



WAKE COUNTY BOARD OF EDUCATION BOARD MEETING MINUTES

January 19, 2010

<u>Board Members Present</u>	<u>Staff Members Present</u>	
Ron Margiotta, Chair	Superintendent Del Burns	David Holdzkom
Debra Goldman, Vice Chair	Terri Cobb	Ann Hooker
Kevin L. Hill	Kathy Chontos	Julye Mizelle
Anne McLaurin	Marvin Connelly	Cathy Moore
Chris Malone	Joe Desormeaux	David Neter
Carolyn Morrison	Chuck Dulaney	Andre Smith
Deborah Prickett	Michael Evans	Mark Winters
John Tedesco	Stephen Gaaney	
Keith Sutton	Lloyd Gardner	<u>Board Attorney</u>
	Donna Hargens	Ann Majestic
	Don Haydon	

Chair Ron Margiotta called the meeting to order at 3:13 p.m. Everyone recited the Pledge of Allegiance.

Chair's Comments

- Mr. Margiotta asked everyone to observe a moment of silence for those that are located in Haiti. He reminded everyone that contributions could be made through organizations.
- Mr. Margiotta requested that the Board support him in the creation or reinstatement of the Community Relations Committee. Mr. Margiotta shared that he and Chief Communications Officer, Michael Evans shared ideas on how to re-structure the committee and meet quarterly. Mr. Margiotta shared that in the past, the committee shared recommendations on how the Board of Education can have better communication with the public. The item will be brought back to the Agenda as an action item.

Superintendent's Comments

- Dr. Burns shared that Carol Wooten, a 5th grade teacher at Hunter Elementary, was in the White House on January 6, 2010 being congratulated by President Obama as one of the more than 100 science, math, and engineering teachers being honored with the prestigious Presidential Award for Excellence. As a winner, Mrs. Wooten received a \$10,000 award from the National Science Foundation to be used at her discretion. The Presidential Award for Excellence in Mathematics and Science Teaching is awarded annually to the best pre-college-level science and math teachers from across the country. The winners are selected by a panel of distinguished scientists, mathematicians, and educators following an initial selection process done at the state level. Dr. Burns congratulated Mrs. Wooten.
- At the last Board Meeting, Dr. Burns announced that Wake County had 197 teachers recently earned National Board Certification. He shared that in addition, 52 teachers had earned re-certification. He stated that after 10 years, National Board Certified teachers must submit a portfolio of their accomplishments in order to maintain

certification. The process is very detailed and requires the teacher to also submit a video. Teachers typically begin the renewal process in the eighth year of certification. Dr. Burns congratulated each of the teachers for continuing to make the extra effort on behalf of the students in Wake County.

- Xavier Joyner, Diana Gorgy, Victoria Jones, and Victoria Melbourne, seniors at Wake Early College of Health and Science, competed as finalists in the North Carolina International Science Exchange on Saturday, January 16, 2010. Victoria Jones and Victoria Melbourne were chosen to represent the United States in the International Exchange in Beijing, China in March. Dr. Burns congratulated the students who competed.
- On Saturday, January 16, 2010, the Helping Hands Mentoring Program hosted its Winter Family Conference at Enloe High School from 9:00 a .m. until 11:30 a.m. Parents had an opportunity to attend sessions on topics related to magnet programs, planning and paying for college, preparing for EOG and EOC tests, gang awareness, effective parent/teacher conferences, and internet safety. Dr. Burns commended Darryl Fisher and Maurice Moore for facilitating the meeting.
- Southeast Raleigh Magnet High School student, Neel Mandavilli, as presented with the U.S. Congressional Award Silver and Bronze medals by Congressman David Price who commended Mandavilli for his services to the community. Each year, over 200 students and youth in the U.S. are honored in Washington, D.C. with the U.S. Congressional Award Gold Medal.
- Dr. Burns shared that WCPSS students have had a chance to participate in several of the college football bowl games during half time shows recently. Leesville Road High School has a Dance group, under the direction of Cynthia Hoban, was selected to perform Tuesday, January 5th during the half time show with Kool & the Gang at the Orange Bowl in Miami, Florida. In addition, the Green Hope High School Marching Band, under the direction of Brian Myers, performed during the pre-game and half-time ceremonies at the Gator Bowl in Jacksonville, Florida on January 1st. The band also marched in the Gator Bowl Parade on New Year's Eve. In both the field show and parade competitions, Green Hope received first place, and they received the Sweepstakes Award for the highest overall score. Dr. Burns congratulated both Leesville Road High School students and Green Hope High School students for a job well done.
- Dr. Burns shared that at Forestville Elementary, teachers work with students struggling with different skills in the before and after school program, known to the community as the Success Building Club. Recently, the teachers met and reviewed the curriculum through a different lens. Their purpose was to identify unique strategies for addressing different skills within the curriculum. Dr. Burns shared that the teachers feel this has been very successful. Students have responded very well but it has also given teachers new tools to utilize with their students.
- All SCORE (Second Chance Online Resource for Education) students (long-term suspended students), who have taken the EOC's thus far, have met or exceeded the exit standards for their subject area test. Dr. Burns stated that students have taken EOC's in English I, Algebra I, and Geometry. Dr. Burns thanked Judy Williams, Rob Hambrick, Lauri Van Ostrum, and other Prevention Services staff members who have supported the students by either serving as test coordinators or proctors.

- Dr. Burns shared that since opening on September 28th, the Center for International Enrollment (CIE) has given ESL's initial assessment instrument, the W-APT, to more than 430 potential limited English proficient (LEP) students. As a result of the support, teachers no longer have to be involved in the testing or enrollment process. In addition, more than 350 families have received support from the CIE on issues ranging from how to help their children be successful in school to dealing with instances of homelessness.

Board Members' Comments

- Dr. McLaurin shared that the District 5 Board Advisory Council met on January 14th where Dawn Dawson shared information regarding the TAP Program. Dr. McLaurin shared that she saw the play, "The Wizard of Oz" at Washington Elementary School which was wonderful. Dr. McLaurin also stated that the group, Advocates for Health in Action, supplied Board members with maps of the Trails and Greenways of Wake County.
- Mr. Hill shared that he had the opportunity to meet with the Guidance staff at Millbrook High School on Thursday, January 14th to review their re-application for their national certification. Mr. Hill also shared that he attended the Raising the Achievement Closing the Gap committee meeting at Crossroads II on Friday, January 15th, the Board will begin to hear more from this committee. Mr. Hill commended Dr. Morrison, Mrs. Prickett, and Mrs. Goldman for attending School Board 101.
- Mr. Tedesco thanked the staff at Vandora Springs Elementary for sharing time with him. He also thanked Ms. Margaret Rose Murray, owner of The Vital Link School in Southeast Raleigh for sharing time with him.

APPROVAL OF THE MEETING AGENDA

Dr. Burns requested that Item #13, TW TELECOM DEDICATED INTERNET ACCESS AGREEMENT, be removed from the Meeting Agenda and brought back to the Board at a later time.

A Board member requested to move item #10, APPROVAL OF MEETING MINUTES, and item #16, RESOLUTION REGARDING CALENDAR CHOICES, from the Consent Agenda to the Action Agenda.

