Summary
The purpose of this brief is to summarize contracting challenges between Seattle Public Schools (SPS) and the Vietnamese Friendship Association (VFA), brought to the attention of the Race to the Top Executive Committee. After thorough follow-up by Puget Sound Educational Service District (PSESD), SPS and VFA staff, there were two challenges: delayed contract, and disagreement on the scope of services.

Seattle Public Schools received Race to the Top funds for the Deep Dive 3 project at Emerson Elementary school through a contract from PSESD. One component of Seattle’s Deep Dive 3 project was to provide a cultural navigator to assist Somali families served by Emerson Elementary School. This was a deliverable in the contract between PSESD and SPS: “partner with community organization(s) to provide cultural navigators who will: conduct parent trainings and/or workshops, cultural events, connect parents to necessary social services, or other cultural and/or social service organizations.” SPS used part of the Race to the Top funds from the contract with PSESD to contract with VFA for $15,000 to provide the cultural navigator. The contract with VFA was between SPS and VFA.

Delayed Contract
Processing the contract for the 2013-14 school year between SPS and VFA took significant time, delaying this part of the project implementation and payment. The contract between PSESD and SPS was fully executed on May 22, 2014. Project implementation was scheduled to begin that same month according to the contract. The contract between SPS and VFA was never executed for the 2013-14 school year. A contract for the 2014-15 school year was approved with a start date of October 1, 2014.

There were two reasons for the delayed contract:
1. District and school staff turnover – Project Manager Nate Sander left SPS in summer 2014 and the responsibilities were transitioned to Farah Thaxton, Emerson Elementary Principal, as there was not a district (central) office point person. Nate Sander was key in organizing the DD3 work. Farah Thaxton was transitioning into the 2nd year of principalship at Emerson. The Emerson site coordinator for DD3, who was coordinating other aspects of the project, also left in early October. These back-to-back transitions at the district and school levels delayed the submission, review and processing of the contract between VFA and SPS by Seattle Public Schools.

2. Potential conflict between the Cultural Navigator position and SPS bargained work of Family Support Workers – Based on similar work at a different school in the previous year, a complaint and potential grievance surfaced. The Emerson contract approval was delayed until the related complaint was resolved in August 2014.
Farah Thaxton met with VFA and Carri Campbell to discuss the contracts on October 9, 2014. PSESD was notified of the delay by Farah Thaxton on October 13, 2014. PSESD scheduled a meeting to address invoicing, carryover and sub-contracting issues, but at that point in the year, expenses for the 2013-14 school year were not able to be retroactively paid as the books had closed.

Scope of Services
In the meantime, VFA began work in summer 2014 without an approved personal services contract from SPS, and there was not mutual agreement on the scope of services. This resulted in VFA not being reimbursed for some work. SPS did reimburse VFA for partial expenses out of Emerson’s school budget, not RTT funds.

The main issue of disagreement on scope was whether organizational capacity-building was within the scope of the contract. VFA maintained it did not have expertise in providing services to the East African Community as needed for this grant, so it would need to develop its organizational capacity to do so. The organizational capacity-building work consisted of program assessment, evaluation, planning and design, and research literature review.

This presented two issues: 1) Under SPS policies, contractual work is not allowed to begin until a contract is signed; and 2) SPS did not agree that capacity building for VFA was in the scope of the contract. SPS’ position is that the contract for VFA was to hire the Cultural Navigator to work with Somali parents at Emerson Elementary, not for building capacity of VFA. Further, SPS maintains that building CBO capacity is not allowed for personal services contracts. VFA believes this was in the scope of the contract and was a reasonable expense.

VFA billed SPS for 180 hours of work totaling $6,300.00 for this work, which took place in July and August 2014, and it was not reimbursed. Other work, totaling $5,010, which SPS did consider in scope, was billed and paid out of Emerson’s school budget. This work consisted of creating an Emerson Elementary School Cultural Navigator Steering Committee, developing Memoranda of Understanding with East African Community Services, Horn of Africa Services, and Somali Community Services of Seattle.

SPS is working with PSESD on the carryover process of transferring unspent 2013-14 funds to the 2014-15 budget for the overall DD3 project. As part of this request, given that the deliverable for the 2013-14 contract with VFA has been met, SPS has requested to use the $9,990 unspent funds from the 2013-14 VFA contract to support Cultural Bridge field trips for students. This was a deliverable in the DD3 grant that was not funded. Part of the DD3 grant supports Cultural Bridge Artist Residencies, which provide 12, eight-hour cultural bridge classes for 300 K-5th grade students. The field trips, which were not funded, conclude the residency classes, allowing students to experience their learning hands-on.