



WAKE COUNTY BOARD OF EDUCATION

BOARD MEETING MINUTES

February 7, 2012

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

Chair, Kevin L. Hill, called the meeting to order at 5:42 p.m. Everyone recited the Pledge of Allegiance.

Vice Chair, Keith Sutton, introduced 18 Karat Vocal Ensemble, who under the direction of Mrs. Elsie Shuler from Southeast Raleigh High School performed two selections in recognition of Black History Month.

Chair's Comments

- Chairman Hill shared that the week of February 6th is National School Counseling Week. The theme this year is "School Counselors: Helping Students Be Brilliant." On behalf of the Board of Education, Mr. Hill thanked all school counselors and those who support them from Central Services, for everything that is done every day to support children and promote their success.
- Chairman Hill congratulated Wake Early College of Health and Sciences senior Desirr'ee Dunn, the 2012 City of Raleigh Human Relations Award winner. Desirr'ee will be honored at the 23rd annual banquet on Thursday, February 9, 2012. Desirr'ee began a tutoring service for young students in her neighborhood three years ago and will graduate this spring as a candidate for an associate's degree from Wake Tech, and has her eye on medical school.
- Chairman Hill congratulated Garner Magnet High School principal, Drew Cook for being named the Wells Fargo North Central Region Principal of the Year. Mr. Cook was named Wake County Principal of the Year last October.
- Leesville Road High School has created a scholarship to honor Richard Murphy, who was the school's first principal and a memorable part of the Wake County Public School System family, most recently as senior director of high school programs. The Murphy scholarship will be awarded to two seniors embodying the high expectations and commitment to visionary leadership, service, and lifelong learning that Richard inspired others to achieve. The scholarship committee has partnered with the North Carolina Community Foundation to fulfill and sustain an endowment for the scholarship, which is a great tribute to a great school leader.

- Chairman Hill thanked the members of the Alternative Strategies subcommittee of the Economically Disadvantaged Student Performance Task Force, along with Mrs. Kushner who joined them, for taking their visit last week to Durham Public Schools' Holton Career and Resource Center, which extends their other high school programs with career-tech instruction. The subcommittee heard from Orange County and Chapel Hill about the Blue Ribbon Mentorship Program, the Boomerang Suspension Alternative Program, and the Dispute Settlement Center of Orange County. By looking at new perspectives, it will give Wake County new ideas and help make the most of similar relationships with the Helping Hands Mentoring Program, Haven House, and Campbell Law's Dispute Settlement program.
- Chairman Hill shared that he had the opportunity to visit Millbrook High School and participate in the International Baccalaureate Middle Years Programme review. The visiting IB team members were extremely complimentary and shared how impressed they were with the administration, faculty, and staff's dedication to implement the IB Diploma Programme. Mr. Hill congratulated principal, Dana King, staff, and faculty.

Superintendent's Comments

- Superintendent Tata shared that Saturday, February 4th, was the first of a series of events that gathered schools and community service agencies to help engage families and support children. Octavia Rainey and the Positive Youth Development Task Force organized Positive Youth Development Day at the Tarboro Road Community Center. Wake County Public School System along with the Raleigh Police Department, Parks and Recreation, YWCA, YMCA, and other agencies engaged families and connected them to resources, information, and people.
While at the function, Mr. Tata had the chance to celebrate the first anniversary of the St. Monica's Teen Center next door. The student assignment staff was there helping families enroll and provide valuable connections. Mr. Tata thanked Ms. Rainey and the Task Force for their commitment to the community and for inviting schools to participate.
- Mr. Tata thanked the Cary YMCA and Outreach Director, Michelle Rhino, for putting on a community information session with school registration at Reedy Creek Elementary last Wednesday. It was an excellent, well-organized event targeted at low-response areas. Approximately 67 families attended, from four different service areas in Cary. Transportation was provided to approximately 20 families, and child care was provided for children three and up. Sessions were provided in English and Spanish helping families understand the assignment plan. NCWISE numbers were available for the students participating in their Y-Learning program. School choices for the four service areas were printed and available to families before proceeding to the computers.
- Kindergarten Round-up was held on Thursday, February 2nd, which gave staff an approximate 800-student increase in kindergarten enrollment. As of Tuesday, February 7th, approximately 13,700 families have made a choice, approximately 6,600 kindergartners have been enrolled, and 8,100 enrolled so far, 2/3 of the 12,000 kindergartens enrolled in early February.
- WCPSS will be participating in an Early Childhood Learning education summit on Saturday, February 11th at the St. Augusta Missionary Baptist Church in Fuquay-Varina. Parents will receive a broad range of information and assistance regarding Pre-K in elementary education. The Student Assignment staff will be on hand to assist families with pre-enrollment.

- Superintendent Tata congratulated Drew Cook for advancing to Regional Principal of the Year.
- Mr. Tata announced that Farmington Woods Elementary will be partnering with the International Red Cross on February 14th with Love the World Day, A Celebration of Our Cultures, Our Global Connections and Our Call to Action. The fifth grade students led efforts to collect items for children's comfort kits that can be shared with a child who has experienced a devastating loss.
- On February 23rd, Smith Magnet Elementary will be commemorating the Underground Railroad with a participation event involving jazz, art, dance, food, history, and storytelling. The event will begin at 6:30 p.m.
- Mr. Tata congratulated Wake Early College of Health and Sciences, whose students took first place in the North Carolina Society of Hispanic Professionals "Stay in School" video contest.
- Mr. Tata congratulated Green Hope High for taking the Division I Large Team State gymnastics title.
- Mr. Tata congratulated Bugg Magnet Elementary fifth-grader Geneva Scanlon who won the North Carolina Theatre Arts Educators "Write It" playwriting competition for elementary students. She won a cash prize, her play will be published, and UNC-Greensboro acting students will perform her play in February.

APPROVAL OF THE MEETING AGENDA

Chairman Hill stated that Action Item #24, Math Placement Policy will be a first reading instead of a second reading. Consent Item #19, Harvard Strategic Data Project MOU, Statement of Work and Data Use Agreement had a revision to the précis and was added to the Board table. Chairman Hill added an Action Item to re-instate Board Standing Committees.

John Tedesco requested to add discussion regarding the allotment of time for citizens to speak during Public Comment.

Deborah Prickett requested to move Consent Item #12, Amendment to Contract for Legal Services to the Action Agenda.

Keith Sutton made a motion to approve the amended agenda, seconded by John Tedesco. The motion was unanimously approved.

PUBLIC COMMENT – 6 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. 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.

- **Barbara Walters** - Ms. Walters thanked the school administrators and the Board for working toward clear and objective placement criteria for middle school math courses. Ms. Walters shared her concerns with the highest track relating to the reliability, relevance, and equity of the entry criteria, as well as the single point of entry from sixth grade.
- **Marvin Pittman** – Mr. Pittman requested that the Board review the math placement policy carefully before passing it. Mr. Pittman shared his concerns of students being locked into

certain tracks. Mr. Pittman urged the Board to review the sequencing of math placement in the policy and ensure that children are not being excluded.

