



**WAKE COUNTY BOARD OF EDUCATION
MEETING MINUTES
March 23, 2010**

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

Chair, Ron Margiotta, called the meeting to order at 3:15 p.m. Everyone recited the Pledge of Allegiance.

Chair's Comments

- Chairman Margiotta announced that the 15 semi-finalists for Wake County Public School System's Diane Kent-Parker First Year Teacher Award have been determined. Mr. Margiotta congratulated each of the teachers on behalf of the Board of Education. The semi-finalists will be announced at the annual banquet on May 13, 2010.
- Over 950 performers participated in the 28th Annual Pieces of Gold and Gifts of Gold held on Wednesday, March 10, 2010. Performers also included over 100 visual artists and 70 technical liaisons. Mr. Margiotta thanked Elizabeth Grimes Droessler, Senior Administrator for Arts Education, for her leadership and expertise. Mr. Margiotta also thanked the 950 performers, the school staffs, the many volunteers, and the support from parents and the community.
- The annual Battle of the Books Competition was held on Saturday, March 6th at Green Hope High School. Approximately 241 middle schools from across the state participated. Mr. Margiotta congratulated Ligon Middle School, the 2010 winning team, and Davis Drive Middle School as the runner up.
- Mr. Margiotta announced that the 2010 Teacher Transfer Fair will be held on April 8th at Leesville Road High School from 3:30 until 5:30. Interested staff members are encouraged to go online and sign-up.
- The Joint Meeting of the Board of Education and County Commissioners will be held here on Wednesday, April 21st in the Board Conference Room. The purpose of the meeting will be to present the budget to the Commissioners.
- Mr. Margiotta thanked the parents and the community for their support as the Board works through methods to ensure the safety of everyone who attends Board meetings; with the support of several community agencies, the WCPSS Security Department, and Dr. Hargens, we are working through the many aspects of arranging for a larger audience while respecting the rights of citizens to be in attendance.

Superintendent's Comments

- Dr. Hargens congratulated the 15 semi-finalists for Wake County Public School System's Diane Kent-Parker First Year Teacher Award. The teachers include:
 - Niki Britt, Reedy Creek Elementary School,
 - Meghan Brownell, Dillard Drive Middle School,
 - Joanna Cook, Yates Mill Elementary School,
 - Amber Craig, Apex Elementary School,
 - Ann Marie Edquist, Heritage Middle School,
 - Lindsey Evans, Apex Middle School,
 - Shea Grisham, Combs Elementary School,
 - Karen Hall, Aversboro Elementary School,
 - Ashley Kerr, Powell Elementary School,
 - William King, Millbrook High School,
 - Julie McGee, Fuquay-Varina High School,
 - Megan McHenry, Wildwood Forest Elementary School,
 - Luke Miles, Durant Road Middle School,
 - Emily Murdock, Sanford Creek Elementary School, and
 - Preston Williams Jr., Middle Creek High School
- Enloe student, Karina McCorkle, was recently selected for the 2010 Regional Scholastic Art and Writing Award. Enloe's English teachers, Priscilla Chappell and Joyce Nelson, were also recognized for coaching and supporting Karina.
- Fours WCPSS students have been named 2010 award winners by the Raleigh Sports Club. Each student will receive a \$1,500 scholarship. The award winning students include:
 - John Adam Tassitino of Sanderson High School,
 - Charles Harris of Enloe Magnet High School,
 - Kasey Hamrick of Garner Magnet High School, and
 - Christopher Tomlinson of Holly Springs High SchoolThe Raleigh Sports Club also named Apex High School track/cross-country coach, Roy Cooper, to receive their Coach's Distinguished Service Award. The award winners will be honored at a banquet to be held Thursday, April 8th at 6:30 p.m.
- Students from across the state were chosen to present their science projects in the international exhibit after winning top honors at the North Carolina International Science Challenge (NCISC). Students chosen from WCPSS include:
 - Victoria Jones, a senior at Wake Early College of Health and Sciences;
 - Victoria Melbourne, a senior at Wake Early College of Health and Sciences; and
 - Chelsea Sumner, a junior at Knightdale High SchoolDr. Hargens congratulated each of the students.
- On March 17th, Freddie Lee Heath, dance teacher at Ligon GT Magnet Middle School, was named the K-12 National Dance Educator of the Year by the National Dance Association (AAHPERD).
- On Thursday, March 11th, more than 700 students from across Wake County participated in the 2010 Wake County French Festival. Tom Huffstetler, Senior Administrator for Second Languages, coordinated the event in an effort to bring awareness to the importance of speaking another language in the 21st century.