Mr. Margiotta added Plans for Implementation of the new Mathematics Essential Standards at the request of two Board members to the Information Agenda.

Policy Items #20-52 were moved from the Action Agenda to the Consent Agenda.

Mr. Margiotta requested to add a resolution to the Action Agenda to reinstate the Community Relations Committee.

Debra Goldman made a motion to approve the Amended Agenda, seconded by Chris Malone. The motion to approve the Amended Agenda was unanimously approved.

INFORMATION ITEMS

6. STAFF PROCESS FOR IMPLEMENTATION OF JANUARY 5, 2010 RESOLUTION ON CALENDAR CHOICES

On January 5, 2010, the Board of Education approved a resolution stating that “Beginning with the 2010-2011 school year, there will be no mandatory year-round assignments. Every effort will be made to accommodate families into the calendar of their choice, whether it is year-round or traditional, at a school within proximity of their residence.” The Growth Management office will present a process for providing calendar choice (year-round or traditional) for all families. Some changes to existing application/transportation areas will be recommended. Fiscal implications: Additional costs for bus transportation are anticipated. Recommendation for action: Staff will present for information.

Mr. Chuck Dulaney presented information to the Board. Mr. Dulaney shared that the Growth and Planning Department will implement the Board’s resolution that was adopted on January 5, 2010 in the following way:

- The primary process for placing families in the calendar of their choice will be the annual Magnet and Calendar Choice application process which, for the 2010-2011 school year, will take place from February 8th to February 28th. All current students and pre-registered students are eligible to submit applications during the application period.
- A one-page flyer announcing the application process will be sent home with all current students during the week of February 1st to 5th. Copies of the flyer will be available to give to all parents who pre-register their kindergarten students beginning February 4th. The format and content of the flyer has been modified to emphasize the availability of calendar choice.
- As is the current practice, bus transportation will be provided to all Calendar Choice schools for students who are placed through the application process.
- Staff is recommending several changes in the Calendar Choice school designations which are available to families by application. The changes are intended to balance anticipated requests with available space in schools and avoid overcrowding when calendar requests are approved.
 - A. If an application area is changed and families are currently attending a school which will no longer be the Calendar Choice school for their address, staff recommends that a request for transfer to stay at the school be automatically approved but that bus transportation would be available only to the newly designated Calendar Choice school.
- Staff is recommending that the five Modified Calendar schools be treated as single-track year-round schools and that families assigned to the modified calendar schools be able to apply for placement in a traditional calendar school. Board approval of the options is requested.
- When families move into Wake County or relocate and move to a new domicile in Wake County after the February application period, they will be given the opportunity to apply for a Calendar Choice school and the application will be processed in the same manner as those applications received during the February application period.

- Applications for Calendar Choice schools will not be approved unless they are submitted during the February application period or within ten days of receiving a new school assignment following a change in domicile.
- Families who are placed in a Calendar Choice school through application will be offered an opportunity to decline that placement. If they do not decline placement but change their mind when they receive their official school assignment on May 15th, they may submit a transfer request for a “return to base” during the annual transfer application period which typically runs from May 15th to June 1st. Requests to return to base that are submitted during that time period will be approved.
- Requests to change calendar options once a student has begun the school year, will not be approved unless the transfer request is based upon extraordinary or unusual reasons.
- Crowding that occurs prior to the start of the school year will not impact the placement of students in the calendar choice of families. If applications are received during the appropriate time periods, all requests will be approved unless special education requirements cannot be met at the requested school. After the school year begins, the maximum crowding of any school that will be allowed as efforts are made to accommodate families into the calendar of their choice will be as follows:
 - A. For elementary school requests received after the start of the school year, the maximum crowding limit will be reached when the classes at the requested grade level are at the maximum level and an additional student would force a reorganization.
 - B. For middle school requests received after the start of the school year, the maximum crowding limit will be reached when an additional student would force the average core class size on every team above 30 or force the organization of a new team for which the school does not have sufficient classrooms.
 - C. If the maximum crowding limit is reached, an application for that calendar choice school will not be approved. The parent(s) of the student will be offered a transfer (without bus transportation) to the closest available school that offers the calendar requested by the family.

If schools become overcrowded through the calendar choice process for the upcoming school year, the Board of Education may choose to reassign students, modify application areas, or cap school enrollment for the subsequent school year but assignments for the upcoming school year would not be impacted.

Mr. Dulaney shared with the Board the proposed calendar application node changes. Staff shared that the proposed calendar application node changes are nodes that have not been moved recently, however, they could not guarantee it.

Mr. Dulaney shared that if the Board chose to change the calendar of any schools later this spring, from year-round to traditional or traditional to year-round, a factor that needs to be resolved is “how do you offer calendar choice to the people whose school the Board has now changed the calendar of?” Mr. Dulaney said that the implementation process was not designed to address possible conversion; the plan is strictly related to the resolution that was passed on January 5th.

Dr. Burns clarified that kindergarten registration, magnet applications, and calendar choice are all linked. The timing of the process has been slipped a week so that staff can push the process into February. Dr. Burns shared that if staff pushed the process back, the impact on projections would be a challenge. Projections are usually provided at the end of March and the biggest variable that staff has to take into account is “how much movement has taken place through the application process, which occurs during February.”

PUBLIC COMMENT – 4 P.M.

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. Each speaker will be asked to state their name and address prior to speaking. 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.

- **Cindy Sinkez (304 Joliesse Lane, Cary, NC)** – Ms. Sinkez spoke to the Board in support of the current Board’s view point on Mandatory Year-Round not being the best course of action.
- **Kathleen Hughes (5612 Maram Court, Raleigh, NC)** – Ms. Hughes spoke to the Board regarding the Board ensuring that a quality education is available to all students in Wake County.
- **Louise Lee (7304 Quinby Court, Raleigh, NC)** – Ms. Lee shared with the Board that the choices that they are making are inevitable regarding Mandatory-year round. The decision that the Board is making to do away with mandatory-year round is the right decision to make.
- **David Lee (7304 Quinby Court, Raleigh, NC)** – Mr. Lee shared that he agrees with the new Board members in giving parents a choice of sending their children to year-round schools. Mr. Lee also offered the new Board encouragement.
- **Matthew Brown (601 E. Lane Street, Raleigh, NC)** – Mr. Brown spoke to the Board regarding the resolution of calendar choice and it being the first step to dismantling the district’s diversity policy.
- **Janny Flynt (4705 Draper Road, Raleigh, NC)** – Ms. Flynt spoke to the Board regarding the calendar choice resolution and the impact of the resolution on RIM (schools located along the rim of the beltline) schools.
- **Lettice Rhodes (525 Watauga Street, Raleigh, NC)** – Ms. Rhodes expressed her concerns of the Board moving forward with the resolution regarding calendar choice. Ms. Rhodes requested that the Board engage in the responsible planning process.
- **Donna Williams (1100 Watermark Court, Raleigh, NC)** – Ms. Williams expressed her confusion of the resolution for calendar choice. Ms. Williams expressed her concern of why giving parents a choice of school calendars is a problem.
- **Lisa Mowat (2506 Everett Avenue, Raleigh, NC)** – Ms. Mowat shared that the League of Women Voters has long advocated for open, transparent, and responsible government. The League of Women Votes requested that the Board respect transparency in government and collegiality as a functioning Board.
- **Megan Ciccarelli (1234 Park Summit Blvd, Apex, NC)** – Ms. Ciccarelli shared her views regarding the year-round calendar schools and the survey that is being conducted.
- **Erica Martin (8613 Cavitina Court, Apex, NC)** – Miss Martin spoke to the Board regarding the academic success of she and her peers at Enloe High School.
- **Kathleen Brennan (106 Heck Andrews Way, Cary, NC)** – Ms. Brennan thanked the Board for considering ending mandatory year-round schools. Ms. Brennan

shared that she is pro diversity and pro year-round schools, but not when they are forced.