- **Janet Johnson** – Ms. Johnson shared her concerns with the math placement policy, especially the Common Core, compacted, top-most track. Ms. Johnson stated that the placement criteria for the tracks are not based on research. The relevance of the CogAT and ITBS scores to predict success in this track has not been demonstrated. Ms. Johnson also shared her concerns regarding the statement in policy which refers to students with IEPs. Ms. Johnson also shared her concern with the policy eliminating teacher judgment for recommending students to be placed higher than their EVAAS prediction. Ms. Johnson requested that the Board use fair and relevant criteria based on research and allow teachers to use their judgment to move students up, but not to block students.
- **Sam Sarkar** – Mr. Sarkar shared that children in private/charter schools should enjoy the same proximity priority as children who attend WCPSS. Mr. Sarkar shared that even though WCPSS has insisted that seats will become available to newcomers through the choice process, it will be unlikely for highly sought after, over-enrolled schools. Mr. Sarkar further stated, that by forcing charter students to enter a lottery for high school placement, WCPSS is essentially creating a system where there are “haves and have nots”. Mr. Sarkar stated that it is inherently unfair to force some students to roll the dice while others are guaranteed placement. Mr. Sarkar requested that the Board assigns Exploris students to the high school corresponding to the feeder middle school to which their current node is assigned.
- **Vickie Adamson** – Ms. Adamson asked the Board if they should have a full accounting of what has been spent and what is projected to be spent on the choice assignment plan before approving the consulting services agreement and software license between Alves Educational Consultants Group, Ltd. Ms. Adamson also questioned if the Board should understand what cuts are being projected for the 2012-13 school year before approving the agreement. Ms. Adamson requested that the Board table the agreement until March and requested that the school board members running for state-level office step aside, and allow the Board to appoint new members that are focused on students.
- **Lois Nixon** – Ms. Nixon shared that as parents and students are making their assignment choices, they are finding that the number of choices are about half of what they were before, and they are strictly limited by capacity at many schools. Ms. Nixon asked if it was honest to promise choice when most of the choices have almost no available spaces. Ms. Nixon stated that it would be honest to name the assignment plan, the stability plan due to the laudable goal to ensure that students attend only one elementary, one middle, and one high school. Ms. Nixon stated that it appears that guaranteeing a feeder pattern and certain schools to a five year old is a promise that cannot be kept. Ms. Nixon shared that the Board should be honest in stating that revisions will be needed, and that they will be made immediately.
- **Neil Reimann** – Mr. Reimann shared that he hopes the Board will adopt the math placement policy and urged the Board to make a motion under Policy 1323, to divide the proposal into parts and to defer consideration of the tracking program to a later time, so that important questions can be answered. Mr. Reimann asked several questions regarding the policy.
- **Nancy Caggia** – Ms. Caggia shared that she is excited about the new course standards being considered for math and wants the Board to make sure that the educational needs of all children are being met; that the guidelines will allow for some professional judgment to be considered.

- **Leslie Koscielniak** – Ms. Koscielniak shared her concerns and specific situations that she has learned about regarding the new assignment plan. Ms. Koscielniak shared that she has talked with several people who are completely surprised upon learning that grandfathering is not operational in the new assignment plan. The plan should automatically allow for siblings to get a seat at the school where the older student is. The plan should also incorporate a sunrise clause, allowing families who previously had a student graduate from a school, for the younger sibling to have a seat at the same school. Ms. Koscielniak shared that families need to have a better idea of where their child will be in school by mid-point of the previous school year. In making choice, the public does not know how to plan and has to wait to know if the choice made was received.
- **Jeff Cobb** – Mr. Cobb shared that he has been pre-assigned to Sanderson High School, but is in the walk zone of Millbrook High School. Mr. Cobb requested that the Board add a caveat, that if a student lives in the walk zone (1.5 mile radius) of a high school, that the high school be their pre-assigned school.
- **Sally Wooten** – Ms. Wooten shared that the student assignment plan discriminates against those who have chosen not to be in the public school system. Ms. Wooten shared that she is mad and disappointed. The plan affects many in Wake County in an adverse way. Ms. Wooten shared that for the sake of Wake County, she hopes the Board will be responsible leaders and re-evaluate the plan and the problems that it has, before staff goes further with implementation.

Board Members' Comments

Dr. Martin congratulated the students in the N.C. Central Region District Band. Over 50% of the District Band comprises Wake County Public School students. He shared that generally, students participating in band receive a 100 point boost on their SAT. Dr. Martin thanked the parents at Athens Drive for developing a revision to the master plan at Lake Johnson and leading the Raleigh Parks and Recreation Board and Raleigh City Council through it. Dr. Martin encouraged the Board to look for funding for the work on the stadium to take place in the next bond. Dr. Martin also shared that he visited Swift Creek Elementary School and met with teachers.

Dr. Martin shared that he shares many of the concerns of the student assignment plan that were shared during Public Comments and that he has concerns with waiting for data before any decisions are made. He recommended that for the February 21st work session, the Board work with staff to establish a control process for next year's assignment to ensure that the demographic makeup of schools does not drastically change from where it is currently.

Ms. Goldman thanked Southeast Raleigh High School's 18 Karat for sharing their talents. Ms. Goldman shared that she attended the announcement at Apex High School with Lenovo for the new program where students will be designing mobile apps. Ms. Goldman shared that she participated in the Cary High School Winter Commencement, where she handed out diplomas to 35 outstanding students. She also attended the Penny Road Elementary School Winter Concert. Ms. Goldman stated that Cary High School's Winter Guard is preparing for their first competitions during the weekend of February 10th at West Johnson High School.

Mr. Tedesco congratulated Drew Cook, Principal of Garner High School for being named North Central Region Principal of the Year. Mr. Tedesco commended the Garner Community for their support of Cook the Books; the Garner Foundation raised approximately \$20,000 from the event

that will support local Garner schools. Mr. Tedesco thanked leaders in the Garner community who've worked with community leaders on addressing facility needs.

Mrs. Prickett wished Superintendent Tata a happy anniversary and thanked him for his leadership. Mrs. Prickett shared that the District 7 Board Advisory Council met on January 30th and had great things to say about the schools in that district. Ms. Prickett thanked the Superintendent for working with the community, with her, the principals, and staff for helping the under-enrolled schools in District 7; the impact has been great, especially with Hilburn Academy, Jeffreys Grove Elementary, and York Elementary. Mrs. Prickett shared that Superintendent Tata brought about the idea of a ninth grade center in the area around Panther Creek High School, which may get started in the 2012-13 school year.

Mrs. Prickett congratulated Ann Majestic, Board Attorney, for receiving the Lifetime Achievement Award from the National School Boards Association Counsel of School Attorneys. Mrs. Prickett shared that a group of math teachers from East Millbrook Middle School came to the Department of Public Instruction on January 12th to assist with developing formative assessment lesson plans using the NC Falcon System. Mrs. Prickett shared that the teachers will use their plans in their math classes during the current school year. The plans will include learning targets, criteria for success, and strategies to collect and document evidence of student learning. The teachers also spent time developing activities and interactive Smart Board exercises that will align with the lessons.

Mrs. Evans shared that she also attended the announcement at Apex High School where Lenovo awarded their academy of information technology to Apex High School which gives them a mobile app curriculum for a 12-week program. She attended a luncheon sponsored by the Apex Chamber of Commerce for the Apex area teachers who have been nominated for Teacher of the Year. Last week, Mrs. Evans stated that she participated in a tour at Combs Elementary School regarding the Y Learning Program. Mrs. Evans shared that she attended the Wake Up Wake County Annual Meeting on Monday, January 30th, where Mitchell Silver, a Raleigh City Planner, and President of the American Association of Planners spoke regarding demographic predictions for Wake County and the nation over the next coming decades.

Mrs. Evans shared that she has felt frustrated in the last eight weeks; that her intentions have not always been well understood or publicized correctly in the media. It is her intention to monitor the data very closely with the first round of choice selections. Mrs. Evans acknowledged the feedback she has heard regarding feeder patterns and completely understands the problems that the feeder patterns are presenting for some families. She assured the families that she is taking the concerns seriously and that the Board will try to make a determination of how to handle.