Board Members' Comments

- Ms. Goldman shared that during the week of March 15th, she visited Northwoods Elementary and was impressed with what the principal, Kerry Chisnall is doing with data and technology.
- Mrs. Prickett shared that the Student Achievement Committee met on Tuesday, March 9th. Members included Carolyn Morrison, John Tedesco, Anne McLaurin, Marvin Connelly, Donna Hargens, David Holdzkom, Ken Branch, Susan Shell, Eric Sparks, and Christine Zukowski. The agenda included discussion regarding the current math collaborative which included current math placement guidelines for the 2010-2011 school years. The committee reviewed how WCPSS is using EVAAS to make informed placement decisions and instructional practices. The committee also discussed the number of students that are enrolled in advanced math classes.
- Mr. Sutton shared that he attended the North Carolina High School 4-A Regional Semi-Finals. Three Wake County schools participated for the East; they included Green Hope High School, Southeast Raleigh High School, and Enloe High School. Green Hope defeated Southeast Raleigh and Enloe defeated Clayton High School. Green Hope and Enloe met in the Eastern Finals, with Green Hope defeating Enloe and went on to represent the East in the State High School Championships at the 4-A level. Mr. Sutton congratulated the three teams. Mr. Sutton also recognized Dr. Hargens as the Acting Superintendent for Wake County Public Schools.
- Dr. Morrison shared that she went to Project Enlightenment and visited two demonstration classrooms and viewed a huge library with parent resources. Dr. Morrison stated that Project Enlightenment is a wonderful project and an asset to the community.
- Mr. Tedesco shared that he attended Smith Elementary School's Third Grade Class musical on Thursday, March 18th, and that he also attended Pieces of Gold. He stated that the performances by the 950 WCPSS students were astonishing.

APPROVAL OF THE MEETING AGENDA

Mr. Margiotta requested to move items #18-22 and item #25 to the Action Agenda. He also requested that Items #37-53 on the Action Agenda be moved to the Consent Agenda.

Anne McLaurin made a motion to approve the amended agenda, seconded by Debra Goldman. The motion was unanimously approved.

INFORMATION ITEM

6. 2010 LEGISLATIVE AGENDA

The 2010 Legislative Agenda is proposed by the Legislative Committee and presented as information. Fiscal Implications: Undetermined at this time. Recommendation for Action: Information at this time.

Susan Harrison presented information to the Board on behalf of the Legislative Committee. Mrs. Harrison stated that the Legislative Committee began meeting in November to review the changes for the 2010 Legislative Agenda. The committee completed their work on February 23rd. The Committee is comprised of members from Central Office, as well as a PTA Council member, a Board Advisory Council member, a principal, a teacher, a teacher's assistant, and a Board member.

Mrs. Harrison reviewed that draft agenda highlighting the five issues which the committee designated as priorities. They include:

- Provide personnel and funding to increase the on-time graduation rate of students through direct intervention programs at every school system.
- Support funding for child nutrition programs that support healthy children initiatives.
- All state mandates for public schools, including new education programs, shall be fully funded prior to implementation.
- Continue to provide state funding for the following programs: Yellow School Bus Tort Claims, North Carolina Virtual Public School Courses, School Construction Funding through Corporate Tax Collections, and
- Comply with the North Carolina Court ruling to pay fines and forfeiture funds to public schools without supplanting other public school funds.

Nineteen items were placed on the 2010 Draft Legislative Agenda; 13 items were new. They included:

- Review and consider state initiatives and the recommendations of the 2009 Childhood Obesity Commission in addressing childhood obesity issues,
- Support existing rules and regulations on student participation in public school athletic programs established and administered by the State Board of Education and the North Carolina High School Athletic Association,
- Fund a Distance Learning Coordinator for high schools,
- All state mandates for public schools, including new education programs, shall be fully funded prior to implementation,
- Continue to provide state funding for the following programs: Yellow School Bus Tort Claims, North Carolina Virtual Public School Courses, School Construction Funding through Corporate Tax Collections,
- Eliminate the 2009 State Local Education Agency Adjustment,
- Retain state sovereign and government immunity laws,
- Maintain state's ban on collective bargaining,
- Clarify unemployment compensation laws regarding substitute teachers eligibility for unemployment benefits for days they do not substitute,
- Comply with the North Carolina Court ruling to pay fines and forfeiture funds to public schools without supplanting other public school funds, and
- Address the loss of the Federal Education Stabilization Funds for public schools totaling more than \$373 million (2010-2011) statewide, that will occur with the 2011-2012 state budget.

