



**WAKE COUNTY BOARD OF EDUCATION
BOARD MEETING MINUTES
January 10, 2012**

<u>Board Members Present</u>	<u>Staff Members Present</u>	
Kevin L. Hill, Chair	Superintendent Anthony J. Tata	Julye Mizelle
Keith Sutton, Vice Chair	Judy Pepler	Andre Smith
Chris Malone	Cathy Moore	Stephen Gainey
John Tedesco	Cris Mulder	Lisa Grillo
Jim Martin	David Neter	Marvin Connelly
Christine Kushner	Don Haydon	Joe Desormeaux
Deborah Prickett	Danny Barnes	
Susan P. Evans	Lloyd Gardner	<u>Board Attorney</u>
Debra Goldman	Kevin Hobbs	Ann Majestic
	Pamela Kinsey-Barker	

Chair, Kevin L. Hill, called the meeting to order at 5:38 p.m. Everyone recited the Pledge of Allegiance.

Chair's Comments

- Chairman Hill wished everyone in the Wake County Public School System a Happy New Year.
- Chairman Hill shared that Wakefield High School will host the Regional North Carolina Science Olympiad on Saturday, February 4th. Seventy middle and high school teams that will bring approximately 3,000 visitors to Wakefield High School. The Teams will be competing in a series of events that include biology, earth science, chemistry, physics, and technology. Chairman Hill thanked Mike Tally, Senior Administrator for Science Education and Coordinating Teacher, Kristen Hellier, who are co-directors for the event.
- Rand Road Elementary had their first annual Helping Hands Toy Drive which was a success. They quickly surpassed the initial goal to collect more than 140 toys and blankets, which were donated to the Helping Hand Mission in Raleigh. Teachers Ryan Williams and Matthew Watson serve as the mentors for the Helping Hands Program at Rand Road. The Helping Hands Mentoring Program is designed to close academic achievement gaps for African-American males between third and fifth grades.
- Chairman Hill commended Dillard Drive Elementary for their recent charitable efforts on behalf of their SOAR Team Staff members. The members model volunteering for students and giving back to the community. Members read during story time with patients at Duke Children's Hospital and they donated more than 1,500 items to a food bank over the holiday.
- The Fifth Grade Art Club at Vandora Springs Elementary is working on its annual Chairs of Hope Project to benefit the Garner Relay for Life and the American Cancer Society. This

year's theme for their hand-painted chairs is "Works by Famous Artists". For more information contact teacher, Jim Hunt at jhunt@wcpss.net.

- On behalf of the Board of Education, they extended their sympathies upon the death of Elizabeth Molloy of Millbrook High.

Superintendent's Comments

- Superintendent extended the school system's sympathies to the family, friends, and loved ones of Liz Molloy, who passed away Saturday morning. In the aftermath of this tragedy, the superintendent has been thinking hard about the work that our students have been doing in Students against Drunk Driving clubs, in Wakefield High's Just Think First program, and in other venues; to urge their peers to drive safely and avoid impairment. Superintendent Tata encouraged students to continue those efforts, and staff will find ways to support you.
- On Thursday, January 5th, a joint open house was held for the Wake Young Men's and Young Women's Leadership Academies at Crossroads II, and the interest was continuously strong. There were 252 students and 658 parents attend, the group was split into two information sessions. Mr. Tata shared that there have been four information sessions with similar attendance. Paper application deadlines for the schools and the two early colleges will be Friday, January 13, 2012.
- The Music Club from the Wake NC State University STEM Early College performed for December graduation for the NCSU College of Education.
- Mr. Tata congratulated Coach Eddy Gray and Garner Magnet High's Men's Basketball team for winning the American Airlines bracket of the 2011 HighSchoolOT.com Holiday Invitational Basketball Tournament on December 30th. The team faced strong competition both locally and from across the country.
- Superintendent Tata welcomed Beth Cochran to the team as senior director of magnet programs. Beth has been principal of Enloe Magnet High since 2005, and before that Ligon Middle.
- Terri Kimzey and the budget team are hard at work with our administrative leadership in putting together a budget proposal that will respond to the expiration of federal EduJobs funding and an anticipated state budget reduction for next year. As a proactive step that helps us manage our contractual obligations to employees, today, staff has implemented a hiring freeze for the 2012-2013 school year. The freeze will apply to all central services and school-based positions for next year with the exception of principals, bookkeepers, NCWISE data managers, and lead secretaries. This is the second year that staff has instituted such a freeze, which positions the county to address staffing needs among the schools without committing uncertain resources. When more definitive information about the budget picture for next year arises, staff will adjust the freeze to the greatest extent possible to promote hiring flexibility. As staff plans for the coming school and fiscal year, the staff is prioritizing the limited resources on teachers and classrooms, strengthening schools, and operational efficiency; which are the continuing commitments to the community.