Mrs. Kushner shared that she attended the Durham Public Schools' Holton Career and Resource Center outing where models for alternative educational programs and support services were shared from both Durham and Orange counties. Mrs. Kushner shared that she attended the celebration of the Booster Program at Mt. Vernon School. She also shared comments regarding the student assignment plan and stated that for the plan to be sustainable, the Board will have to look at the data, work with staff, and that the Board will go forward to improve the plan and be responsive to the community.

CONSENT ITEMS

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

APPROVAL OF MEETING MINUTES

- 6. December 6, 2011 - Board of Education Meeting Minutes
- December 20, 2011 - Board of Education Meeting Minutes
- January 10, 2012 - Board of Education Meeting Minutes

FINANCE

7. 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 2011. Fiscal Implications: Not Applicable. Savings: Not Applicable. Recommendation for Action: Not Applicable.

8. GIFTS TO THE SYSTEM

Two hundred and fifty nine gifts have been donated to the Wake County Public School System. The approximate value of the gifts is \$73,341. Fiscal Implications: Not Applicable. Savings: Not Applicable. Recommendation for Action: No Action is Required.

9. BUDGET AMENDMENTS AND TRANSFERS, 2011-2012

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

Adjust State Public School Fund	+	\$	11,997,814
Adjust Local Current Expense Fund	+	\$	65,882
Adjust Federal Grants Fund - State	-	\$	2,276,678
Adjust Capital Outlay Fund	+	\$	3,347,800
Adjust Multiple Enterprise Fund	+	\$	0
Adjust Direct Grants Fund	+	\$	15,014
Adjust Specific Revenue Fund	+	\$	0

Net Changes + \$ 13,149,832

Savings: Not Applicable. Recommendation for Action: No action. In accordance with Budget Resolution, administration is reporting changes in appropriations.

10. POTENTIAL CHANGES IN LOCAL EXPENDITURES 2011-2012

To report potential changes in local expenditures for 2011-2012 as of December 31. Fiscal Implications: Potential adjustments within the local budget. Finance reports transactions transferring budget between accounts to the Board of Education with all Budget Amendments and Transfers monthly. Savings: Not Applicable. Recommendation for Action: No action. Administration is reporting potential changes in local expenditures.

FACILITIES

11. ACCEPTANCE OF DONATION FROM TOWN OF WAKE FOREST AND TERMINATION OF JOINT USE

The Town of Wake Forest has requested termination of the existing Joint Use Agreement

regarding use of Wake Forest-Rolesville High School baseball field and related facilities and the Town's release from further related responsibilities. The Board and Town entered into a ten-year joint use agreement on August 19, 2003. The Town is responsible for the utilities costs related thereto. Per the agreement, the Town is responsible for maintaining the field lights to WCPSS standards, and upon six months notice, after giving the Board the option to purchase the lights, the Town has the option to remove the lights. The Town has offered to donate the poles and lights to the Board, which the Town has estimated at a \$5,000 value. Staff has requested that the Town first re-lamp and properly aim and adjust the lights, to which the Town has agreed as a condition of termination. The Town also requested that WCPSS Community Schools waive the usual fee for the Town's 2012 use of the Wake-Forest-Rolesville High School stadium during their July 4th celebration, typically held on July 3rd of each year, as an additional consideration for the donation of the field lights. However, staff has advised Town staff that this request should be addressed separately from the joint use agreement. Fiscal Implications: Maintenance of the baseball field and related areas, and related utilities costs that are currently the Town's responsibility pursuant to the joint use agreement become the Board's responsibility, 18 months earlier than anticipated, for the balance of the 10-year term until August 18, 2013. Savings: None. Recommendation for Action: Staff recommends that the Board agree to terminate the JUA, contingent upon the Town re-lamping and re-aiming the field lights. Staff also recommends that the Town's request for use of the stadium be addressed separately.

13. CHANGE ORDER NO. CM-20: MILLS PARK MIDDLE

Board approval is requested for Change Order No. CM-20 to D. H. Griffin Construction Company, LLC, for their Construction Management at Risk contract for Mills Park Middle School. This change order, a reduction in the amount of \$548,522.80, provides final reconciliation of the remaining contractual amount and will complete this contract. The final Guaranteed Maximum Price for this contract is \$38,389,844. The CMAR contract allows for unused construction manager contingency funds to be credited to the construction manager as follows: 40% for meeting substantial completion; 20% for meeting final completion; and 40% for meeting specific performance measures. This construction manager met substantial completion, final completion, and scored 89% of the performance measures. The attachments show how the construction manager contingency was calculated, the process for evaluation of their performance, and other key criteria about this contract. Fiscal Implications: The project budget is \$45,963,943, of which \$43,882,518 is from CIP 2006, \$481,053 from CIP 2006 Offsite Improvements, \$407,848 from the Town of Cary for road improvements, and \$1,192,524 from the Town of Cary Parks Department for field improvements. Savings: Not applicable. Recommendation for Action: Board approval is requested.

14. BIDS: GREEN HOPE HIGH ROOF REPLACEMENT

Bids for the roof replacement of Green Hope High School were received on January 12, 2012. Staff and REI Engineers, recommend award of the single-prime contract to Owens Roofing, Inc., in the amount of \$1,113,206. The existing (1999) single-ply membrane roof is at the end of its useful life and is currently leaking. Therefore, it is being replaced with a new 20-year warranty, modified bit men membrane roof system. Fiscal Implications: Funding is available from the total project budget of \$74,813,687 for CIP 2006 Life-Cycle Replacement of Building Components. Savings: Not Applicable. Recommendation for Action: Board approval is requested.

15. DESIGN CONSULTANT SELECTION AND AGREEMENT: WEST APEX HIGH (H- 10)

In accordance with the plan approved at the September 20, 2011 Board meeting, projects are being planned with the available savings in CIP 2006. One of the projects is a new high school, West Apex High. Pursuant to the professional services selection procedures (Policy 7265) and the waiver of that policy approved by the Board on November 1, 2011, staff recommends the selection of Little Diversified Architectural Consulting for design of West Apex High School. Negotiations have been completed with Little Diversified Architectural Consulting for the design of this project. The form of agreement is the standard form approved by the Board attorney. Fiscal Implications: The proposed project budget for the project is \$63,999,032, which includes an assumed offsite improvement budget of \$3,000,000, although the scope for offsite work has not been established yet. The proposed project budget includes compensation for the design consultant of \$2,500,000.

The consultant is only authorized to provide services through the permitting and bidding phase, in the amount of \$1,625,000. A future reallocation from Reserve will be needed to fully fund this contract and to fund construction. Savings: Not applicable. Recommendation for Action: Board approval is requested.

16. CONSTRUCTION MANAGER AT RISK SELECTION AND AGREEMENT: WEST APEX HIGH (H-10)

In accordance with the plan approved at the September 20, 2011 Board meeting, projects are being planned with the available savings in CIP 2006. One of the projects is a new high school, West Apex High. Pursuant to the professional services selection procedures (Policy 7265) and the waiver of that policy approved by the Board on October 4, 2011, D.H. Griffin Construction Company, LLC, and Metcon, Inc., a joint venture, is recommended for construction of the West Apex High project.

Negotiations have been completed with D.H. Griffin Construction Company, LLC, and Metcon, Inc., a joint venture, for the construction manager's pre-construction services. The form of agreement for Construction Management at Risk has been previously reviewed and approved by the Board and modified to reflect the amounts bid for the lump sum general conditions, construction fee percentage, and bonds/insurance percentage. Fiscal Implications: The proposed total project budget is \$63,999,032, which includes an assumed offsite improvement budget of \$3,000,000, although the scope for offsite work has not been established yet. The total project budget includes pre-construction compensation for the CM of \$360,000; however, since the CM is only authorized to provide services through the construction documents phase, this agreement is for \$281,800. A future reallocation from Reserve will be needed at the completion of design to fully fund this contract and to fund construction. Savings: Approximately \$1,600,000. Recommendation for Action: Board approval is requested.