Mrs. Harrison stated that the Legislature is scheduled to convene on May 12, 2010 for their short session.

Mr. Margiotta requested that Board members channel their questions or concerns through Dr. Morrison, the Board's legislative representative.

Board members suggested separating the items under two headings; budget and policy.

PUBLIC HEARING OF THE SUPERINTENDENT'S PROPOSED BUDGET – 3:30 P.M.
Citizens who sign up to address the 2010-2011 Superintendent's Proposed Budget will be called on in priority order. Each individual will be allowed two minutes for remarks.

- **Aylett Colston** – Ms. Colston requested that the Board not cut any positions or people at Project Enlightenment. Ms. Colston shared her thoughts regarding the reduction in force and its affect on Project Enlightenment.
- **Lisa Chambers** – Ms. Chambers requested that the Board preserve the programs at Project Enlightenment and not cut any positions or people.
- **Larry Shug** – Mr. Shug shared that the Board should be conservative and cut programs that are overlapping.
- **Elizabeth Jordan** – Ms. Jordan shared her thoughts regarding kindergarten readiness and Project Enlightenment.

The Board recessed until 4:00 p.m.

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 two 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.

Board Attorney, Ann Majestic, made the following statement. *“The Board welcomes comments from members of the public on issues of public concern. The Board is committed to conducting its meetings with order, civility, and respect; and asks that all meeting participants comply with the following expectations.*

Citizens who sign 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. Issues or concerns involving individual personnel matters are not appropriate for this public comment setting and may be addressed through the Board’s grievance policies.

Please give your name when you begin speaking; it is not necessary to give your address. Please stay within your time limit. Because of the large number of speakers tonight, each person will be allowed two minutes for remarks. Speakers may not give their time to another speaker or trade their time slot with another speaker. If a speaker chooses not to speak, or is not present at the time he/she is called, the Chair will move to the next speaker on the list. Speakers are required to refrain from personal attacks and insults directed at Board members or others.

The Board also asks that members of the audience show respect for each speaker and refrain from loud comments or other disruptions. Also, members of the audience who are carrying signs, must keep the signs in front of themselves and not raised above their heads to avoid blocking the view of others. Any person who interrupts, disturbs, or disrupts the Board meeting may be directed to leave the premises by the Board Chairman.

The Board regularly sets aside 30 minutes at the beginning of the meeting; Mr. Margiotta has discussed with the Board allowing 1 hour at the beginning. Any speakers remaining at the end of the hour long period will be recognized at the conclusion of the Board’s business agenda.

- **Barbara Walters** – Ms. Walters spoke in support of the utilization of objective data-driven decisions and the elimination of profiling students. Ms. Walters formally requested a Board resolution that removes the Effectiveness Index from use in Wake County.
- **James Henderlite** – Mr. Henderlite shared his concerns about the direction in which the Board is moving with respect to student assignment.