- **Jim Martin (8613 Cantina Court, Apex, NC)** – Mr. Martin shared that he is a parent and taxpayer and is concerned about effective government. Mr. Martin emphasized that the current issue regarding mandatory year-round calendars can not simply be about choice.
- **Nikita Jathan (128 Point Harbor Drive, Cary, NC)** – Shared a personal experience with the Board regarding diversity and community schools.
- **Lauren Frey (8163 Rhiannon Road, Raleigh, NC)** - Miss Frey shared her concerns regarding the issues confronting the school board; mandatory year-round calendars, student achievement, and student assignment.
- **Greg Krauss (1204 Fairlane Road, Cary, NC)** - Mr. Krauss spoke to the Board regarding the county’s issues with growth management, magnet school application process, and the plan for the economically disadvantaged.
- **Kevin Rogers (9137 Deershire Court, Raleigh, NC)** – Mr. Rogers spoke to the Board regarding the Board’s conduct in how items have been placed on the Agenda at the start of meetings. Mr. Rogers also requested that the Board state all of the fiscal implications regarding agenda items.
- **Jennifer Jordan (203 Calm Winds Court, Cary, NC)** – Miss Jordan spoke to the Board regarding diversity.
- **Truman Newberry (1821 Falls Church Road, Raleigh, NC)** – Mr. Newberry thanked the Board for their efforts. He also spoke to the Board regarding the schools being supplied with basic needs.

The Board recessed at 4:54 p.m. to prepare for the Employee Excellence Recognition. The Board returned to Open Session at 5:10 p.m.

RECOGNITION

53. EMPLOYEE EXCELLENCE AWARD – 5 P.M.

Ten (10) employees were nominated for this month’s Employee Excellence Award.
Fiscal Implications: None. Recommendation for Action: None.

Dr. Stephen Gainey presented each of the nine recipients to the Board for recognition. Chairman Margiotta shared that the recipients are the “best of the best”. On behalf of the Wake County Board of Education, Chairman Margiotta congratulated each of the recipients for being selected.

CLOSED SESSION

The Board went into Closed Session at 5:25 p.m. on a motion by Debra Goldman to consider confidential personnel information protected under G.S. 143-318.11 (a)(6) and 115C-319, to consider confidential student information protected under G.S. 115C-402 and the Family Educational and Privacy Rights Act, 20 U.S.C. 1232g, 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), and establish or give instructions concerning the Board’s negotiating position related to a potential acquisition of real property, as provided in G.S. 143-318.11 (a)(5). The motion was seconded by Chris Malone. The motion to go into Closed Session was unanimously approved.

The Board returned to Open Session at 6:12 p.m.

54. SPOTLIGHT ON STUDENTS – 6 P.M.

Eighteen students will be recognized as Spotlight on Students award winners. Fiscal Implications: None. Recommendation for Action: None.

Karen Hamilton presented each student to be recognized as a Spotlight on Students award winner. Chairman Margiotta shared that the students demonstrated outstanding character traits and were an inspiration to everyone. On behalf of the Wake County Board of Education, Chairman Margiotta, congratulated each student.

The Board recessed to Closed Session at 6:31 p.m. The Board returned to Open Session at 6:52 p.m.

INFORMATION ITEMS

7. CURRICULUM MANAGEMENT QUARTERLY REPORT

The specific recommended actions in the Curriculum Management Audit Report have served as a system wide “blueprint” for continuous improvement. The Superintendent’s Leadership Team members have direct responsibility for overseeing the implementation of the actions. Leadership Team members serve as Performance Goal Managers or Recommendation Managers. The action steps were placed by the Leadership Team to be implemented over seventeen quarters. We have just completed the tenth quarter of the seventeen-quarter implementation plan. Fiscal Implementation: None. Recommendation for Action: For information.

Dr. Donna Hargens presented information to the Board. Dr. Hargens shared that on September 4, 2007, Dr. Stripling, the lead auditor of a team of 23 external auditors presented a summary of the 462 page audit report to the Board of Education. The report was immediately accessible to the public online. It was the first time in the WCPSS history that the system’s core business, learning and teaching was audited.

Dr. Hargens shared that the auditors looked to see if the written curriculum is clear and if the work is aligned with helping students master learning. Findings or evidences, led to 8 over-arching recommendations and 117 very specific actions.

Dr. Hargens shared that one of the greatest impacts of the audit has been in policy development and revision and in the communication of the policies. Dr. Hargens stated that the audit called for the addition of a “searchable by word” feature to the online policy manual to facilitate finding a policy, this allows staff and the public to find a policy by searching for a word or a topic.

The revision and approval of Policy 1510 has been foundational to policy work. The audit also called for implementing a systematic process of informing the staff and public of changes in board policies. Dr. Hargens shared that there have been 47 policies and regulations updated, added, or deleted within the last 90 days.

The audit stated that the curriculum guidance document should be user friendly and

accessible to all teachers to provide all students equal access to the intended curriculum. Learning and teaching guides provide clear instruction for every teacher in the district which benefits every student. In each instructional guide there are ways to help the teacher differentiate instruction for students. Quality curriculum guides connect the written, tested, and taught curriculum. The guides are blue prints for planning and delivering instruction to students.

The audit also stated that the bottom line for the Wake County Public School System is that the planning process needs to be tightened. The Recommendation #2 Team has developed a draft policy for review by the board. The greatest impact of the planning policy will be the guidance and structure that the policy will provide in strategic planning.

The auditors found that the district did not have a procedure for the use of evaluating data for revising, continuing, or selectively abandoning new instructional programs. An important step was to inventory the programs that exist to begin to systematically evaluate them. All program evaluations are now to have a cost-benefit analysis and recommendation for continuation or elimination.

The audit speaks to a process to ensure that the financial plan represents the district's student learning priorities. During the budget process, business cases are developed that align with the strategic directives and the recommended actions of the audit.

The audit notes that job descriptions are the building blocks of an organization. Properly written job descriptions provide each employee with clear direction. The Recommendation #8 Team developed a template to provide the system-wide guidance that the auditors found absent. The template makes clear the requirements for a job description that meets the audits standards.

Dr. Hargens shared that items under way are the draft of the planning policy to be presented to the board, continuation of the schedule of evaluations of all programs, the update of Board Policy 2201 regarding job descriptions, the revision of job descriptions and tables of organization, a draft professional development plan for review, a revision of Policy 3040: site-based management, and a central services professional learning team that includes community members that's focused on developing strategies to reduce the dropout rate.