17. RESOLUTION: CIP 2006 APPROPRIATION AND REALLOCATION REQUEST

In accordance with the spending plan approved at the September 20, 2011 Board meeting, current projects require funding and new projects were planned with the remaining funds in CIP 2006. This resolution requests that \$20,089,256 be appropriated and \$10,055,862 be reallocated to implement this plan. Funding is needed for the 2012 opening of the early start schools for Richland Creek (Dubois site) and Abbotts Creek (Spring Forest site), the Young Men's and Women's Leadership Academies, and Hilburn Drive Academy. In addition, the projects include

annual needs for Life Cycle Replacements, Facility Assessment, and Program Management. There are also additional Building Permit needs. The details of this resolution are shown on the attachment. Fiscal Implications: The spending plan approved by the Board on September 20, 2011 is being implemented. There is a separate précis at this Board meeting that modifies the spending plan. This request is consistent with that précis. Funds are available to support this request as a result of the Board of Commissioners' sale of the remaining bonds in CIP 2006. Savings: Not applicable. Recommendation for Action: Board approval is requested.

SCHOOL PERFORMANCE

18. GRANT PROPOSALS

- Competitive (#15112): Red Hat, Corporate Giving Program / Central Services.
- Competitive (#15212): NC Department of Public Instruction, Cooperative Innovative High School Programs / Central Services.
- Competitive (#15312): NC Technology in Education Society (NCTIES), NCTIES Grant Programs/ Individual Schools.
- Collaborative (#15412): NC Department of Crime Control and Public Safety, Governor's Crime Commission, Juvenile Justice Planning Grants / Individual Schools.
- Competitive (#15512): National Environmental Education Foundation (NEEF), Planet Connect Student Grants / Individual Schools.
- Collaborative (#15612): Mathematics Teacher Education Partnership (MTE-Partnership), MET-Partnership Grant Program / Central Services.
- Collaborative (#15712): Federal Transit Administration (FTA), Job Access and Reverse Commute (JARC) Grant Program / Central Services.
- Collaborative (#15812): US Department of Agriculture, National Institute of Food and Agriculture, NC State University, Children, Youth and Families at Risk (CYFAR) Sustainable Community Projects / Central Services.
- Competitive (#15912): Lois Lenski Covey Foundation, Children's Books Grant / Individual Schools.
- Competitive (#16012): Fuquay-Varina Junior Woman's Club, Mini-Grant Program / Individual Schools.
- Competitive (#16112): Apex Chamber of Commerce, Peak Fest Mini-Grant Program / Individual Schools.
- Competitive (#16212): Special Olympics North Carolina, Project UNIFY Program / Individual Schools.
- Competitive (#16312): Merck Company, Merck Foundation Grants / Central Services.
- Competitive (#16412): The Wallace Foundation, Foundation Grant Program / Central Services.
- Competitive (#16512): Target Stores, Early Childhood Reading Grants Program / Individual Schools.
- Competitive (#16612): Target Stores, Arts & Culture in School Grants Program / Individual Schools.
- Competitive (#16712): NC Music Educators Association (NCMEA), Mini-Grant Awards / Individual Schools.
- Competitive (#16812): McCarthy Dressman Education Foundation, Academic Enrichment Grants and Teacher Development Grants / Individual Schools.

- Competitive (#16912): Curriculum Associates, \$250,000 Matching Grant Program / 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: Board approval is requested.

TRANSFORMATION

19. HARVARD STRATEGIC DATA PROJECT MOU, STATEMENT OF WORK AND DATA USE AGREEMENT

The MOU, Statement of Work and Data Use Agreement (DUA) set forth terms for the work to be conducted as part of the “Strategic Data Project” at Harvard’s Graduate School of Education and SDP Data Fellows program, along with the Center for Education Policy Research’s (CEPR) and WCPSS’s related responsibilities. The Statement of Work also describes the related SDP Agency Fellows program, along with CEPR’s and WCPSS’s related responsibilities. The DUA sets forth the requirements for the sharing of information and data contemplated in the project. Fiscal Implications: \$212,400/year for the salaries and benefits for two Harvard Data Fellows from February 13, 2012-December 31, 2013. Savings: N/A. Recommendation for Action: Board approval is requested.

HUMAN RESOURCES

20. RECOMMENDATION FOR EMPLOYMENT

1. Professional
2. Support
3. Contract Central Services Administrator(s)

BOARD

21. 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.

The Board took at brief recess at 6:57 p.m. The Board returned to Open Session.

CLOSED SESSION

John Tedesco made a motion to go into Closed Session at 7:08 p.m. to consider confidential personnel information protected under G.S. 143-318.11 (a) (6) and 115C-319, to 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)(3), 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), 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) to consider a worker’s compensation claim, IC Number X16997, and to consider confidential student information protected under G.S. 115C-402 and the Family Educational and Privacy Rights Act, 20 U.S.C. 1232g. The motion was seconded by Debra Goldman. The motion was unanimously approved.

The Board returned to Open Session at 9:09 p.m. Chairman Hill made the following statement, *“Earlier the Board did come back out and made a motion to go into Closed Session. It was very loud in here, so I apologize that you did not hear that.”*

ACTION ITEMS CONT'D

HUMAN RESOURCES

31. RECOMMENDATION FOR ADMINISTRATIVE APPOINTMENT(S)

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

- (1): Teresa Abron, Retiree to Interim Principal at Fox Road Elementary School effective 3/1/12 – 3/31/12.
- (2): Thomas Dixon, Retiree to Interim Principal at Leesville Road High School effective 3/1/12 4/30/12 .
- (3): Edward Gainor, Retiree to Interim Principal at Millbrook Elementary School effective 3/5/12 – 4/30/12.
- (4): Carl Patrick Grant, Assistant Principal at Brassfield Elementary School to Principal at Forest Pines Elementary School effective 3/1/12.
- (5): Charles Langley, Retiree to Interim Principal at West Lake Elementary School effective 3/1/12 – 4/30/12.
- (6): Craig T. Matthews, Retiree to Interim Principal at Holly Ridge Elementary School effective 3/1/12 -3/31/12.
- (7): Gerald Pickett, Retiree to Interim Principal at Conn Elementary School effective 3/1/12 – 4/30/12.
- (8): George Risinger, Retiree to Interim Principal at North Forest Pines Elementary School effective 3/1/12 – 3/31/12.
- (9): Danielle Clark, Teacher at Holly Ridge Elementary School to Assistant Principal at Fuquay Varina Elementary School effective 2/27/12 – 6/30/12.
- (10): Julie Cutler, Instructional Resource Teacher at Laurel Park Elementary School to Assistant Principal at Davis Drive Elementary School effective 2/13/12 – 6/30/12.
- (11): Richard Pruette, Teacher at Garner High School to Assistant Principal at East Cary Middle School effective 2/27/12 – 6/30/12.

The motion to approve Administrative Appointments and Administrative Transfers was seconded by Debra Goldman. The motion was unanimously approved.