- Mr. Tata assured the community that staff is working hard on student assignment. He shared that in November, staff sent out assignment strips to parents. In December, staff held the magnet selection process. Currently, in January, staff has had the Wake Tech/Wake Med Leadership Academy application deadline, which occurs on Friday, January 13th and the start of choice round one on Tuesday, January 17th. Mr. Tata shared that WCPSS's commitment to the parents and students of Wake County is to monitor and evaluate the plan to make it the very best assignment plan and process it can be.
- Superintendent Tata congratulated Broughton High graduate, Jeremy Shelley, for kicking five field goals in the BCS Championship game last night. Broughton High and Wake County are very proud.

Board Members' Comments

- Dr. Martin recognized all musicians from across the county who competed in District Band Tryouts on January 7th at East Cary Middle School.
- Ms. Goldman congratulated everyone involved with the District Band Tryouts that occurred on January 7th. Ms. Goldman extended best wishes, best practices, and best study habits to all high students as they head into exams. Ms. Goldman shared that District 9 held their BAC Meeting on January 9th, where she heard exciting things coming from the schools in her district. Liz Droessler was the guest speaker. The discussion focused on how to maintain Arts in schools. Ms. Goldman also addressed and questioned how the Board would be handling the conversation on the potential or perceived policy issues/violations of Board policy from the recent meetings that she brought up at the January 3rd work session and work session prior to the meeting.
- Mr. Tedesco commended the Garner Educational Foundation. He met with them on January 9th at Vandora Springs Elementary. The Foundation completed a wonderful year with four different fundraising events that helped to raise over \$100,000 in technology and reading programs for schools in Garner. They have announced that in March, the Foundation will hold their annual "Cooks for Books" event. Mr. Tedesco shared that the ED Task Force for February will be held at Hunter Elementary. Mr. Tedesco thanked all of his colleagues and staff for their well wishes on his recent nuptials.
- Mr. Sutton shared that he was pleased to see Wake County and Raleigh represented in many of the holiday bowl games. Mr. Sutton highlighted Jeremy Shelley from Broughton, Broughton's Marching Band that participated in the Rose Bowl, and Keith Marshall, the running back at Millbrook High School who participated in the Under Armor National All-Star High School Game.
- Mrs. Kushner recognized Sanderson High School. The school held an open house for all schools that will feed into it. She applauded Sanderson for recognizing the need and shared that as a county, we need to recognize moving forward, to re-commit to public schools in the community to use the assignment plan to balance schools by achievement, as well as give stability to families. Ms. Kushner stated that the plan should remain a plan that is evolving and that achievement be balanced.

APPROVAL OF MEETING AGENDA

Chairman Hill added a Closed Session Item to consult with an attorney employed or retained by the Board in order to preserve the attorney-client privilege as provided in G.S. 143-318.11 (a)(3). Chairman Hill pulled Consent Item #12- Acceptance of Donation from Town of Wake Forest, Termination of Joint Use and Waiver of Stadium Usage Fee: Wake Forest-Roelsville High School. Consent Item #14- a new list of support personnel for Human Resources was provided to the Board at the Board table to be voted on as a part of the Consent Agenda; Action Item #18- Offer to Purchase and Contract for Sale of Approximately 10.01 Acres of Surplus Property: Central Services building (2302 Noble Road) was pulled from the Agenda.

John Tedesco requested to add to the Action Agenda the Board's approval of Reinstating Standing Committees (Policy, Finance, Facilities, and Student Achievement) with the inclusion of a six month review of time, cost, and effectiveness.

The Board unanimously approved the Amended Agenda

After several comments from Board members regarding Public Comment being extended from 2 minutes to 3 minutes, Board Attorney, Ann Majestic shared that the policy says that *"There will be a time of public comment, generally two to three minutes."* Mrs. Majestic shared that the policy references that the Board determines that, but there has been the practice in the past where the Chairman has looked to the Board when he has set it at two instead of three. Usually with it having a lot to do with the number of people signed up to speak. It has been done more informally in recent times.

Ms. Goldman said that since the Chairman shared in the work session that the Board should be focusing more on following policy more than procedure; that procedure should follow policy, Ms. Goldman asked that the Chairman ensures that the Board is following policy.

Mr. Hill shared that with Chair's prerogative policy says 2-3 minutes, the public will for tonight's purpose, speak for 3 minutes. The Board will talk through issue.

Public Comment

Citizens who signed up to address the board during public comment will be called on in priority order first for items on the agenda and then for items not on the agenda. Each individual speaker will be allowed three minutes for remarks. Issues or concerns involving personnel matters are not appropriate for this public comment setting. After 30 minutes of public comment, any speakers remaining will be recognized at the end of the agenda for their comments.

- **Tom McDonald** – Mr. McDonald shared his thoughts with the Board regarding the decision-making process. Mr. McDonald shared that for the benefit of all stakeholders, decision-making needs to be seen as following best practice research. Data, collaboration, and improvement is about quality decision-making; applying these three constructs to the current issues will always get the best for students.
- **Ellie Buckner** – Miss Buckner shared her thoughts with the Board regarding charter school students; especially in middle schools being given a lower priority and perceived as being treated differently in the new choice assignment plan.
- **Lucas Meeks** – Mr. Meeks shared his thoughts with the Board regarding charter school students and their ability to attend their base high school with the same priority level as

WCPSS students. Mr. Meeks shared that there is the perception that charter school students are being treated differently in the new choice assignment plan.