- **Mark Adamson** – Mr. Adamson shared his thoughts regarding the resolution Establishing Board Directives for Community Based Assignments.
- **Rev. Dr. William J. Barber** – Rev. Barber shared the reasons why the NAACP is against the policies of anti-diversity.
- **Diana Starling** – Ms. Starling thanked the Board for keeping their promises and for making changes that are in the best interest for all children.
- **Jerry Ballan**- Mr. Ballan thanked the Board majority for keeping the platform they ran on. Mr. Ballan expressed his thoughts of sending future high school students from Brier Creek to Broughton High School.
- **Bill Randall** – Mr. Randall spoke to the Board regarding diversity and cause and effect of blighted conditions.
- **Charles Campbell** – Mr. Campbell shared his support of the new Board policies and urged the Board to move forward with neighborhood schools.
- **Patti Gillenwater** – Ms. Gillenwater shared that she does not support the policy of community based assignment. Ms. Gillenwater shared that the Board should be preparing students for a world without boundaries.
- **Julius Chambers** – Mr. Chambers shared his knowledge of litigating civil rights in the Charlotte- Mcklenburg school case and the Raleigh-Wake County school case. Mr. Chambers requested that the Board not approve the plan for community based assignments as it is not in the best interest of Raleigh.
- **Benita Jones**- Ms. Jones urged the Board to learn and understand the historical context of the terms “neighborhood schools” and “bussing”. She also shared her thoughts regarding school re-segregation and the re-emergence of racially identifiable schools.
- **Mark Doroson** – Mr. Doroson shared his thoughts regarding the changes in the Board’s meeting policies and procedures.
- **Neel Mandavilli** – Mr. Mandavilli shared his concerns for his school and the future of his school. Mr. Mandavilli spoke in support of keeping diversity as a part of student assignment.
- **Risi Ademola** – Ms. Ademola shared her thoughts regarding the diversity policy and requested that the Board not pass the resolution regarding community based assignments.
- **Jocelyn Wilson** – Ms. Wilson shared her thoughts regarding student assignment. Ms. Wilson made the Board aware that students are united in fighting for diversity.
- **Debbie Griffith Overby** – Ms. Overby shared her thoughts regarding forced bussing and forced year-round schools.
- **Sarah Redpath** – Ms. Redpath shared her support of the Board and requested that the Board replace Board Policy 6200 with equitable access for all children to academic programs based on their ability.
- **Matt Duvall** – Mr. Duvall shared his thoughts regarding the Board’s directive for community based assignments.
- **Debbie Vair** – Ms. Vair shared her thoughts regarding every child having a quality education in all schools and her support of community schools and parental involvement.
- **Maria Lonnberh** – Ms. Lonnberh shared her thoughts and support of diversity.
- **Cris Mulder** – Ms. Mulder petitioned the Board to take action for the 2010-11 school year and ensure that Mills Park Elementary is the traditional elementary option for Highcroft Elementary School and that Salem Middle would be the year-round middle school option. Ms. Mulder also requested to convert Highcroft Elementary School back to a traditional calendar.

- **Donna Reist** - Ms. Reist shared her surprise of making the Mills Park campus traditional calendar schools. Ms. Reist shared her concerns of having Highcroft Elementary feeding into Mills Park Middle now that it has been converted to a traditional calendar. She also shared her concerns of having children split on two different calendars. Ms. Reist requested that the Board change Highcroft Elementary to a traditional calendar, now that the assigned middle school traditional or give parents the option of going to Mills Park Elementary.
- **Jim Martin** – Mr. Martin shared his thoughts regarding the process by which the Board’s decisions appear to be being made.
- **Chris Aycock** – Mr. Aycock spoke to the Board regarding his support of diversity and the magnet programs.
- **Erica Martin** – Ms. Martin spoke to the Board regarding diversity and magnet school programs.
- **Robert Siegel** - Mr. Siegel spoke to the Board regarding diversity, magnet school programs, and neighborhood schools.

Chairman Margiotta called a brief recess at 4:59 p.m. The Board returned to Open Session at 5:15 p.m.

- **Jennifer Mansfield** – Ms. Mansfield requested that the Board vote “yes” for the resolution.
- **Brenda Millar** – Ms. Millar shared her thoughts regarding the resolution for community based assignments.
- **Rev. Tom Rhodes** – Rev. Rhodes shared a petition with the Board from the Wake County Clergy Coalition on Diversity.
- **Letice Rhodes** – Mrs. Rhodes shared information and data with Board members regarding the benefits of diversity in schools.
- **Heather Koons** – Ms. Koons requested that the Board not approve the resolution regarding community based assignments.
- **Heather Davis** – Ms. Davis shared her thoughts regarding the resolution regarding community based assignments.
- **Tom Munk** – Mr. Munk shared his support of diversity and his thoughts regarding the resolution on community based assignments.
- **Helen Ladd** – Ms. Ladd spoke to the Board regarding education policy in the state of North Carolina. Ms. Ladd asked the Board how they would ensure that all schools have equal access to high quality teachers.
- **Kathleen Brown** – Ms. Brown requested that the Board reconsider their vote on the resolution regarding community based assignments.
- **Kirsten Kainz** – Ms. Kainz shared her thoughts regarding student achievement with the Board.
- **John Gilbert** – Mr. Gilbert spoke to the Board regarding partisan politics and the role he sees it playing throughout local elections. Mr. Gilbert asked the Board to remember that they represent all of the children of Wake County.