32. OFFER TO PURCHASE AND CONTRACT – GARNER AREA 9TH GRADE CENTER

Staff requests a closed session agenda item to establish or instruct the Board’s staff or negotiating agents concerning the position to be taken by or on behalf of the Board in negotiation of (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, pursuant to N.C.G.S. 143 318.11 (a)(5). Staff has identified and preliminarily analyzed for the Board’s consideration a location for a 9th Grade Center to support Garner High. The subject property is a tract 2600 Timber Drive, Garner, NC and having Wake County PIN 1701-84-3600, and REID #0229550. Terms and conditions of an Offer to Purchase and Contract have been reached with Regency Centers, L.P., a Delaware limited partnership, to acquire approximately 11.33 acres, more or less, together with all improvements located thereon. Fiscal Implications: Estimated land cost is One Million Seven Hundred Fifty Thousand and no/100 dollars (\$1,750,000) Dollars. Funding

would come from the Land Acquisition Component of Plan 2006 Funds. Savings: N/A.
Recommendation for Action: Board approval is requested.

John Tedesco made a motion to approve the Facilities recommendation to purchase a facility for the Garner 9th Grade Center at 2600 Timber Drive. The motion was seconded by Jim Martin. The motion was unanimously approved.

33. LEASE AGREEMENT- NORTHWEST CARY AREA PANTHER CREEK 9TH GRADE CENTER

Staff requests a closed session agenda item to establish or instruct the Board's staff or negotiating agents concerning the position to be taken by or on behalf of the Board in negotiation of (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, pursuant to N.C.G.S. 143 318.11 (a)(5). Staff has identified and preliminarily analyzed for the Board's consideration a location for a 9th grade center to support Panther Creek High. The subject property is a tract having an address of 3700 Pleasant Grove Church Road, Cary, NC and a PIN # of 0757-39 9007. Terms and conditions of a lease proposal have been reached with Pleasant Grove Development Partners, LLC to lease the site and building thereon, which building contains approximately 77,574 rentable square feet, for a six year term commencing on July 1, 2012, which two options to extend for additional five year terms if needed. Fiscal Implications: The base rental rate is \$12.38 per square foot with 3% annual escalations over a six year term, commencing July 1, 2012. Funding would come from Plan 2006 funds. Savings: N/A. Recommendation for Action: Board approval is requested, subject to review and approval of the lease form by Board real estate counsel.

Deborah Prickett made a motion to approve the Facilities recommendation to lease a facility for the Panther Creek 9th Grade Center located at 3700 Pleasant Grove Church Road. The motion was seconded by Debra Goldman. The Board voted 8 to 1, with Jim Martin casting the dissenting vote. The motion was approved.

Chairman Hill shared that in Closed Session, the Board voted to extend the Superintendent's contract for six months to align it with his evaluation cycle. John Tedesco made a motion to approve extending the Superintendent's contract by six months. The motion was seconded by Chris Malone. The motion was unanimously approved.

PUBLIC COMMENT – CONTINUED

- **Sally Robertson** –Miss Robertson asked the school board to consider the unfair situation that the assignment plan has created and to assign Exploris Middle School students and all other charter school students to their feeder high school for the coming school year according to their node.
- **Maria Reier** – Ms. Reier shared numbers with the Board from the choice system for middle schools in Cary. Ms. Reier stated that she represents Carpenter Elementary School families who have asked for a closer feeder middle school. The plan feeds Carpenter Elementary into East Cary rather than one of the 6 more proximate schools. Ms. Reier stated that Davis Drive Middle has 61 seats open and 185 students on the waiting list. Mills Park Middle has 118 seats open and 109 students on the waiting list. West Cary Middle has 0 seats open and 33 students waiting. East Cary Middle has 91 seats open and 15 students waiting. Ms. Reier

stated that Davis Drive Middle is over chosen. Families at both Carpenter and Mills Park prefer a proximate neighborhood school over a year-round school far from their homes. Ms. Reier stated that East Cary Middle School is under chosen and parents have suggested that the problem is a combination of calendar, location, and a start time that is too early. Ms. Reier requested that the Board consider changing the Mills Park Middle School calendar back to year-round, as it was intended, so that it can hold 312 more students and would also provide for calendar continuity for the three other year-round elementary schools that currently feed into East Cary.

- **Anne Bennett** - Ellie Buckner read Miss Bennett's comments. Ms. Buckner shared that Miss Bennett is a local 8th grader who attends Exploris Middle School. Miss Bennett stated that she feels that the feeder patterns are not working; some schools are dangerously overcrowded while others are empty. Miss Bennett does not feel that many students will choose to leave their feeder school. The plan singles out charter students as newcomers. Charter school students want the same opportunities that are given to students enrolled in a Wake County Public school. The choice plan was created so that all of Wake County's students could have a choice.
- **Ellie Buckner** – Miss Buckner shared that the new choice plan locks her out of a public high school that every other rising ninth grader in her neighborhood would attend. The only option she had that would guarantee her a seat at the high school with neighbors was to leave Exploris in the middle of her 8th grade year and switch back to her base school. Miss Buckner shared that she does not feel that a student should have to make a mid-year transition as she has had to experience. All students entering or re-entering the WCPSS should not be denied a chance for sixth or ninth grade seats at the school of their choice because they have not been in the school system as long as others. The feeder patterns that have been established currently deny charter, magnet, and new students their choice. Miss Buckner requested that the Board consider how the plan will affect all students and make the necessary changes to give each student a real chance to start at the school of their choice.
- **Clara Booker** – Lucas Meeks read Clara Booker's comments. Mr. Meeks shared that Ms. Booker attends a charter school in Wake County and applied to her first choice high school, Broughton, which is her proximity school. Ms. Booker asked that the Board honor the 1.5 mile proximity rule so that she can walk to Broughton instead of having to ride a bus eight miles to Sanderson. In being a charter school student, she did not receive a feeder assignment in November. Miss Booker asked the Board to consider all students in the new plan.
- **Lucas Meeks** – Mr. Meeks shared that assigning students to base schools while allowing other students to apply to attend the same school can create extreme overcrowding as the base continues to increase throughout the school year. Mr. Meeks stated that students should only be grandfathered through the current school assignment; they should not be guaranteed a spot at a high school because they chose to attend a certain middle school before the plan was conceived. The new assignment plan in no way follows the guidelines that were laid out, it is contradictory, in that it assigns feeder schools to fill up certain high schools.
- **Trey Cornish** – Mr. Cornish shared that he is currently enrolled at the Wake NCSU Stem Early College; and unable to play sports. Mr. Cornish shared that the two new Leadership Academies actually state that they are being modeled after the Wake NCSU Stem Early College and that students will be able to play sports at Broughton; which is Mr. Cornish's base school; however Wake NCSU Stem School is not able to. Mr. Cornish stated that he

played football at Broughton; attended pre-season workouts and the camps, and played the first seven out of ten games until the coach made him aware that he was not able to play anymore. Mr. Cornish shared that this policy caused him not to play football, and possibly miss the entire wrestling season. Mr. Cornish requested that the Board follow policy and allow him to be eligible to play sports at his base school.