- **Ellen Wentz** – Ms. Wentz spoke to the Board requesting a feeder pattern change in the new assignment plan for Carpenter Elementary. Ms. Wentz requested that the Board change Carpenter’s feeder pattern to Davis Drive Middle School; which is the most proximate middle school and has been historically assigned to the majority of the nodes as a base. Ms. Wentz stated that the new plan is place, and the guaranteed seats that Carpenter students had, at their neighborhood school, have been taken away.
- **Virginia Parker** – Ms. Parker thanked the Board for the process that has been put into place to sign up to speak. Ms. Parker shared that the new choice plan is a good plan that needs tweaks and refinement, but encouraged the Board to move forward with a constant eye on how to refine it to make it better.
- **Robert Meeks** – Mr. Meeks spoke to the Board regarding his son being classified as new to the system under the new student assignment plan. Mr. Meeks shared that he hoped that the Board could explain to charter school students why they are being sent to the back of the line because of political and bureaucratic imperatives.
- **Patty Williams** – Ms. Williams shared her thoughts on student achievement not playing a significant role in the new choice plan. Ms. Williams shared that she is counting on Board members who believe that “opportunity and high achievement for all Wake County students are the key principles in every decision; so that we can have all children winners.” Ms. Williams stated that she wished the Board was not rushing to implement an incomplete plan.
- **Amy Womble** – Ms. Womble reminded Board members that communities are not the sole owners of schools. Each school is an integral part of the Wake County School System and that it is the responsibility of the Board to ensure that all children have access to high performing schools; not just children who are fortunate to have more affluent zip codes. Ms. Womble requested that all Board members look out for the interests of all students.
- **Clara Booker** – Miss Booker shared that she is a student at a charter school but had attended schools in WCPSS for eight years and the prospect of not knowing where she will attend school next year is scary. Miss Booker shared that in the past, anyone from her neighborhood could attend Broughton or if desired, Enloe; but that is not the case for her. Miss Booker asked why tax payer dollars would have to be wasted to bus her to a school that is far away, when she could walk to her nearest high school.
- **Mr. Nathan Davis** – Mr. Davis spoke to the Board regarding his thoughts on charter school students being punished for going outside of the WCPSS for middle school because he is no longer guaranteed entry into his neighborhood high school. Mr. Davis shared that Apex High School is 1.1 mile from his house and under the current plan he will now have to apply and will have second priority to attend his most proximate school. M. Davis shared that if the intent of the new plan is to allow the opportunity for neighborhood schools, how is he having the opportunity to attend a neighborhood school if Apex is filled to capacity and his only choice is Athens Drive; 9 miles away. Mr. Meeks shared if he knew these would be his options at the beginning of school this year; he may not have chosen a charter middle school.
- **Karey Harwood** – Ms. Harwood shared that there are three problematic assumptions in the new choice plan; being people will naturally choose different schools, that people will not exit the system if they are unhappy, and that people will willingly embrace risk. Ms. Harwood stated that fundamentally flawed assumptions can’t be fixed with tweaks or minor

adjustments; they need to be openly examined and discussed. Ms. Harwood stated that the new choice plan hasn't been subjected to that level of debate out in the open.