CONSENT ITEMS

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

7. APPROVAL OF MEETING MINUTES

February 16, 2010 - Board of Education Meeting Minutes

- February 23, 2010 - Facilities & Operations Committee Meeting Minutes
- February 23, 2010 - Special Board Meeting Minutes
- February 23, 2010 - Closed Session Meeting Minutes
- February 24, 2010 - Policy Committee Meeting Minutes
- March 2, 2010 - Committee of the Whole Meeting Minutes
- March 2, 2010 - Special Board Meeting Minutes
- March 2, 2010 - Closed Session Meeting Minutes
- March 9, 2010 - Special Board Meeting Minutes
- March 9, 2010 - Closed Session Meeting Minutes

FINANCE

8. AUTHORIZATION FORMS

These authorization forms designate the persons authorized to sign vouchers for the payment of money on behalf of Farmington Woods Elementary and Green Hope Elementary. Fiscal Implications: These authorization forms are required for bank records. Board Recommendations: Approval of Authorization Forms.

9. 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 February 2010. Fiscal Implications: Not applicable. Board Recommendations: Not applicable.

10. RENEWAL OF OUTSOURCED DBA SUPPORT SERVICES AGREEMENT

In October 2008 a contract was executed with Autonomic Resources to provide outsourced DBA support services to the district. This was an eighteen-month contract which included an option of renewal for up to two additional one-year terms. The support services are provided remotely and help to ensure that the district’s business applications are maintained and operate in a manner that meets the district’s requirements. Autonomic Resources is required to adhere to a Service Level Agreement which outlines specific responsibilities and response times. DBA support services are provided at a fixed monthly rate of \$46,230.59. Initial contract term expires March 30, 2010. Change Order 1 will extend these services at the same monthly rate for an additional one-year term through March 30, 2011. Fiscal Implications: Total amount of change order is \$554,767.08. \$138,691.77 is required during this fiscal year. The remaining \$416,075.31 will be paid in 2010-2011. Funding for contracted services was planned for and is available in the Technology Services 2009-10 operating budget. Board Recommendations: Staff is requesting Board approval of change order.

FACILITIES

11. BIDS: WENDELL ELEMENTARY HVAC RENOVATIONS

Bids were received on February 24, 2010, for HVAC system renovations at Wendell Elementary School. Staff and United Engineering Group, Inc., recommend award of the single-prime contract to Bolton Service, LLC, in the amount of \$371,117. Fiscal implications: Funding is available from the total budget of \$67,813,687 for CIP 2006 Life-Cycle Replacement of Building Components. Recommendation for action: Board approval is requested.

12. BIDS: ZEBULON ELEMENTARY HVAC RENOVATION

Bids were received on February 26, 2010, for HVAC system renovations at Zebulon Elementary School. Staff and Dewberry & Davis, Inc., recommend award of the single-prime contract to Comfort Systems USA (MidAtlantic), LLC, in the amount of \$493,905. Fiscal implications: Funding is available from the total budget of \$67,813,687 for CIP 2006 Life-Cycle Replacement of Building Components. Recommendation for action: Board approval is requested.

13. BIDS: FULLER ELEMENTARY HVAC RENOVATIONS

Bids were received on February 11, 2010, for Fuller Elementary HVAC renovations. Staff and Atlantec Engineers, PA, recommend award of the single-prime contract to Comfort Systems USA (MidAtlantic), LLC, in the amount of \$924,000. Note that the low bidder withdrew its bid due to a clerical error. Fiscal implications: Funding is available from the total budget of \$67,813,687 for CIP 2006 Life-Cycle Replacement of Building Components. Recommendation for action: Board approval is requested.