Next will be a comprehensive planning process to be implemented, policies for a comprehensive professional development program, and a reporting schedule for program evaluation reports.

Dr. Hargens shared that capacity has been built by training internal auditors that focus on an individual school to determine the alignment between the written, taught, and tested curriculum at that school. Currently, 6 individual audits have been completed and schools are in the process of implementing the recommended actions.

The audit has provided a blueprint for improvement.

8. EVALUATION OF BOARD POLICY 3610, 4510, 5040 – PROFESSIONAL LEARNING TEAMS

This presentation will include information and details about the planned evaluation being conducted by E&R staff of the policy. Fiscal Implications: None. Recommendation for Action: This item is submitted for information only.

Mr. David Holdzkom presented information to the Board. Mr. Holdzkom stated that staff seeks to monitor the status of professional learning team development within the district using teacher surveys, survey data collected from central services members, conducted school team observations, and continued use of focus groups among school leadership to get to what it is they think makes the PLT's successful.

In 2006, the Evaluation and Research (E&R) Department developed a standard definition and a literature review reviewing professional learning teams. In 2006-07, the first PLT survey was developed to collect base line data and in 2007-08, an implementation status study was completed along with the first High Five survey.

Mr. Holdzkom shared that when staff designed the policy evaluation, staff decided that it could be rolled out in 3 phases each of which would have a primary focus and secondary foci.

In Phase I, 2009-10, staff would be primarily focused on implementation. Secondly, staff would be looking at early teacher impacts and possible student impacts. In Phase II, 2010-11, staff will be primarily focused on teacher impact. Secondly, staff will be checking on implementation and student impact again. Finally in Phase III, staff will be focused especially on student impact with a secondary focus on teacher impact.

The data sources that staff will use are quantitative and qualitative. The quantitative data sources will include survey results of principals that will be conducted in April 2010 and statistical analyses of student impact indicators. The qualitative data sources include school's documentation and artifacts. Staff will be reviewing structured observations and conducting case studies at selected schools. Staff will focus on PLT's that are doing it right. Focus group interviews will be conducted as well as individual interviews.

Mr. Holdzkom shared that schools are running many programs and educational initiatives simultaneously, which can make the evaluation problematic. Many factors effect the academic outcomes of students, PLT's are just one of the factors.

Board members asked clarifying questions of Mr. Holdzkom regarding the tracking of student growth and meeting times of PLT's. Mr. Holdzkom clarified the information for the board.

9. PLANS FOR IMPLEMENTATION OF THE NEW MATHEMATICS ESSENTIAL STANDARDS

In September 2009, the State Board of Education adopted the new K-12 Essential Standards for Mathematics. For high schools, this resulted in a rearrangement of the course content for Algebra I, Geometry, and Algebra II to provide students with a more

integrated curriculum, titled Math A, Math B, and Math C. The 2010-11 school year will be a transition year as we balance the required implementation of the new curriculum with measuring student performance on the current EOCs. Full implementation will take place in the 2011-12 school year with student's being measured on a new EOC that aligns with the integrated curriculum. Fiscal Implications: To be determined using current resources. Recommendation for Action: This item is being presented for information.

Ruth Steidinger and Sonia Dupree presented information to the Board. Mrs. Steidinger shared that there are three new courses in high school entitled Math A, Math B, and Math C. Each course contains elements from each of the five strands. Math A replaces Algebra I and a state level assessment will be given at the conclusion of the course. Math B and C will replace Geometry and Algebra II and there will be a state level assessment at the conclusion of Math C.

The challenges that were presented included the future ready core requirements. All students are required to complete 4 math credits to graduate, the new EOCs will not be ready until 2011-12, which creates a transition year. Staff is providing supplemental materials for teachers in order for them to effectively teach the new integrated approach.

Mrs. Steidinger provided the Board with several handouts for them to refer to in understanding how staff is providing a solution to the challenges. Staff will be supporting teachers and students by using learning and teaching guides, Ms. Dupree will work with veteran teachers to help make modifications to the learning and teaching guide.

Mrs. Steidinger shared that teacher training will be offered at various times from June 2010 until August 2010. A timeline of steps to prepare schools, teachers, parents, and students for the change was given to the Board members for their review.

Board members asked clarifying questions regarding the content of Math A, Math B, and Math C, what information will be communicated in a transcript for Math A, B, and C to colleges/universities in other states. Dr. Burns shared that transcripts are provided to colleges and universities with applications and a profile sheet that interprets a lot of what is found on the transcript. Dr. Burns shared that profile sheets will be updated and will provide an overview of what the courses are and some detail of the school system and the school itself.

Mrs. Steidinger also shared that staff has the opportunity to participate in the Algebra Readiness Initiative with SAS and prior to that, high school and middle school senior administrators for mathematics had matrices that helped teachers place students using student data.

Board members asked clarifying questions of staff including if the implementation was required, who will be conducting the training, who is paying for the extra time if there is a need for teachers to be trained outside of school, does the state have the new textbooks for the teachers to review and where the funding will come from for new textbooks.

Mrs. Steidinger shared that staff is required to follow through with the implementation.

She also shared that staff has been working closely with the Assistant Principal of Instruction for each high school communicating the training that Ms. Dupree is organizing centrally. Mrs. Steidinger reiterated that staff looks to master teachers and pays them if they deliver training. Ms. Dupree shared that she has been meeting with department chairs and PLT team leaders to review the new curriculum and consider some of the implications. Recently, Ms. Dupree has been writing the learning and teaching guides that will be for Math A, Math B, and Math C that will have all of the supplemental resources that teachers are going to need to supplement the text book that they currently have.

Mrs. Steidinger provided further clarification regarding schools on the block schedule.

CONSENT ITEMS

Chairman Margiotta shared that Item #10, Approval of Meeting Minutes, would be added back to the Consent Agenda. Dr. Anne McLaurin made a motion to approve adding Item #10, Approval of Meeting Minutes back to the Consent Agenda. The motion was seconded by Kevin L. Hill. The motion was unanimously approved.

Keith Sutton then made a motion to approve the Consent Agenda. The motion was seconded by Kevin L. Hill. The motion was unanimously approved.

10. APPROVAL OF MEETING MINUTES

- January 5, 2010 - Committee of the Whole Meeting Minutes
- January 5, 2010 - Board of Education Meeting Minutes
- January 5, 2010 - Closed Session Meeting Minutes

FINANCE

11. 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 December 2009. Fiscal Implications: Not applicable. Recommendation for Action: Not applicable.

12. GIFTS TO THE SYSTEM

One hundred and fifty-nine gifts have been donated to the Wake County Public School System. The approximate value of the gifts is \$50,141.00. Fiscal Implications: Not applicable. Recommendation for Action: No action is required.