- **Amy Lee** – Ms. Lee shared that she had concerns over certain aspects of the choice plan. Ms. Lee's concerns included capacity constraint and a complete cost analysis being conducted. Ms. Lee suggested delaying the plan for one year so that some of the concerns that have been shared can be vetted.
- **Anne Sherron** – Ms. Sherron shared that there is value in prioritizing. In Wake County if students are displaced to make seats in a magnet school, the student should get a priority at a school most able to deliver the student to a high performing school. Ms. Sherron shared that she feels that there should not be set-asides, just re-vamp the algorithm to prioritize displaced students living near magnets; giving premium access to high-performing alternatives.
- **Rita Rakestraw** – Ms. Rakestraw encouraged Board members to restore funding for custodians to ensure that schools receive quality janitorial care. Ms. Rakestraw advocated for restoring 10-month teacher assistants on a personal level and stated they support teachers and students. Ms. Rakestraw encouraged the Board to request additional funding from County Commissioners.
- **Ann Campbell** – Ms. Campbell shared that as a citizen and local business person, it's clear to her that there needs to be a delay in implementation of the choice assignment plan. Ms. Campbell shared that while the high-level plan will clearly cost more money, the superintendent has yet to specify or quantify the costs, much less, provide a detailed cost analysis. Ms. Campbell shared examples of unclear costs. She suggested that the Board slow down, complete a responsible financial analysis, and either change the plan or seek more funding as needed to support the plan, and then implement a sound plan and have a chance to get it right the first time.
- **Mary Kelley** – Ms. Kelley shared that she supports the new choice plan. The plan brings a completely new way of thinking about school assignment. Ms. Kelley shared that she hoped the Student Assignment team and Board members will give thoughtful consideration to every aspect of the plan while moving forward with implementation for the 2012-13 school year. Ms. Kelley shared that the new choice plan should alleviate the frequent reassignments, the political favors given to certain nodes, neighborhoods, select schools, and political groups. Ms. Kelley stated that the Board must work together to make the new plan strong at the outset, while maintaining the flexibility to recognize weaknesses and correct them for the betterment of the plan; consensus building is imperative.
- **Claire Bennett** – Miss Bennett shared that going to a school where neighbors do not attend, is no easy task. Miss Bennett shared the life of a high school student is different than that of an elementary or middle school student. Miss Bennett shared that the goal of the educational system should be to produce successful, self-sufficient students; but when the opportunity has been removed for the students to learn one on one with a teacher, the student's ability has been inhibited to be successful. Students should not be forced to attend a school where their neighbors do not attend.
- **Annie Bennett** – Miss Bennett shared that she attends a charter school and is a rising ninth grade student who will not be able to attend her neighborhood high school as it does not have any available ninth grade seats in the new choice plan. Miss Bennett stated that she should have the same opportunities and choices as someone who has been in the Wake County middle school, but is being treated differently because she attends a charter school.

Superintendent Tata clarified that as the choice process takes place, and charter school students that live within the 1.5 mile zone, students will have the top priority other than sibling, to get into the proximate school. Students not currently in a middle school going into high school in WCPSS, will enter into choice and rank their priorities; based upon capacity, the student will receive the seat related to the capacity that is available.

CONSENT ITEMS

Keith Sutton made a motion to approve the Consent Agenda, seconded by Jim Martin. The motion was unanimously approved.

APPROVAL OF MEETING MINUTES

- 7. April 5, 2011 - Board of Education Meeting Minutes
- April 5, 2011 - Closed Session Meeting Minutes

FINANCE

8. REPORT OF ADMINISTRATION APPROVED CONTRACTS

The attached summaries are provided as information in accordance with Board Policy 8361. The summaries list all change orders, and contracts having a value greater than \$50,000 and not over \$100,000, and purchase orders in excess of \$250,000 for November 2011. Fiscal Implications: Not Applicable. Savings: Not Applicable. Recommendation for Action: Not Applicable.

9. GIFTS TO THE SYSTEM

One hundred and fifty two gifts have been donated to the Wake County Public School System. The approximate value of the gifts is \$94,144. Fiscal Implications: Not Applicable. Savings: Not applicable. Recommendation for Action: No Action is Required.

10. BUDGET AMENDMENTS AND TRANSFERS, 2011-2012

To report changes in the budget resolutions resulting from transactions processed during November, 2011. Fiscal Implications:

Adjust State Public School Fund	+ \$	19,506
Adjust Local Current Expense Fund	+ \$	7,199
Adjust Federal Grants Fund – State	+ \$	480,196
Adjust Capital Outlay Fund	+ \$	6,553,560
Adjust Multiple Enterprise Fund	- \$	17,314
Adjust Direct Grants Fund	+ \$	560,921
Adjust Specific Revenue Fund	+ \$	0
 Net Changes	 + \$	 7,604,068

Savings: Potential savings of \$4.0 million. Recommendation for Action: No action. In accordance with Budget Resolution, administration is reporting changes in appropriations.

11. PURCHASE OF ORACLE LICENSES AND ASSOCIATED SUPPORT

Pursuant to an assessment exercise recently performed by Oracle License Management Services, purchase of additional processor and named user licenses and associated support are required to satisfy the findings. Oracle periodically conducts this assessment exercise to review changes and growth taking place within the Wake County Public School System’s use of the Oracle ERP

System and with Oracle Databases underlying a number of applications used by the System. 16 database processor licenses, 300 named user licenses and 6 Internet application server licenses along with associated support for each are required. WCPSS staff successfully negotiated the initial Oracle quote of \$734,928.00 down to \$498,352.92. Staff further negotiated the purchase price down to the final amount of \$369,060.18. Of the final negotiated price, \$263,588.00 is for the one time purchase of licenses and \$105,472.18 is for ongoing support. Purchase will be processed through Mythics, an Oracle platinum partner. Fiscal Implications: Funding is available. Savings: Not applicable. Recommendation for Action: Staff is requesting Board approval of purchase.