- **Lisa Ralls** – Ms. Ralls shared that the Board faces an immense challenge to balance the community's growth and performance issues. The community is doing its best in supporting the board with the new assignment plan, but it is also concerned about its aftermath. As the President-Elect of Daniels Middle School, she can say that in a perfect world Daniels would love to take everyone who wants to come. However, they are worried about their staff and administration and their ability to do even more with even less than they already do. Ms. Ralls shared that some of the capacity numbers need to be re-worked; Ms. Ralls requested the Board to look at Daniels in that process. Ms. Ralls provided examples of families that are caught in the wake of the assignment plan and cannot achieve the plan's goals of choice, proximity, or stability, and can't secure a seat at Daniels.
- **Patty Hager** – Ms. Hager suggested that the Board consider a more proximate middle school for West Cary residents; Mills Park Middle. Ms. Hager shared that as the Board thinks through the process for Carpenter Elementary parents, a logical choice is to look at Mills Park Middle as an option. There is still node inconsistency; node 391.5 has Mills Park Middle as a selection, however, node 391.1 does not. Ms. Hager requested that the Board consider a West Cary option for the families of Carpenter Elementary.
- **Louis Wooten** – Mr. Wooten shared that children in both private and charter schools are being treated as newcomers to Wake County in the new assignment plan. His children had planned to attend Daniels for middle school which is proximate to their home. His family is now finding out that attending Daniels is not likely for his rising sixth grade children. The school system has recognized in its policies that keeping neighborhoods together is a good thing that improves parental involvement and extra-curricular activity involvement. Mr. Wooten perceives that the new plan is not doing that. Students who attend private or charter schools entering sixth grade are not able to enjoy priority as the seats are being taken by feeder pattern students. The only way to fix this issue is to place everyone on proximity choice with no feeder patterns.
- **Patty Williams** - Ms. Williams shared that she is concerned with the inaccurate data that was used to justify the leadership academies. She is also concerned for the parents who have applied for their children to attend the single sex academies, where the academies will be located, what the curriculum will look like, how much additional funding will be required for ROTC and other programs.
- **Lee Hogewood** – Mr. Hogewood shared that the current assignment that the Board has adopted is a system that discriminates primarily upon the basis of the newcomer vs. those who have been in the system. Mr. Hogewood shared that his choices are Martin, Daniels, and Durant Middle school; Durant is neither proximate nor a choice as it is year-round and his family prefers not to be in a year-round situation. Mr. Hogewood urged the Board to think about a system that connects addresses to a primary school and pushes people through a proximity system or an open selection process at transition periods of sixth and ninth grades.
- **Sarah Preston** – Ms. Preston from the American Civil Liberties Union of North Carolina shared concerns regarding the single sex academies. ACLU affiliates across the country have seen that single sex education is based upon unproven and widely discredited theories that

boys and girls learn and develop differently and that they need to be taught separately and differently. Ms. Preston stated that separation of students on the basis of sex raises significant legal concerns and may violate the constitutional guarantee of equal protection. Ms. Preston urged the Board to focus on factors that have been proven to improve student achievement.

- **Stephany Enders** – Ms. Enders requested that the Board add an additional action meeting to the monthly Board of Education schedule, as there are monumental decisions to make regarding the budget and implementing a new assignment model. Ms. Enders implored the Board to give themselves the time needed to carefully examine the budget by scheduling additional action meetings between now and when the budget is presented to the County Commissioners. By adding an additional action meeting per month, the Board provides the public more opportunity for public comment.
- **Karen Strickland** – Ms. Strickland shared that the new plan imposed a feeder pattern for Joyner that split students sending them on different feeder patterns; base students to Daniels and magnet students to East Millbrook. Ms. Strickland shared that her son is being blocked from his base middle school of Daniels and isolated from his community. Her family has been removed and blocked from their neighborhood school because the feeder patterns have already filled the school over capacity. Based on the new plan, there is no real choice in attending Daniels. Ms. Strickland questioned if consideration and exceptions can be made for unintended consequences.
- **Lettice Rhodes** – Ms. Rhodes shared that she feared that the school system's simulation of free and reduced lunch distribution is based on circular logic and that projections of FRL students in the future are artificially low. Ms. Rhodes shared that to project an unchanging percentage of high poverty schools in the face of rising poverty nationally, is naïve, deceptive, and irresponsible. Ms. Rhodes further stated that as poverty rises, the school system's FRL will rise as well. Projections must be based on facts, rather than convenience so that responsible and educated decisions can be made, using academic achievement as a true pillar of the plan. Accurate FRL numbers must be considered to mitigate the impact of poverty on schools and on students.
- **Amy Lee** – Ms. Lee shared that she looks forward to hearing solutions to a growing list of concerns regarding the assignment plan. The only element in place to avoid re-segregation appears to be the magnet schools; they cannot bear the brunt of balancing the entire county. Ms. Lee stated that the magnet proximity seat allocations appear to be headed out of balance for some schools. Feeder students are overfilling sixth and ninth grade classes at some schools, making it impossible for siblings or proximity students to get into those schools. Ms. Lee stated further that there has been a lack of response from the magnet proximity students and rising kindergarten students who are not registered. Feeder patterns are stranding some students without transportation. Lack of capacity will make it difficult for students from low performing areas to attend a high performing school. Ms. Lee shared that there are no stated student achievement goals in the assignment plan. Maintaining balanced schools helps to recruit and retain good teachers. The feeder patterns appear to be spreading the academically gifted students around the middle schools, making it impossible to provide AG services with the shrinking budget. Ms. Lee shared that the assignment plan does not state clearly that the king of all priorities at the middle and high school level are feeder pattern students. There are many schools that will not be able to accommodate siblings, proximity students, or low achieving students because they are over capacity with feeder students.

- **Dr. Earl Johnson** – Dr. Johnson requested that the Board get together with the District Attorney’s Office and reverse the decision to have trials for the thirty protestors. As early as February 7th, some of the protestors had received letters with their hearing date, which can be reversed as well. On behalf of clergy groups in Raleigh, Dr. Johnson shared that the decision to seek trials for the protestors is unjust and unfair and can be perceived as an act of revenge on the protestors who were exercising their constitutional rights to protest what they viewed as unfair treatment. Dr. Johnson pleaded with the Board to consider mediation on a one-on-one basis and that seeking trials is strict justice.
- **Jay Cornish** – Mr. Cornish shared that he is the volunteer Varsity Wrestling Coach at Broughton High School. Mr. Cornish shared that as a parent and coach, he teaches toughness, perseverance, and determination, but the most important lesson he teaches is following the rules and playing fair. Mr. Cornish shared that the county is not following its own policy regarding his son’s eligibility. Mr. Cornish shared that he has followed policy 6520 specifically in requesting a hearing to fix the situation. Mr. Cornish shared that his grievance has always been that the school system violated policy 6860, as there is no stated policy where a student who is eligible and playing athletics can be made ineligible without violating some policy. Mr. Cornish shared that his son trained during the summer, played football until October and was on the Broughton Wrestling roster until last month. He continues to meet each eligibility requirement, but is not allowed to play. Mr. Cornish shared that he received the final decision from Bobby Guthrie, Senior Athletic Administrator, and both policies 6203.8 and 6520 stating that his decision can be appealed to the Board; Mr. Cornish did that. Mr. Cornish shared that his son should have his hearing because no rule exists saying that “you can’t play.” In fact, the policy says that he can play and should be eligible for regionals next month. Mr. Cornish shared that the rules state that students at early college programs can participate in athletics, except that the academy students can and STEM students cannot. Mr. Cornish shared that not playing by the rules is cheating and Wake County should play fair.
- **Karin Evanoff** – Ms. Evanoff shared that on January 17th, the Raleigh City Council voted unanimously to allow the improvements to the Athens Drive stadium and the surrounding area. Ms. Evanoff is now requesting funding for the stadium upgrades to begin. Ms. Evanoff provided signatures of 1,500 individuals that have requested that the Board fund the improvements at Athens Drive High School.
- **Alan Keith** – Mr. Keith reiterated Ms. Evanoff’s request and concerns and requested that the Athens Drive High School stadium facilities be considered prior to any new athletic facilities.