13. TW TELECOM DEDICATED INTERNET ACCESS AGREEMENT

TW Telecom currently provides 200 megabit (Mbps) ethernet Internet service to 3600 Wake Forest Road at a monthly rate of \$10,368. The contract term is set to expire this fiscal year. Due to federal requirements for application of E-rate discounts against these services and in order to meet current application deadlines, a bid request was posted and three legitimate vendor proposals were received. After considering all aspects of each bid, TW Telecom was chosen to continue to provide the service. A three-year contract beginning February 1, 2010 will be executed at a monthly recurring fee of \$6,171. Contract terms will include the non-appropriation of funds clause. Fiscal Implications:

Total amount for three years of service is \$222,156. Amount required this fiscal year is \$30,855 which is less than amount previously encumbered to cover current monthly rate through June. Amount required in 2010-11 and 2011-12 is \$74,052. Remaining \$43,197 would be encumbered in 2012-13. Funding for contracted services is being identified and planned for in the Technology Services 2010-11 operating budget request. Recommendation for Action: Staff is requesting Board approval of contract.

FACILITIES

14. RESOLUTION: QUALIFIED SCHOOL CONSTRUCTION BOND FUNDING FOR ROLESVILLE MIDDLE (M-6)

Senate Bill 754 enables North Carolina school systems to use interest-free bonds for school construction, repair, and renovation as part of the American Recovery and Reinvestment Act (ARRA). The bill provides \$275,772,000 in bonding authority statewide for Qualified School Construction Bonds (QSCB). The 2009 allocation is \$17,304,000 and the 2010 QSCB allocation is expected to be the same amount for a total of \$34,608,000 for the Wake County Public School System. The intent is to issue the full allocation once released by the Federal government. An application must be submitted to the N. C. Department of Public Instruction for a designated project prior to the sale of bonds by the County. Staff recommends that Rolesville Middle School be the designated project and that the attached resolution be approved. Fiscal implications: The allotment of \$34,608,000 in QSCB will reduce the amount of debt service that Wake County must pay on bonds issued in support of the CIP 2006 building program. Recommendation for action: Board approval is requested.

STUDENT ACHIEVEMENT

15. GRANT PROPOSALS

- Competitive (#006710): State Library of North Carolina, Library Services and Technology Act, School Library Collection Development Grant / Individual Schools.
- Competitive (#006810): Wake Education Partnership, Teacher Leadership and Professional Learning Community Grants / Individual Schools.
- Competitive (#006910): Wake Education Partnership, Progress Energy Foundation, Science Education Grant / Central Services.
- Competitive (#007010): Allstate Foundation, Allstate Foundation Grant / Individual Schools.
- Entitlement (#007110): US Department of Education, Office of Elementary and Secondary Education, Indian Education Program / Central Services.
- Competitive (#007210): American Academy of Dermatology, Shade Structure Grant Program / Individual Schools.
- Collaborative (#007310): NC Department of Public Instruction, Mathematics and Science Partnerships (MSP) Program / Central Services.
- Collaborative (#007410): NC Department of Crime Control and Public Safety, Governor's Crime Commission, Juvenile Justice Planning Grants / Individual Schools.
- Competitive (#007510): Corporation for National & Community Service and the Microsoft Foundation, Education Northwest, Service and Technology Academic Resource Team (START) / East Garner Middle School.

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

HUMAN RESOURCES

17. RECOMMENDATION FOR EMPLOYEMENT

- a. Professional
- b. Support

POLICY

20. POLICY 7000: CHILD NUTRITION SERVICES

Policy Revision: First Reading

This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 7000 series review cycle. Recommendation for Action: Staff is requesting Board approval.

21. POLICY 7010: CHILD NUTRITION SERVICES RESPONSIBILITIES

Policy Revision: First Reading

This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 7000 series review cycle. Recommendation for Action: Staff is requesting Board approval.

22. POLICY 7011: DUTIES OF CHILD NUTRITION SERVICES DIRECTOR

Policy Deletion: First Reading

The content of this policy has been placed in Policy 7010 – Child Nutrition Services Responsibilities. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 7000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

23. POLICY 7020: CHILD NUTRITION SERVICES DEPARTMENT STAFF

Policy Deletion: First Reading

The content of this policy has been placed in Policy 7010 – Child Nutrition Services Responsibilities. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 7000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

24. POLICY 7040: CHILD NUTRITION PROGRAMS

Policy Revision: First Reading

This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 7000 series review cycle. Recommendation for Action: Staff is requesting Board approval.

25. POLICY 7041: FREE AND REDUCED PRICE MEAL BENEFITS

Policy Revision: First Reading

This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 7000 series review cycle. Recommendation for Action: Staff is requesting Board approval.

26. POLICY 5030: ESTABLISHMENT OF SCHOOL CALENDAR

Policy Revision: First Reading

This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 5000 series review cycle. Recommendation for Action: Staff is

requesting Board approval.

27. POLICY 5032: SCHOOL DAY

Policy Revision: First Reading

This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 5000 series review cycle. Recommendation for Action: Staff is requesting Board approval.

28. POLICY 2911: MOMENT OF SILENCE

Policy Revision: First Reading

This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval.

29. POLICY 2000: EMPLOYMENT OF ADMINISTRATORS

Policy Revision: First Reading

This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval.

30. POLICY 2010: FILING ADMINISTRATIVE POSITIONS

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

31. POLICY 2020: PROTECTION OF ADMINISTRATORS

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

32. POLICY 2030: CONTRACTS

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

33. POLICY 2040: PROFESSIONAL GROWTH

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

34. POLICY 2200: ADMINISTRATIVE PERSONNEL

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

35. POLICY 2201: QUALIFICATIONS AND PERFORMANCE RESPONSIBILITIES

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

36. POLICY 2240: RECRUITMENT

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

37. POLICY 2250: SELECTION

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

38. POLICY 2251: ASSIGNMENT

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

39. POLICY 2252: ORIENTATION

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

40. POLICY 2253: SUPERVISION

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the

Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

41. POLICY 2254: EVALUATION

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

42. POLICY 2255: PROMOTION

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

43. POLICY 2256: TENURE

Policy Deletion: First Reading

This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

44. POLICY 2257: TRANSFER

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

45. POLICY 2258: SEPARATION

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

46. POLICY 2260: HEALTH EXAMINATION

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

47. POLICY 2261: TIME SCHEDULES

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the

Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

48. POLICY 2262: EXPENSES FOR SYSTEM EMPLOYEES

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

49. POLICY 2263: NON-SCHOOL EMPLOYMENT

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

50. POLICY 2264: PROFESSIONAL LEAVES OF ABSENCE

Policy Deletion: First Reading

This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

51. POLICY 2265: CONFERENCES AND VISITORS

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

52. POLICY 2270: SALARY

Policy Deletion: First Reading

The content of this policy has been placed in Policy 2000 Employment of Administration. This policy has been reviewed by the Policy Committee and the Committee of the Whole as a part of the 2000 series review cycle. Recommendation for Action: Staff is requesting Board approval to delete this policy.

ACTION ITEMS

POLICY

16. RESOLUTION REGARDING CALENDAR CHOICES

Second Reading.

On January 5, 2010, the Board of Education approved a resolution regarding calendar choices. This item is being presented for a second reading. Fiscal Implications: To be determined. Recommendation for Action: Board approval is requested.

Chris Malone made a motion to approve the second reading of the resolution regarding calendar choices. The motion was seconded by John Tedesco. Board members shared their concerns regarding the wording of the motion and defining proximity. After

comments from Board members requesting to delete the wording “The Board of Education will no longer deny calendar applications based on socio-economic status” from the resolution. Kevin L. Hill made a friendly amendment to the motion that the Board eliminate the wording, “Whereas, beginning with the 2010-2011 school year, there will be no mandatory year-round assignments.” Chris Malone did not accept the friendly amendment.