SCHOOL PERFORMANCE

13. GRANT PROPOSALS

- Competitive (#13812): A.J. Fletcher Foundation, Foundation Grants/ Central Services.
- Competitive (#13912): Lumina Foundation for Education, Lumina Foundation Grant Programs/ Central Services.
- Competitive (#14012): Target Stores, Ellen DeGeneres Grant Program/ Individual Schools.
- Competitive (#14112): Technology for Teaching, Technology for Teaching Grant Program/ Individual Schools.
- Competitive (#14212): Sprint Foundation, Foundation Grants/ Individual Schools.
- Competitive (#14312): US Department of Agriculture, NC Department of Public Instruction, Fresh Fruit and Vegetable Program (FF&VP)/ Individual Schools.
- Competitive (#14413): Wake Education Partnership, Professional Learning Community (PLC) Grants and Innovative Instruction Grants/ Individual Schools.
- Competitive (#14512): National Association for Sport and Physical Education (NASPE), Grant Programs/Individual Schools.
- Competitive (#14612): American Councils for International Education, Teachers of Critical Languages Program (TCLP) / Individual Schools.
- Competitive (#14712): American Councils for International Education, Connect Internationally Educational Seminars Program/ Individual Schools.
- Competitive (#14812): American Councils for International Education, Intensive Summer Language Institutes (ISLI) Program/ Individual Schools.
- Competitive (#14912): North Carolina Arts Council, Arts in Education/ Individual Schools.
- Competitive (#15012): The Woman’s Club of Raleigh, Community Grants/ Individual Schools.

Fiscal Implications: Any required cash and/or in-kind matching contributions vary by grant program. Savings: Grant funding supplements existing resources. Recommendation for Action: Staff is requesting Board approval.

HUMAN RESOURCES

14. RECOMMENDATION FOR EMPLOYMENT

1. Professional
2. Support

15. REQUEST FOR LEAVE (S)

16. REQUEST FOR LEGISLATIVE CHANGE TO N.C.G.S. 115C-302.1 (C)

Full-time, 100% employed instructional personnel employed for 12 months in WCPSS year Round schools work with students every weekday from July 1 to June 30 of any given year with the exception of approximately 20 days, which include holidays and mandatory teacher workdays. These employees are restricted from using annual vacation leave on days that students are present per NCGS 115C-302.1(c). However, the statute, which provides for annual vacation leave for 10-month employees, permits an exception for vocational and technical education teachers who are employed for 11 or 12 months to use annual vacation leave on days that students are present. The WCPSS administration would like to request that the legislature add a provision granting local boards of education the flexibility to enact policies granting a further exception on the use of annual vacation leave to full-time, 100% employed instructional personnel working more than a 10-month term (including full-time teacher assistants) in year round schools. Our proposed letter from the Board of Education to the Education Oversight Committee is attached. Fiscal Implications: None. Savings: N/A. Recommendation for Action: Board approval is requested for the attached letter to be sent to the North Carolina General Assembly's Education Oversight Committee.

BOARD

17. BOARD ADVISORY COUNCIL NOMINATIONS

This represents new nominations to the Board Advisory Councils. The nomination forms are attached for the Board's review and consideration. Fiscal Implications: None. Recommendation for Action: Board approval is requested.

INFORMATION ITEMS

SCHOOL PERFORMANCE

6. HIGH SCHOOL SOCIAL STUDIES CURRICULUM CHANGES

On April 7, 2011, the NC State Board of Education revised the State graduation requirements, Policy GCS-N-004, to increase the graduation requirement for social studies from three courses to four. This new requirement will begin with the freshmen who enter high school for the first time during 2012-13. These courses include World History, Civics and Economics, American History I: The Founding Principles, and American History II.

Each high school social studies course is intended to be a stand-alone course. Thus, high school courses may be sequenced in any way a district or school determines is the best fit for the population for which they serve. There are no prerequisites for any of the high school courses for social studies; however, it is highly recommended that students successfully complete American History I: The Founding Principles prior to enrolling in the American History II course. The Academics Division recommends the following sequence of high school social studies courses: World History, American History I: The Founding Principles, American History II, and Civics and Economics. Fiscal Implications: None. Savings: None. Recommendation for Action: Information only.

John Williams shared that last spring, the North Carolina State Board of Education made a motion to require that all students in high school be required to have four credits in social studies curriculum in order to graduate from high school; instead of three credits.

The requirement will begin with next year's entering ninth grade class. Districts were given

freedom to sequence the courses. The Academics Division recommends the following sequence of high school social studies courses: World History, American History I: The Founding Principles, American History II, and Civics and Economics.