14. CHANGE ORDER NO. 13 ROOT ELEMENTARY

Board approval is requested for Change Order No. 13 to New Atlantic Contracting, Inc., for their Construction Management at Risk (CMAR) contract for renovations to Root Elementary School. This change order, a reduction in the amount of \$545,174.41, provides final reconciliation of the remaining construction manager contingency, unused general conditions, and allowances. This change order will complete this contract. The final Guaranteed Maximum Price for this contract is \$14,249,017. The CMAR contracts allow for unused construction manager contingency funds to be credited to the construction manager as follows: 40% of the original contingency amount for meeting substantial completion; 20% of the original contingency amount for meeting final completion; and up to 40% of the remaining contingency amount for meeting specific performance measures. This construction manager met substantial and final completion and met 95.0% of the performance measures. The attachments show how the unused construction manager contingency distribution was calculated, the process for evaluation of their performance, and other key criteria about this contract. Fiscal Implications: Funding is available from the total project budget of \$20,041,887 (pending Board of Commissioners approval to reallocate \$897,000 to Reserve), of which \$300,000 is from PLAN 2004 and \$19,741,887 from CIP 2006. Recommendation for action: Board approval is requested.

15. RESOLUTION: CIP BUDGET ADJUSTMENT FOR E-28 AND E-21

At the request of the Board of Education, the Board of Commissioners appropriated and reallocated \$2,000,000 of design funds from E-28 Elementary (Randleigh Farm) to E-21 Elementary (Walnut Creek Elementary) on August 20, 2007. E-28 Elementary was originally identified in the list of schools to be funded by CIP 2006, but the land at Randleigh Farm for E- 28 was not scheduled to be available for the originally planned 2009 school opening. However, land for E-21 could be available and was subsequently purchased in 2008. Requests for bids for Walnut Creek Elementary will be advertised in April 2010. Both schools will serve the Eastern Raleigh/Wake County area. This resolution requests the budget for E-28 Elementary be reduced to zero and the budget for E-21 Elementary be increased to \$22,822,608, an increase of \$20,822,608. This action completes the budget transfer from E-28 to E-21. Fiscal implications: Appropriation totals for CIP 2006 remain unchanged. Recommendation for action:

Board approval is requested.

16. RESOLUTION: CIP 2006 REAPPROPRIATIONS AND REALLOCATIONS

Due to the revised schedule of bond sales, this resolution requests two actions: a re appropriation and a reallocation. Funds must be transferred to projects that require funding between March 2010 and February 2011. This is in accordance with the spending plan approved by the Board at their February 16, 2010 meeting. This resolution requests that \$36,334,152 from previously appropriated CIP 2006 projects be re-appropriated to fund Walnut Creek Elementary, Mobile Classroom Relocations, Educational Equipment Replacement, Life-Cycle Furniture Replacement, Environmental & ADA Compliance, and Technology Replacement. A re-appropriation means that previously appropriated funds are transferred to another project, but the budgets of both projects remain unchanged. Once future bond sales occur, a new request will be made to appropriate funds to the projects from which funds were re-appropriated in this action. This resolution also requests a reallocation of \$4,064,132 to fund Offsite (Public)

Improvements and Building Permits. A reallocation not only transfers funds to another project, but the budgets are changed accordingly. Staff recommends approval of this re appropriation and reallocation resolution. Fiscal implications: This action will fund the projects planned between March 2010 and February 2011, with the exception of Rolesville Middle School, which will be requested in April 2010. Recommendation for action: Board approval is requested.

17. CONSTRUCTION DOCUMENTS: WALNUT CREEK ELEMENTARY (E-21)

Staff has reviewed the construction documents and requests Board approval and authorization to advertise for the construction of Walnut Creek Elementary School. Fiscal implications: Upon Board of Commissioners approval to re-appropriate funds, funding will be available from the total project budget of \$22,746,533, all of which is from CIP 2006. Recommendation for action: Board approval is requested.