Kevin L. Hill offered an amendment on the resolution regarding calendar choice that the Board strike the wording “whereas, beginning with the 2010-2011 school year, there will be no mandatory year-round assignments.” The amendment was seconded by Keith Sutton. Board members shared their comments and suggestions. Board attorney, Ann Majestic, asked for a point of clarification regarding the original resolution passed on January 5, 2010.

Ms. Majestic clarified that the re-formatting of the original resolution lost the essence of the resolution. Chairman Margiotta agreed to have Chris Malone read the original resolution from January 5, 2010. Mr. Malone read the original resolution as follows: *“We strongly oppose the mandatory assignments of students to year-round calendar schools and support calendar choice for all families. Beginning with the 2010-11 school year, there will be no mandatory year round assignments. Every effort will be made to accommodate families into the calendar of their choice, whether it is year-round or traditional, at a school within proximity of their residence. We will no longer deny calendar applications based on socio-economic status. We will use each and every seat efficiently.”*

Kevin L. Hill withdrew his original amendment due to the fact that the amendment was made referring to an incorrect document. Chris Malone withdrew his original motion of the second reading of the resolution regarding calendar choices.

Chris Malone made a new motion to approve the following resolution,” *We strongly oppose the mandatory assignments of students to year-round calendar schools and support calendar choice for all families. Beginning with the 2010-11 school year, there will be no mandatory year-round assignments. Every effort will be made to accommodate families into the calendar of their choice, whether it is year round or traditional, at a school within proximity of their residence. We will no longer deny calendar applications based on socio-economic status. We will use each and every seat efficiently.”* The motion was seconded by John Tedesco.

Kevin L. Hill made an amendment to the motion for the resolution to read as follows, “We strongly oppose the mandatory assignments of students to year-round calendar schools and support calendar choice for all families beginning with the 2010-2011 school year.” Keith Sutton seconded the amendment. Mr. Hill reiterated that he wanted to eliminate the sentence, “there will be no mandatory year-round assignments.” After several comments from Board members regarding the amendment and the resolution, the Board made a roll call vote on the amendment to the motion. Anne McLaurin voted “yes”, John Tedesco voted “no”, Kevin L. Hill voted “yes”, Debra Goldman voted “no”, Chris Malone voted “no”, Deborah Prickett voted “no”, Keith Sutton voted “yes”, and Carolyn Morrison voted “yes”. The vote on the amendment was 4 to 4, Chairman Margiotta broke the tie by voting “no” on the amendment. The amendment failed to pass.

Anne McLaurin offered an amendment to the original motion. Dr. McLaurin asked that the Board strike the sentence, "We will no longer deny calendar applications based on socio-economic status". The amendment was seconded by Keith Sutton. Board members made comments regarding the impact of the amendment. The Board made a roll call vote on the amendment to the motion. Anne McLaurin voted "yes", John Tedesco voted "no", Kevin L. Hill voted "yes", Debra Goldman voted "no", Chris Malone voted "no", Deborah Prickett voted "no", Keith Sutton voted "yes", and Carolyn Morrison voted "yes". The vote was 4 to 4, Chairman Margiotta broke the tie by voting "no". The amendment failed to pass.

After several comments from Board members regarding the resolution, John Tedesco made the following suggestion, that every year-round assignment would be provided a traditional choice alternative." The Board continued discussion regarding the resolution and tried to find ways in obtaining consensus to pass the resolution.

Keith Sutton made the following amendment, "*We strongly oppose the mandatory assignments of students to year-round calendar schools and support calendar choice for all families. Beginning with the 2010-2011 school year, every effort will be made to eliminate mandatory year-round assignments and to accommodate families into the calendar of their choice. This applies to year-round or traditional options at a school within proximity of their residence. We will no longer deny calendar applications based on socio-economic status, we will use each and every seat efficiently.*" The motion was seconded by Kevin L. Hill. The Board made a roll call vote on the amendment to the motion. Anne McLaurin voted "yes", John Tedesco voted "no", Kevin L. Hill voted "yes", Debra Goldman voted "yes", Chris Malone voted "no", Deborah Prickett voted "no", Keith Sutton voted "yes", Carolyn Morrison voted "yes". The vote was 5 to 3 to accept the amended motion. The motion passed. Ms. Majestic clarified that Keith Sutton re-wrote the original motion of Chris Malone. Ms. Majestic stated further that, Mr. Sutton re-read the resolution from start to finish rather than eliminating and adding verbiage. Mr. Sutton modified the center of the original resolution.

Mr. Malone stated that "*he did not think that the Board needed to take any action on the original motion, the amendment passed and the issue has been called.*"

The official motion that passed Board approval regarding calendar choices was read as follows, "*We strongly oppose the mandatory assignments of students to year-round calendar schools and support calendar choice for all families. Beginning with the 2010-2011 school year, every effort will be made to eliminate mandatory year-round assignments and to accommodate families into the calendar of their choice. This applies to year-round or traditional options at a school within proximity of their residence. We will no longer deny calendar applications based on socio-economic status, we will use each and every seat efficiently.*"

The Board recessed at 8:33 p.m. The Board returned to Open Session at 8:55 p.m.

ACTION ITEMS CONT'D

HUMAN RESOURCES

55. RECOMMENDATION FOR ADMINISTRATIVE APPOINTMENT(S)

Kevin L. Hill made a motion to approve the following Administrative Appointments:

- (1). Catherine Berry, applicant to Principal at Creech Road Elementary School effective date TBD.
- (2). Mary Ellen Leach, Assistant Principal at Turner Creek Elementary School to Principal at Green Hope Elementary effective January 22, 2010.
- (3). Craig T. Matthews, Retiree to Interim Principal at Wendell Elementary School effective February 1, 2010 through February 26, 2010.
- (4). Luther Thomas, Assistant Principal at Apex High School to Principal at River Oaks Middle School effective January 20, 2010.
- (5). Anasya Turner, Applicant to Assistant Principal at Lufkin Road Middle School effective January 26, 2010.

The motion was seconded by John Tedesco. The motion to approve the Administrative Appointments was unanimously approved.

56. CAREER STATUS

Kevin L. Hill made a motion to approve the following Career Status Appointments:

- (1). Andrea Davis
- (2). Jennifer Harris
- (3). Susan Trull

The motion was seconded by John Tedesco. The motion to approve the Career Status Appointments was unanimously approved.

STUDENT ACHIEVEMENT

18. EDUCATIONAL RESOURCES PRESCRIPTIVE INSTRUCTION READING AND MATHEMATICS SOFTWARE LICENSES

Prescriptive Instruction is a web-based K-5 Reading and Math program for use with elementary students below grade level proficiency. Students complete a short assessment activity that identifies their need for further instruction. The program then offers automated individualized instruction, targeting the assessed student needs. Licenses allow access to the *Prescriptive Instruction* software at home as well as at school. Fiscal Implications: Funding is available in the Disadvantaged Student Supplemental Funding budget in the amount of \$110,775 to pay the cost of these software licenses. Recommendation for Action: Staff is requesting Board approval.