ACTION ITEMS

FACILITIES

19. OFFER TO PURCHASE AND CONTRACT FOR SALE OF APPROXIMATELY 9.5 ACRES OF SURPLUS LAND IN MATTHEWS, NORTH CAROLINA

The Board of Education owns 9.5 acres of land on Rice Road in Matthews, NC that was acquired through a fine and forfeiture process in May 2009, being more particularly described as having Mecklenburg County PIN 19343201 and PIN 19343202. The Board of Education declared the property as surplus property and ordered its sale on July 21, 2009. On October 7, 2009, Mecklenburg County staff confirmed that Mecklenburg County had no need for this property or interest in purchasing it at fair market value. Terms and conditions of an Offer to Purchase and Contract have been received requesting the sale of the 9.5 acres to the Town of Matthews, at a purchase price of Two Hundred Ninety-Five Thousand Four Hundred Twenty Seven and 00/100 (\$295,427.00) Dollars. An appraisal has been recently performed indicating a fair market value of \$341,000. A map illustrating the parcels in question and relevant valuation benchmarks are included on an attachment hereto as well as an explanation of the surplus property process. Fiscal Implications: Net Income to the Board of Education is estimated to be \$241,127 reflecting the purchase price of \$295,427 less \$54,300 to be paid to the N.C. Board of Elections per the fine & forfeiture court order which is required to be paid. Savings: None. Recommendation for Action: Board consideration and direction to staff, subject to and conditioned upon completion of the appropriate statutory requirements as described in N.C.G.S. 115C-518 and N.C.G.S. 160A.

Betty Parker, Director of Real Estate Services, shared an offer for the potential sale of a surplus property in Matthews, North Carolina. Ms. Parker shared that sometimes, the Board has surplus property that is unneeded or unnecessary for construction. In the process, the Board has to afford local board of commissioners the opportunity to acquire the property if the county needs it. In this case, staff has met with Mecklenburg County and they do not have a need for it. Staff then solicits offers to purchase. The offer that was solicited is then brought to the Board for consideration.

Ms. Parker shared that anytime there is a lawsuit in Wake County where part of the fine and forfeiture requires the payment of funds to the court; the benefits go toward the local school system. A resident of Matthews who owned a property in Matthews, was subject to a lawsuit here; as part of the required payment of the fine, the school system received land in lieu of a portion of the payment.

Ann Majestic, Board Attorney, shared that this issue is not something that the Board can decide, the judge decides whether the offer of property and money satisfies the obligation. The judge accepted the property in lieu of all cash and the judge understood that property is something where the value can moderate. The Board is a recipient of whatever the outcome is.

Ms. Parker shared that there is no cost if the Board just sat on the land, except to the extent

where there may be some insurance coverage for liability that may occur on the site; which is undeveloped. Ms. Parker shared that in speaking with the Board of the Town of Matthews, they offered less than the Wake County Public Schools appraised value of \$341,000.

Keith Sutton made a motion for the Board to counter with the offer of \$325,000. The motion was seconded by Chris Malone. The Board voted 2 to 7, with Chris Malone and Keith Sutton voting “yes” and Jim Martin, Debra Goldman, John Tedesco, Kevin L. Hill, Deborah Prickett, Susan Evans, and Christine Kushner voting “no”. The motion failed to pass.

John Tedesco made a motion to counter for \$338,000 that would be the average of the two appraisals and should staff receive any less, to come back to the Board for consideration. The motion was seconded by Chris Malone. The Board voted 8 to 1, with Deborah Prickett casting the dissenting vote. The motion passed to counter with \$338,000.

20. JOINT USE AGREEMENT: LYNN ROAD ELEMENTARY

Wake County Public School System and the City of Raleigh have enjoyed the shared use of the outdoor courts, shelter, designated playground, and equipment located on City-owned property (Williams Park) along with the multipurpose fields, designated parking areas, and drive access located on Board of Education-owned property (Lynn Road Elementary School) since November 1991. Board and City staff have reviewed the previous agreement and agreed to renew the agreement. The school system will continue to be responsible for the maintenance of the multipurpose field located on Board property and the City of Raleigh will continue to be responsible for maintenance of the outdoor courts, shelter, designated playground, and equipment located on City-owned property. The Board and the City of Raleigh will share (WCPSS- 80% / City of Raleigh- 20%) in the costs of routine and major maintenance of the designated parking areas and drive access. The school’s use of the areas of Williams Park will be coordinated with the Director of the Parks and Recreation Department or designee. The term of this renewal agreement is 25 years. Fiscal Implications: No change to current arrangement. Savings: Not applicable. Recommendation for Action: Board approval is requested.

Ms. Parker shared that the Board and City staff have reviewed the previous agreement and agreed to renew the agreement. With no questions from the Board, Jim Martin made a motion to approve, seconded by Keith Sutton. The motion was unanimously approved.

SCHOOL PERFORMANCE

21. AMENDMENT ONE TO BAYADA NURSES, INC.

Two (2) additional students are being added to our contract with Bayada Nurse, Inc. Nursing services will be provided during the school day for both students. In addition, one (1) student will also receive nursing services during transportation to and from school. Both students are new to the Wake County Public School System. A total of three (3) students will receive nursing services through our contract with Bayada Nurses, Inc. To cover these additional costs, this contract is being increased by \$105,945.10, for a total contract amount of \$130,945.10. Fiscal Implications: Funding is available in the Special Education Services’ budget from Other Revenue (Fund 8) – Medicaid Fee for Services to cover the increase of \$105,945.10. Funds for this increase has been encumbered. The total contract amount is \$130,945.10. Savings: N/A. Recommendation for Action: Board approval is requested.

