, Collaborative for Student Growth at NWEA, and RAND Corporation used existing data on opportunity gaps, summer learning loss, and the digital divide to predict significant learning loss in academic achievement and exacerbated social emotional health distress as a result of spring 2020 school closures and extended virtual learning; and

WHEREAS, the National Institute for Early Education Research and McKinsey & Company report preschoolers and K-12 students from historically underserved communities will experience the worst educational outcomes in a prolonged remote learning environment; and

WHEREAS, by Ordinance 125604, The City of Seattle (“City”) placed before voters a proposition to lift the limit on regular property taxes under chapter 84.55 RCW and authorize the City to levy additional taxes for up to seven years for the purpose of providing education-support services designed to improve access to early learning and high-quality preschool, K-12 school and community-based investments, K-12 school health, and post-secondary and job readiness opportunities for Seattle students; and

WHEREAS, on November 6, 2018, the City’s voters approved the proposition and the property tax levy, also known as the Families, Education, Preschool, and Promise (FEPP) Levy; and

WHEREAS, Section 7 of Ordinance 125604 provides that FEPP Levy proceeds will be used for education-support services spent in accordance with an implementation and evaluation plan (“Plan”) approved by

the City Council; and

WHEREAS, on April 22, 2019, the City Council approved the current Plan under Ordinance 125807; and

WHEREAS, on April 13, 2020, the City Council modified the current Plan under Ordinance 126067 to allow

FEPP Levy proceeds to be used for Emergency Child Care for essential workers; and

WHEREAS, on August 10, 2020, the City Council modified the current Plan under Ordinance 126129 to allow

FEPP Levy proceeds to be used for personnel expenses related to birth-to-12 programs in response to

the City's 2020 General Fund revenue shortfall; and

WHEREAS, Section 7 of Ordinance 125604 provides that the Plan may be amended by ordinance; and

WHEREAS, the Executive has sought the review and recommendation of the Levy Oversight Committee

created under Ordinance 125604 with respect to amending the Plan; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. The Seattle City Council ("Council") finds and declares that:

A. The Families, Education, Preschool and Promise Levy Implementation and Evaluation Plan ("Plan") approved by Ordinance 125807 did not contemplate the existence of a global public health pandemic that would substantially impact the delivery and evaluation of services and programs as outlined in the Plan.

B. COVID-19 has resulted in public health guidance reducing staff-to-student ratios for in-person services and remote learning instruction for preschool through postsecondary students, and has exacerbated race-based opportunity gaps in education.

C. If the Department of Education and Early Learning (DEEL) were to strictly adhere to the implementation guidance specified by the Plan, the intended outcomes and goals of the FEPP Levy would be compromised.

D. In response to the ongoing uncertainties of implementing education-support services during COVID-19, DEEL requires flexibility to revisit and adjust contracts, policies, and procedures and reallocate resources to promote equity in educational outcomes.

E. Technology hardware and software, health and safety equipment, provision of basic needs such as nutrition and shelter, and efforts to stabilize education partners are education-support services as defined in Section 6 of Ordinance 125604.

F. Ninety attempted credits is equivalent to two years of postsecondary education, the requirement for Seattle Promise tuition and non-tuition financial support defined in Section 6 of Ordinance 125604.

Section 2. The Plan previously approved by Ordinance 125807 and attached to this ordinance as Attachment 1 is amended as provided in Addendum No. 3 to the Plan, attached to this ordinance as Attachment 2. Any changes to the Plan made under Addendum 3 shall be consistent with the purposes and intent of Ordinance 125604.

Section 3. Any act consistent with the authority of this ordinance taken by DEEL prior to its effective date is ratified and confirmed.

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2020, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Monica Martinez Simmons, City Clerk

(Seal)

**Attachments:**

Attachment 1 - Families, Education, Preschool, and Promise Levy Implementation and Evaluation Plan

Attachment 2 - Addendum No. 3 to the Families, Education, Preschool, and Promise Levy Implementation and Evaluation Plan