Dr. Hargens shared that Prescriptive Instruction provides extra time and support around learning. Dr. Christy Falba shared that Prescriptive Instruction is a web-based elementary mathematics and reading computer resource selected for use with students in grades 3-5 who are below grade level proficiency.

Dr. Falba shared that licenses are assigned to individual students and can be used at school and at home. Last year, 60 elementary schools had licenses; 50 per school. This year, there are 70 schools; 50 licenses per school. The license subscription is for one year. Prescriptive Instruction was selected for grades 3-5 mathematics intervention, however, the reading portion of the program is included and students can be assigned lessons in either or both subject areas.

Dr. Falba shared that the Academy of Reading is a completely separate program that was selected for use with secondary students who lack some basic reading skills. This intervention requires both time with the teacher as well as time on the computer program

to see results. Funding for both of the programs comes from Disadvantaged Student Supplemental Funding (DSSF), which are state dollars. These software intervention programs align with the goals and strategies of the DPI approved DSSF plan.

After several questions from Board members regarding the success of the program, what is funded by DSSF, and what can be funded by DSSF; Keith Sutton made a motion to approve the Educational Resources Prescriptive Instruction Reading and Mathematics Software Licenses. The motion was seconded by Chris Malone. The motion was unanimously approved.

19. PROPOSED TERMS OF ENGAGEMENT FOR INTERIM SPECIAL LEGAL COUNSEL

The Board approved authority for the Chair to negotiate a contract for interim special legal counsel at the December 1, 2009 Board Meeting. This contract was developed on December 31, 2009. Fiscal Implications: To be determined. Recommendation for Action: Board approval is requested.

John Tedesco made a motion for the Board of Education to accept the contract that the Chair negotiated with Interim Special Legal Counsel, Thomas Farr of the firm Ogletree and Deakins. The motion was seconded by Deborah Prickett.

Mr. Margiotta shared that the primary purpose of the legal firm is to “come in and do a review of all of the legal expenses and that the fee for the services will not exceed \$50,000.”

Dr. Morrison shared her concerns of the legal firm’s compensation for Mr. Farr and it relating to the discrepancy between the proposed fee of \$250 per hour compared with Ann Majestic of \$175 per hour. The question was asked by a Board member if the Board wanted to give the impression that *“we value males more than females”*.

Mr. Tedesco responded that the Board has had many different firms provide different legal services. Mr. Tedesco shared that Mrs. Majestic’s rate is a part of her firm’s rate which receives close to one million dollars in work with the Board of Education. All of the other contracts range between \$200 and \$500 per hour.

Chairman Margiotta shared that the services that are going to be provided by the Special Interim Legal Counsel are somewhat different than what’s being provided by Mrs. Majestic.

Mr. Sutton shared his appreciation of the work of Chairman Margiotta in his review of the agreement, however, the agreement only outlines what Mr. Farr’s billing practices are, but does not go into what the scope of the work will be. Mr. Sutton shared that deliverables are missing from the engagement letter, as well as a timeframe of when the requested information will be accomplished.

Mr. Margiotta assured Mr. Sutton that the timeframe would be by the second Board meeting in June. Mr. Margiotta stated that the services are specified in the letter as “a

comprehensive review regarding legal services presently received by the school board”. Mr. Margiotta went on to state that the legal services received by the school board encompass more than what’s being provided by Tharrington Smith.

After several comments from Board members regarding the review, Kevin L. Hill made an amendment to the motion that the proposed terms of engagement with Ogletree Deakins to approve funds not to exceed \$50,000 for the purpose of performing a comprehensive review regarding legal services received by the Board of Education. This will become effective when the Board of Education receives and approves information on the audit detailing the scope of work and the associated benchmarks. The amendment was seconded by Keith Sutton.

Board members made several comments and had lengthy discussion regarding the amendment provided by Mr. Hill. The Board made a Roll Call vote with Anne McLaurin voting “yes”, John Tedesco voting “no”, Kevin L. Hill voting “yes”, Debra Goldman voting “yes”, Chris Malone voting “no”, Deborah Prickett voting “no”, Keith Sutton voting “yes”, and Carolyn Morrison voting “yes”. The Board voted 5 to 3 to approve the amendment to the motion.

Debra Goldman shared that she was confused on what was voted on. Mr. Tedesco and Mr. Hill provided clarity to Mrs. Goldman. Mrs. Goldman then requested to rescind her vote on the amendment.

Mrs. Goldman then made a motion to reconsider. The motion to reconsider was seconded by John Tedesco. The Board voted by Roll Call with Carolyn Morrison voting “no”, Keith Sutton voting “no”, Deborah Prickett voting “yes”, Chris Malone voting “yes”, Debra Goldman voting “yes”, Kevin L. Hill voting “no”, John Tedesco voting “yes”, and Anne McLaurin voting “no”. The vote was 4 to 4, Chairman Ron Margiotta broke the tie by voting “yes” to reconsider the previous vote.

Chairman Margiotta called for the Board to take the Roll Call vote on Mr. Hill’s amendment. Carolyn Morrison voted “yes”, Keith Sutton voted “yes”, Deborah Prickett voted “no”, Chris Malone voted “no”, Debra Goldman voted “no”, Kevin L. Hill voted “yes”, John Tedesco voted “no”, Anne McLaurin voted “yes”. The vote was 4 to 4. Chairman Ron Margiotta broke the tie by voting “no”. The motion failed to pass on a vote of 5 to 4.

Chairman Margiotta returned to the original motion presented by John Tedesco, seconded by Deborah Prickett. Mr. Tedesco shared that a friendly amendment that was suggested by Mrs. Goldman be included with the motion that states, “*accept the contract as provided and negotiated between the chairman and Mr. Farr with the provision that it include the additional services be provided at the same rate of the review services*”. Mrs. Goldman offered the statement as a friendly amendment. The friendly amendment was seconded by Chris Malone.

After discussion surrounding the friendly amendment, Chris Malone called for the question. As maker of the friendly amendment, Debra Goldman asked to withdraw her friendly amendment and then made a motion for an amendment to Mr. Tedesco’s

motion, stating that the Board add a statement regarding the fees for any legal services beyond the review, be approved by the Board at the same hourly rate as had been approved for the review. The amendment was seconded by Chris Malone.

The Board voted by Roll Call on the amendment made by Mrs. Goldman. Anne McLaurin voted “yes”, John Tedesco voted “yes”, Kevin L. Hill voted “no”, Debra Goldman voted “yes”, Chris Malone voted “yes”, Deborah Prickett voted “yes”, Keith Sutton voted “yes”, and Carolyn Morrison voted “yes”. The Board voted 7 to 1 to approve the amendment.

Anne McLaurin made an amendment to the motion to cap the fees for additional services that the Board Chair can approve at \$25,000 without Board approval. The amendment was seconded by Carolyn Morrison.

The Board voted by Roll Call Vote. Anne McLaurin voted “yes”, John Tedesco voted “no”, Kevin L. Hill voted “yes”, Debra Goldman voted “yes”, Chris Malone voted “yes”, Deborah Prickett voted “no”, Keith Sutton voted “yes”, and Carolyn Morrison voted “yes”. The Board voted 6 to 2 to support the amendment.