With extensive discussion occurring at the Work Session, Ann Majestic clarified that in one

motion, the Board could propose approval of the four contracts. With no questions from the Board, Chris Malone made a motion to combine items #21, #22, #23, and #24. The motion was seconded by John Tedesco. The motion was unanimously approved.

22. AMENDMENT ONE TO I AM UNIQUE SPECIAL CARE AND CASE MANAGEMENT

One (1) additional student is being added to the contract with I Am Unique Special Care and Case Management. I Am Unique Special Care and Case Management will now be providing services for two (2) students. Nursing services will be provided during the school day and during transportation services. This is a new student to Wake County Public Schools. This contract is being increased by \$50,833.80 to cover these additional costs for a total not to exceed \$100,833.80. Fiscal Implications: Funding is available in the Special Education Services' budget from Other Revenue (Fund 8) - Medicaid Fee for Services to cover the increase of \$50,833.80. Funds for the increase have been encumbered. The total contract amount is \$100,833.80. Savings: N/A. Recommendation for Action: Board approval is requested.

23. AMENDMENT ONE TO LEARNING TOGETHER, INC.

We are increasing the maximum number of children that will receive services by Learning Together, Inc. Their maximum enrollment will increase from seventy nine (79) children to a maximum enrollment of eighty six (86) children. The total contract amount is being increased by \$65,435.30 for a total not to exceed \$885,534.30. Fiscal Implications: The State of North Carolina provides categorical monies totaling \$9,991.00 per child, per year, for children ages three (3) through twenty one (21) served in developmental day centers. In addition, each year, the state provides \$50.00 per child to help provide needed supplies and materials. Additional funding from the state in the amount of \$63,293.30 is to be used for these services. For each child receiving services at Learning Together, Inc., WCPSS pays a yearly supplement of \$340.00 per child from local funds. Special Education will use local funds to pay an additional \$2,142.00 (nine months at \$34) for the supplement for seven (7) additional children. Funds will be encumbered as students are enrolled. The total amount of the contract is \$885,534.30. Savings: N/A. Recommendation for Action: Board approval is requested.

24. AMENDMENT ONE TO PEDIATRIC SERVICES OF AMERICA

One additional student is being added to our contract with Pediatric Services of America. Nursing services will be provided during the school day and while the student is being transported to and from school. This additional student is new to the Wake County Public School System. This contract is being increased by \$53,505 to cover these additional costs for a total not to exceed \$268,505. A total of five (5) students are being served by Pediatric Services of America. Fiscal Implications: Funding is available in the Special Education Services' budget from Other Revenue (Fund 8) - Medicaid Fee for Services to cover the increase of \$53,505. Funds for this increase have been encumbered. The total contract amount is \$268,505. Savings: N/A. Recommendation for Action: Board approval is requested.

BOARD

25. STAFF HANDLING OF PUBLIC INFORMATION REQUESTS

Board will discuss whether there is a need to modify the procedures currently used by staff to handle public information requests. Fiscal Implications: None at this time. Savings: N/A. Recommendation for Action: Board approval is requested.

Cris Mulder, Chief of Family and Public Engagement, shared that given the short discussion had at the work session, Cris Mulder stated that staff does follow the Guide to Open Government and Public Records. Staff follows the State of North Carolina Public Records Act for General Statute 132.

Ms. Mulder shared that staff's goal is to ensure that the public has timely as well as, uniform access to staff's responses.

Board members discussed how in recent years, they have been subjected to blanket, net-casting public information requests of email. Board members were always told that they needed to comply, and they would forward anything if there was anything sent to their personal emails.

Ms. Goldman shared that what has happened recently, is with the election of the new board members, there were some public information requests that were made and the discussion that proceeded after the information requests were made, was making her very uncomfortable. Ms. Goldman shared that her concern with a board member asking questions of if board members had to answer the wide net that was cast for emails from the new board members, was that in asking it could potentially counteract long-standing North Carolina Statute.

Ms. Goldman asked Superintendent Tata and Ms. Pepler, if the Board was not copied on all emails of this topic? Were there other emails that were sent on the topic and what the nature of those were? Ms. Pepler shared that there was one additional email from Dr. Martin directed to the Superintendent, herself, and Mrs. Majestic asking them to refrain from responding until he had time to consult counsel.

Ms. Kushner shared that she would like for the Board to look at other districts and how they handle public records requests and to see that Wake County's is in compliance, but also shared that two years ago, not as an elected official, she made a public records request. She asked for personal emails and none were given. Since she was asked for personal emails in the recent request, her expectation was that private emails are not subject to public records request. When Ms. Kushner made her request two years ago, her request was very specific, and she paid for the copies. Ms. Kushner stated that she would like for the Board to think through recovering the cost of public records request when appropriate.

Ms. Evans shared that the only email that she shared regarding this issue, was to clarify if someone was entitled to her email prior to being sworn in ; and the email was sent to Superintendent Tata. Mrs. Majestic reassured Ms. Evans that the person was not entitled to her, emails prior to being sworn in; but as of December 6th, they would be entitled to her email.