ACTION ITEMS

22. OFFER TO PURCHASE AND CONTRACT FOR SALE OF APPROXIMATELY 10.01 ACRES OF SURPLUS PROPERTY: CENTRAL SERVICES BUILDING (2302 NOBLE ROAD)

The Board of Education owns 10.01 acres of land and 24,353 square feet of office, bus repair, and warehouse space, known as Wake County Public School System Noble Road Central Services located at 2302 Noble Road, Raleigh, NC. The Board of Education declared it as surplus and ordered its sale on November 9, 2010. At its December 6, 2010 meeting, the Wake County Board of Commissioners declined to purchase the property at fair market value. Terms and conditions of an Offer to Purchase and Contract have been received requesting the sale of the 10.01 acres to Grubb Ventures, LLC, a North Carolina limited liability company, at a

purchase price of Two Million Six Hundred Ten Thousand and No/100 (\$2,610,000.00) Dollars. The property is further identified as being a portion of the tract having Wake County PIN #1705-91-2122 and Wake County Tax Account # 0102475. 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: Estimated gross income to the Board of Education “to reduce the County’s bonded indebtedness for schools or for future land acquisitions for schools” is \$2,610,000.00. Net income from the sale is anticipated to partially replenish the funds from the capital budget that were set aside by Wake County to secure a portion of future lease costs of the Crossroads Administrative Building Lease. Savings: Not applicable. Recommendation for Action: Board consideration and direction to staff, subject to and conditioned upon completion of the advertisement and upset bid process as described in N.C.G.S. 115C-518 and N.C.G.S. 160A-269.

Ms. Parker shared that the Board has competing offers. Ms. Parker shared that if the Board is willing to accept the offer as appropriately priced, staff’s next step is to advertise to solicit upset bids. A ten-day period is required to provide the public an offer to upset bid, and a minimum raise up bid of 5% plus one hundred dollars. Ms. Parker stated, that given the current condition of today’s market, the offer is within 5% of fair market value. The offer comes from Grubb Ventures, which is a local development group that has developed the Fallon Oaks neighborhood across the street from the property.

After several comments from the Board, Keith Sutton made a motion to approve, seconded by Jim Martin. The Board voted 8 to 1, with John Tedesco casting the dissenting vote.

23. MODIFICATION OF SCHOOL FACILITIES PLAN FOR USE OF CIP 2006 SAVINGS

Staff will present modifications to the approved September 20, 2011 plan regarding the need to establish new schools and academies, to provide temporary crowding solutions, and other needs, using savings in CIP 2006. Fiscal Implications: Savings in the amount of \$99.4 million have been identified in CIP 2006. In addition, \$32.2 million will be reallocated from other CIP 2006 line items to make a total of \$131.6 million available to establish new schools and academies, to provide temporary crowding solutions, and other needs. Savings: Savings in the amount of \$99.4 million have been identified in CIP 2006. Recommendation for Action: Board approval is requested.

John Tedesco made a motion to approve staff’s recommendation on CIP 2006 Modifications. The motion was seconded by Keith Sutton. Jim Martin made an amendment to the motion that the \$500,000 residual be considered for the design of the Athens Drive stadium project. The amendment was seconded by Keith Sutton. The Board voted 5 to 4 with Christine Kushner, Susan P. Evans, Kevin L. Hill, Keith Sutton, and Jim martin voting “yes”, and Deborah Prickett, Chris Malone, John Tedesco, and Debra Goldman voting “no”. The amendment passed.

Keith Sutton then called for the question, which was seconded by Jim Martin. Chairman Hill reiterated that there was a motion on the floor to vote on the modifications of school facilities for Use of CIP 2006 with an amendment asking the Board to consider information in terms of using the remaining balance for design start-up at Athens Drive High School. The Board voted 8 to 1, with Debra Goldman casting the dissenting vote.

SCHOOL PERFORMANCE

24. MATH PLACEMENT POLICY

First Reading

Taking into consideration the rigor of the common core curriculum, our goals are:

- To create consistent sequences/course offerings for mathematical study, and
- To create criteria for placement into those sequences/courses that is fair, equitable, and applied consistently for all students.

Fiscal Implications: The draft policy requires the equitable distribution of resources to ensure student success. This could include dollars for tutoring, and/or other supplemental resources. This year we will allocate \$340,960 to schools for funding. Savings: N/A. Recommendation for Action: Board approval is requested.

Ruth Steidinger shared that two years ago there was conversation to create a policy to provide more equitable access to all students for rigor. Dr. Steidinger shared that staff's goals were to create consistent sequences/course offerings for mathematical study and to create criteria for placement into those sequences/courses that is fair, equitable, and applied consistently for all students.

Board members shared their comments and concerns with the criteria and components of the policy. Board members requested that the word "other" not be struck through and added back to A4 and that the IDEP be added to A5.

Jim Martin made a motion to not pass the math placement policy, but that the Board create a working group to evaluate the tracking issues. There was not a second to the motion.

Debra Goldman made a motion to adjourn the meeting at 11:00 p.m. The motion was seconded by Chris Malone. The Board voted 3 to 6 to adjourn with Chris Malone, Deborah Prickett, and Debra Goldman voting "yes", and Christine Kushner, Susan P. Evans, Kevin L. Hill, Keith Sutton, John Tedesco, and Jim Martin voting "no". The motion failed to pass.

Keith Sutton made a motion to continue the meeting beyond 11:00 p.m. The motion was seconded by Jim Martin. The Board voted 6 to 3 with Jim Martin, John Tedesco, Keith Sutton, Kevin L. Hill, Susan P. Evans, and Christine Kushner voting "yes", and Deborah Prickett, Chris Malone, and Debra Goldman voting "no". The motion passed.

John Tedesco made a motion to lay aside the Math Placement Policy until the February 21st Work Session. The motion was seconded by Jim Martin. The Board voted 6 to 3, with Christine Kushner, Susan P. Evans, Kevin L. Hill, Keith Sutton, John Tedesco, and Jim Martin voting "yes" and Deborah Prickett, Chris Malone, and Debra Goldman voting "no". The motion passed.

25. CASE 21 CONTRACT

To request approval of a contract with CASE21. CASE21 a division of Training and Education in the 21st Century (TE21) will provide summative assessments aligned to the NC Standards. One comprehensive summative assessment will be developed for grades 3-8 for reading and math and grades 5 and 8 science. CASE 21 will provide pre-coded answer documents with the scanning of answer documents. After the summative test administration testing window,

CASE21 will furnish diagnostic reports for the classroom teachers, principals and central office. The results and reports will allow teachers to provide targeted assistance and individualized instruction in preparation for EOG assessments. Fiscal Implications: The contract amount is \$158,169.55. Savings: N/A. Recommendation for Action: Board approval is requested.

Cathy Moore shared information with Board regarding the contract. John Tedesco made a motion to approve the Case 21 contract. The motion was seconded by Debra Goldman. The motion was unanimously approved.

26. TITLE I SUPPLEMENTAL EDUCATIONAL SERVICES CONTRACT AMENDMENTS

Under *No Child Left Behind*, a Title I school that has not met Adequate Yearly Progress (AYP) goals for three consecutive years must offer Supplemental Educational Services (SES) for all eligible students. Students are eligible if they qualify for free/reduced lunch. These services must be offered by a provider that is approved by the Department of Public Instruction. Parents select the provider from the approved list. SES must be offered at Aversboro, Barwell, Brentwood, Conn, Creech Road, East Garner, Fox Road, Hodge Road, Lynn Road, Poe, Wendell, and Zebulon Elementary. Fiscal Implications: The state approved maximum allocation per student is \$1,259.00. The following SES provider contracts are to be amended: Accelerated Achievement at Measurement Inc. - \$81,835; Ace It Tutoring by Sylvan of Raleigh – \$18,885; Ace It Tutoring by Sylvan of Garner - \$107,015; After School Programs, Inc. - \$56,655; Capitol Education Support – \$50,360; One on One Learning- \$163,670; Oxford Learning – \$37,770. Recommendation for Action: Board approval is requested.