The Board voted by Roll Call vote on the original motion for the Board of Education to accept the contract that the Chair negotiated with Interim Special Legal Counsel, Thomas Farr of the firm Ogletree and Deakins with the addition of the two amendments; that the Board add a statement regarding the fees for any legal services beyond the review, be approved by the Board at the same hourly rate as had been approved for the review, and to cap the fees for additional services that the Board Chair can approve at \$25,000 without Board approval.

Carolyn Morrison voted “yes”, Keith Sutton voted “yes”, Deborah Prickett voted “yes”, Chris Malone voted “yes”, Debra Goldman voted “yes”, Kevin L. Hill voted “no”, John Tedesco voted “yes”, Anne McLaurin voted “yes”. The Board voted 7 to 1 approve the motion and amendments.

Chairman Margiotta then addressed the issue of re-instating the Community Relations Committee. Keith Sutton made a motion to approve, seconded by Debra Goldman. Mr. Margiotta stated that two appointments were made from each Board member to serve on the committee that met monthly. The thought now, is to have the committee meet quarterly and expand the committee with the two appointed citizens from each district and incorporate each Board Advisory Council Chair to serve on the committee. The motion was unanimously approved.

CLOSED SESSION

John Tedesco made a motion at 10:10 p.m. to return to Closed Session. The motion was seconded by Debra Goldman. The motion was unanimously approved.

FACILITIES

1. RESOLUTION AND ORDER OF CONDEMNATION: RIGHT OF WAY DEDICATION, TEMPORARY EASEMENT ACQUISITION AND LANDSCAPE DAMAGES: PRICE PROPERTY (WILBURN ELEMENTARY)

The NCDOT and City of Raleigh recently issued their final approval on road improvement plans attendant to the renovation of Wilburn Elementary and Staff is now in negotiations with property owners Keith and Christine Price to acquire a right-of-way dedication and a temporary easement upon their property (PIN # 1725-64-6137) containing approximately 0.24 acres. Extensive mature landscaping improvements located within the right-of-way dedication and temporary easement area will be destroyed in the road improvement process, which will have an adverse impact upon the property owners' remaining property. Staff is securing an appraisal of the effected property to determine the fair market value of the interests to serve as a basis of appropriate compensation for the necessary property interests and to compensate the landowner for landscape damages. The City requires the acquisition of all off-site easements and dedications necessary to road improvements prior to the issuance of site construction permits. It is the preferred practice that all permits are secured prior to advertisements for bids which is scheduled for February 2010 with construction scheduled to begin April 2010. Staff intends to timely complete negotiations with the owners for acquisition of all necessary property interests in order to assure procurement of the easements within the time constraints imposed. Staff requests the granting of a Resolution and Order of Condemnation for use if current negotiations are not timely complete. A copy of the proposed Resolution and Order of Condemnation is attached, together with a survey identifying the areas in question. Fiscal Implications: Estimated cost for all necessary dedications, easements and damages will be determined upon receipt of an appraisal. If a condemnation action is required, a deposit will be made with the court system upon filing the action based upon the fair market value of the property as determined by the appraisal. Funding is available from the CIP 2006 Offsite Improvements budget. Recommendation for Action: Staff requests Board approval.

On a motion by Keith Sutton, seconded by John Tedesco, the Board approved a Resolution and Order of Condemnation for road improvement plans for the renovation of Wilburn Elementary School to acquire a right-of-way dedication and a temporary easement upon property, PIN # 1725-64-6137, containing approximately .24 acres. Estimated costs for all necessary dedications, easements, and damages will be determined upon receipt of an appraisal.

2. RESOLUTION AND ORDER OF CONDEMNATION: TEMPORARY CONSTRUCTION EASEMENT ACQUISITION FROM BREWER (WILBURN ELEMENTARY)

The NCDOT and City of Raleigh recently issued their final approval on road improvement plans attendant to the renovation of Wilburn Elementary and Staff is now in negotiations with property owners Daryl and Shirley Brewer to acquire a temporary construction easement upon their property (PIN # 1725-53-7553). The City requires acquisition of all off-site easements necessary to road improvements prior to the issuance of site construction permits. It is the preferred practice that all permits are secured prior to advertisement for bids which is scheduled for February 2010 with construction scheduled to begin April 2010. Staff intends to timely complete negotiations with the

owners for acquisition of necessary property interests in order to assure procurement of the easements within the time constraints imposed. Staff requests the granting of a Resolution and Order of Condemnation to acquire the necessary easements by condemnation for use if current negotiations are not timely completed. A copy of the proposed Resolution and Order of Condemnation is attached, together with a survey identifying the area in question. Fiscal Implications: Estimated cost for all necessary dedications and easements is an amount not to exceed \$200, which is estimated to be the fair market value of the property interest. If a condemnation action is required, a deposit will be made with the court system upon filing of the action based upon the fair market value of the property. Funding is available from the CIP 2006 Offsite Improvements budget. Recommendation for Action: Staff requests Board approval.

On a motion by Kevin L. Hill, seconded by Chris Malone, the Board approved an additional Resolution and Order of Condemnation for road improvement plans for Wilburn Elementary to acquire a temporary construction easement upon property, PIN # 1725-53-7553. Estimated cost for necessary dedications is not to exceed \$200.00, which is estimated fair market value.

3. REPORT ON SETTLEMENT OF NCDOT TURNPIKE AUTHORITY CONDEMNATION ACTION REGARDING PANTHER CREEK HIGH SCHOOL

On November 17, 2009, the Board approved the terms for conveyance of a permanent right-of-way dedication and temporary construction easement to the NCDOT Turnpike Authority (NCDOTTA) upon Board property at Panther Creek High. Staff was engaged in ongoing discussions with NCDOTTA staff regarding the amount of just compensation and in finalizing mutually acceptable language in the proposed deed for conveyance, which discussions delayed final resolution of the conveyance. During the delay, NCDOTTA commenced a condemnation lawsuit. Staff continued negotiations with the NCDOTTA to resolve all remaining issues and set the matter to avoid further action in condemnation. As a result, terms have been reached with the NCDOTTA to convey the necessary property interests that include an increase in compensation to the Board of \$6,218.64 beyond the initial amount of \$9,370.00 offered by NCDOTTA, thus increasing the total amount of compensation to \$15,588.64. Staff and the Board's real estate attorney bring this matter forward to inform the Board of the settlement of the condemnation lawsuit and to request Board approval of the terms. A copy of the final Agreement to Settle Right of Way Claim is attached. Fiscal Implications: The NCDOTTA will compensate Board in a total amount of \$15,588.64. Recommendation for Action: Staff requests Board approval.

Staff reported on the settlement of the NCDOT Turnpike Authority Condemnation action regarding Panther Creek High School. The NCDOTTA will compensate the Wake County Board of Education in the total amount of \$15,588.64.

ADJOURNMENT

There being no further business coming before the Board, Chris Malone made a motion to adjourn, seconded by Kevin L. Hill. The motion was unanimously approved. The meeting adjourned at approximately 11:10 p.m.

Respectfully submitted,

Ronald A. Margiotta, Chair, Wake County Board of Education Del Burns, Superintendent, WCPSS

Melissa R. Christmas, Recording Secretary