Ms. Goldman shared that whoever is asking for the emails, that they receive them in a timely manner. Ms. Goldman questioned if there was anything in the statute that says, that the response has to be given in a certain amount of time. Ms. Goldman shared that if a board member sends a private email but the board member has sent it to any wcpss.net email address, it is subject to the information request. Mrs. Majestic clarified that, unless it is otherwise confidential, which is protecting student or personnel information.

Dr. Martin shared that there was an initial blanket request for all of Mrs. Evans emails and then later for all of his emails. Having been a public employee in North Carolina for 18 years, having

worked extensively in faculty governance, when such an email came by, he was a bit taken aback, as he believes that there would be some question raised. Dr. Martin asked for the question. Based on the reason he was given back, apparently, anybody could do that, however, he does not think that it is wise practice. When given his email account for WCPSS, he was told that board members could not use a pop-server that would download things onto his computer so that he could read them wherever because of privacy issues. It struck him as strange, if all these emails in fact, are public record, then why is there an issue of him downloading it onto Thunderbird. Finally, an issue of greatest concern for Dr. Martin is if a parent writes to him regarding an issue concerning their student, is that information confidential; the name of the student, parent, the email address of the parent.

Cris Mulder clarified that anything that is in regard to a student; health condition, IEP, grades, or a discipline issue, the information is redacted. When emails are pulled off the server, staff has to review every email to ensure that there aren't any specific exemptions that need to be redacted.

Dr. Martin asked that if a person inquires about their student assignment, is that child, the parent, and their email address part of the public record? Ann Majestic shared that individually identifiable information regarding a student is protected.

Mrs. Majestic shared that information about a parent that is not directly bearing upon a student is not confidential information. If a parent writes to a Board member with some issue, and someone asks for that email, they get it, unless the email contains something regarding their child or personnel matter.

Dr. Martin shared that new board members received access to their emails on December 7th.

Mrs. Majestic shared that Board members should show restraint when it comes to communicating about Board business if it is working towards making a decision on a board action item. Having those conversations through email to arrive at a committed decision is contrary to the spirit of the Meetings Law. On the other hand, the current exchange of emails was about clarifying the system's practice and response to an email request. This issue was more about information exchange.

CLOSED SESSION

Keith Sutton made a motion to go into Closed Session at 7:24 p.m. to consider confidential personnel information protected under G.S. 143-318.11 (a) (6) and 115C-319, to consult with the Board of Education attorney and preserve the attorney-client privilege as provided in G.S. 143-318.11(a)(3) due to current litigation, J.G. and B.G. v. Wake County Board of Education, Office of Administrative Hearings, case number 11-EDC-13862, and to consult with an attorney employed or retained by the Board in order to preserve the attorney-client privilege as provided in G.S. 143-318.11 (a)(3). The motion as seconded by Susan P. Evans. The motion was unanimously approved.

On a motion by Christine Kushner, seconded by John Tedesco, the Board of Education returned to Open Session at 8:16 p.m.

ACTION ITEMS CONT'D

HUMAN RESOURCES

26. RECOMMENDATION FOR ADMINISTRATIVE APPOINTMENT(S)

John Tedesco made a motion to approve the following Administrative Appointment(s):

- (1). Teresa Abron, Retiree to Interim Principal at Forest Pines Elementary School effective 2/1/12 – 2/29/12.
- (2). Charles Langley, Retiree to Interim Principal at Heritage Middle School effective 1/11/12 2/29/12.
- (3). Craig T. Matthews, Retiree to Interim Principal at Wake Forest Elementary School effective 1/11/12 – 2/29/12.
- (4). Gerald Pickett, Retiree to Interim Principal at Enloe High School effective 1/11/12 2/29/12.
- (5). L. Roy Teel, Retiree to Interim Principal at Martin Middle School effective 2/1/12-2/29/12.
- (6). Lisa Whitaker, Assistant Principal at Middle Creek High School to Principal at Wake Early College of Health and Sciences effective 1/31/12.
- (7). Melody Brunson, Instructional Resource Teacher at Morrisville Elementary School to Assistant Principal at Morrisville Elementary School effective 2/1/12.
- (8). Travis Duncan, Instructional Resource Teacher at Carnage Middle School to Interim Assistant Principal at Wakefield Middle School effective 1/17/12-6/14/12.

Chris Malone seconded the motion. The motion was unanimously approved.

The Board agreed to review the Standing Committees and after six months, review to see if committees are working. The board decided to hold off on discussion and place an item on the February Board Agenda to have a complete discussion.

ADJOURNMENT

There being no further business coming before the Board, John Tedesco made a motion to adjourn, seconded by Chris Malone. The meeting adjourned at 8:21 p.m.

Respectfully submitted,

Kevin L. Hill, Chair, Wake County Board of Education

Anthony J. Tata, Superintendent, WCPSS

Melissa R. Allen, Recording Secretary