Dawn Dawson shared information with the Board regarding the contract amendments. John Tedesco made a motion to approve the recommendations, seconded by Debra Goldman. Jim Martin made an amendment to the motion that the Board receive a report evaluating vendor performance to ensure academic gains by students. Ms. Dawson shared that staff would provide the information after the completion of round 2 (in the month of June), staff will analyze round 1 results. Chris Malone seconded the amendment. The motion to approve the contract with the amendment was unanimously approved.

TRANSFORMATION

27. CONSULTING SERVICES AGREEMENT AND SOFTWARE LICENSE BETWEEN ALVES EDUCATIONAL CONSULTANTS GROUP, LTD. AND WCPSS

Office of Student Assignment will execute a contract with Alves Educational Consultants Group, Ltd. for the period from February 1, 2012 through June 30, 2012 for service in support of the implementation of the WCPSS student assignment plan and the continued utilization of the AECG, Ltd proprietary “Controlled Choice” software system. It is estimated that \$110,000 will be needed to cover current contracted resources during the period of the contract. Fiscal Implications: Total amount of the contract will be \$100,000 for the remainder of this fiscal year. Funding for contracted services is identified and planned for in the Office of Transformation 2011-2012 budget. Savings: N/A. Fiscal Implications: Board approval is requested.

Judy Pepler shared information with the Board regarding the agreement. Keith Sutton made a motion to approve, seconded by John Tedesco. Jim martin made a motion to table the item. Dr. Martin shared that Board members have requested documentation multiple times of all costs

that have gone into the consulting with Mr. Alves; most of which has been paid for by the Chamber of Commerce. Dr. Martin stated further that the documentation of the costs would be helpful and necessary before moving forward. The Board then voted on the motion to approve the consulting services agreement and software license between Alves Educational Consultants Group, LTD, and WCPSS. The Board voted 6 to 3, with Deborah Prickett, Chris Malone, Kevin L. Hill, Keith Sutton, John Tedesco, and Debra Goldman voting “yes”, and Christine Kushner, Susan P. Evans, and Jim Martin voting “no”. The motion passed.

Debra Goldman made a motion to adjourn at 11:11 p.m. The motion was seconded by Chris Malone. The Board voted 4 to 5 to adjourn with Deborah Prickett, Chris Malone, John Tedesco, and Debra Goldman voting “yes”, and Christine Kushner, Susan P. Evans, Kevin L. Hill, Keith Sutton, and Jim Martin voting “no”. The motion failed to pass.

HUMAN RESOURCES

28. BOARD POLICY 2338/3038/4038/6414 – HARASSMENT / BULLYING

Revised; First Reading

The revisions to this policy were reviewed by the Superintendent’s Leadership Team on 1/23/12. The information was presented at the Board Work Session on 2/7/12. Fiscal Implications: None. Savings: N/A. Recommendation for Action: Board approval is requested.

Stephen Gainey shared information with the Board regarding the revision to the policy. Keith Sutton made a motion to approve, seconded by John Tedesco. The motion was unanimously approved.

29. BOARD POLICY 2281/3801/4801- EMPLOYEE ABSENCES

Revised: First Reading

The revisions to this policy were reviewed by the Superintendent’s Leadership Team on 1/23/12. This information was presented at the Board Work Session on 2/7/12. Fiscal Implications: None. Savings: N/A. Recommendation for Action: Board approval is requested.

Stephen Gainey shared information with the Board regarding the revision to the policy. Keith Sutton made a motion to approve, seconded by Deborah Prickett. The motion was unanimously approved.

30. BOARD POLICY 3220: TEACHER RESPONSIBILITIES AND DUTIES

Revised: First Reading

The revisions to this policy were reviewed by the Superintendent’s Leadership Team on 1/23/12. The information was presented at the Board Work Session on 2/7/12. Fiscal Implications: None. Savings: N/A. Recommendation for Action: Board approval is requested.

Stephen Gainey shared information with the Board regarding the revision to the policy. Keith Sutton made a motion to approve, seconded by John Tedesco. Dr. Martin requested that staff clarify “class load” in section A. Dr. Gainey shared that staff will look at the clarity when the policy comes back for second reading. The motion was unanimously approved.

BOARD

31. RE-INSTATE BOARD COMMITTEE STRUCTURE – BOARD POLICY 1340

BOARD STANDING COMMITTEES

First Reading: Request Waiver of Second Reading

Board members will discuss the structure of the Committees of the Board of Education and name the specific committees being established. The Board will review the committee structure in 6 months.

Judy Pepler requested re-instating Board Policy 1340- Board Standing Committees of Student Achievement, Facilities and Operations, Policy, and Finance. The Board will review the Committee structure in six months.

Christine Kushner made a motion to approve, seconded by Jim Martin. The Board voted 5 to 4, with Christine Kushner, Susan P. Evans, Kevin L. Hill, Keith Sutton, Jim Martin voting “yes”, and Deborah Prickett, Chris Malone, John Tedesco, and Debra Goldman voting “no”. The motion failed to pass on a first reading with the request of waiver for second reading.

Debra Goldman made a motion to adjourn at 11:18 p.m., seconded by Chris Malone. The Board voted 4 to 5, with Deborah Prickett, Chris Malone, John Tedesco, and Debra Goldman voting “yes” and Christine Kushner, Susan P. Evans, Kevin L. Hill, Keith Sutton, and Jim Martin voting “no”. The motion to adjourn failed to pass.

Christine Kushner made a motion to re-instate committees with a six-month approval for first reading. The motion was seconded Jim Martin. The Board voted 5 to 4, with Christine Kushner, Susan P. Evans, Kevin L. Hill, Keith Sutton, and Jim Martin voting “yes”, and Deborah Prickett, Chris Malone, John Tedesco, and Debra Goldman voting “no”. The motion to re-instate committees on a six-month approval for first reading was approved.

FACILITIES

12. AMENDMENT TO CONTRACT FOR LEGAL SERVICES

A Contract for Legal Services was awarded to Boxley, Bolton, Garber & Haywood, LLP, on July 1, 2011 in the amount of \$25,000 for the provision of legal support services related to real estate matters. The Contract allows the amount of compensation to be reviewed periodically and to be amended as necessary. It is necessary to increase the total amount of fiscal year compensation to \$45,000 to reflect the anticipated expenses for the 2011-2012 fiscal year. All other terms of the original contract, including hourly rates, remain in place. This amendment is brought for Board approval in compliance with Board Policy 1214. See attached amendment. Fiscal Implications: The amendment reflects a \$20,000 increase in the total compensation amount as described in the original contract. Funding is available from the CIP 2006 Property Acquisition budget. Savings: Not applicable. Recommendation for Action: Board approval is requested.

Don Haydon shared information regarding the need for increasing the contract for legal services. Keith Sutton made a motion to approve, seconded by Jim Martin. The Board voted 8 to 1, with Deborah Prickett casting the dissenting vote.

Jim Martin made a motion to approve three minutes for Public Comment. The motion was seconded by Susan P. Evans. The motion was unanimously approved.

ADJOURNMENT

There being no further business coming before the Board, Debra Goldman made a motion to adjourn, seconded by Susan P. Evans. The meeting adjourned at 11:20 p.m.

Respectfully submitted,

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

Anthony J. Tata, Superintendent, WCPSS

Melissa R. Allen, Recording Secretary