STUDENT ACHIEVEMENT

23. PUBLIC CONSULTING GROUP, INC., CONTRACT FOR SERVICES

On January 12, 2010, a Request for Proposal was released offering qualified vendors an opportunity to bid on providing WCPSS a web-based system that would provide a comprehensive Longitudinal Electronic Data Management System. A selection committee consisting of representatives from Special Education Services, Technology Service, Curriculum/Instruction and Counseling and Support Services reviewed all proposals submitted. A rubric was utilized to rate each company based on the qualifications outlined within the RFP. Based on a thorough review and discussion of each proposal, the team determined that the Public Consulting Group (PCG) would be the best choice to provide an electronic data management system for WCPSS. PCG is being awarded a contract from March 31, 2010, to June 30, 2010, with an option for renewal. \$81,000.00 is being encumbered for the beginning stages of implementation of EasyIEP™ Services and \$59,000.00 for the development and beginning implementation of Personalized Education Plans (PEP). Fiscal Implications: The amount of the contract is \$81,000.00 for EasyIEP™ Services which will be financed with the *American Recovery and Reinvestment Act Funds of 2009*. The additional amount of

\$59,000.00 for EasyPEP™ Services will be funded by State At Risk Funds.
Recommendation for Action: Staff is requesting Board approval.

24. GRANT PROPOSALS

- Competitive (#009810): Target Stores, Early Childhood Reading Grants Program / Individual Schools.
- Competitive (#009910): Target Stores, Arts & Culture in School Grants Program / Individual Schools.
- Competitive (#010010): Fuquay-Varina Junior Woman's Club, Mini-Grant Program / Individual Schools.
- Competitive (#010110): State Farm Insurance, Company Grant Program / Individual Schools.
- Competitive (#010210): American Honda Foundation, Honda Foundation Grant Program / Individual Schools.
- Competitive (#010310): Qwest Foundation, Qwest Foundation Grant Program / Individual Schools.
- Competitive (#010410): National Education Association (NEA) Foundation, Student Achievement Grants / Individual Schools.
- Competitive (#010510): Lois Lenski Covey Foundation, Children's Books Grant / Individual Schools.
- Competitive (#010610): National Association for Sport and Physical Education (NASPE), ING Run for Something Better School Awards Program / Individual Schools.
- Competitive (#010710): got breakfast?®, The Silent Hero Grant / Central Services, Child Nutrition Services.
- Competitive (#010810): Turning Foundation, Classroom Improvement Technology Grant / Individual Schools.
- Competitive (#010910): US Department of Education, Teacher Incentive Fund (TIF) / Central Services.
- Competitive (#011010): US Department of Education, Investing in Innovation Fund (i3) / Central Services.

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

POLICY

26. POLICY 2333/3033/4033 REPORTING INFORMATION TO THE PRINCIPAL AND EXTERNAL AGENCIES

Policy Revision: Second Reading

This policy has been reviewed by the Policy Committee on February 24, 2010 and the Committee of the Whole on March 2, 2010. Fiscal Implications: None.

Recommendation for Action: Staff is requesting Board approval.

27. POLICY 3021 RETENTION, CAREER STATUS, AND PROMOTION

This policy has been reviewed by the Policy Committee on February 24, 2010 and the Committee of the Whole on March 2, 2010. Fiscal Implications: None.

Recommendation for Action: Staff is requesting Board approval.

28. POLICY 3225 NONRENEWAL OF PROBATIONARY TEACHERS

Policy Revision: Second Reading

This policy has been reviewed by the Policy Committee on February 24, 2010 and the Committee of the Whole on March 2, 2010. Fiscal Implications: None.

Recommendation for Action: Staff is requesting Board approval.

29. POLICY 6400 CODE OF STUDENT CONDUCT

Policy Revision: Second Reading

This policy has been reviewed by the Policy Committee on February 24, 2010 and the Committee of the Whole on March 2, 2010. Fiscal Implications: None.

Recommendation for Action: Staff is requesting Board approval.

HUMAN RESOURCES

30. RECOMMENDATION FOR EMPLOYEMENT

- a. Professional
- b. Support
- c. Contract Central Services Administrator

POLICY

37. POLICY 6410: INAPPROPRIATE STUDENT BEHAVIOR

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

38. POLICY 2320/3035/4035/6415: SEXUAL BEHAVIOR

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

39. POLICY 6420 DISRUPTION OF SCHOOL

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

40. POLICY 6424 GANG AND GANG-RELATED ACTIVITIES

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

41. POLICY 6425 PHYSICAL AGGRESSION/FIGHTING OR ASSAULT

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010. Committee recommended the following policies to be submitted to the Board. Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

42. POLICY 6426 ELECTRONIC DEVICES

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010. Committee recommended the following policies to be submitted to the Board. Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**43. POLICY 6427 WEAPONS AND DANGEROUS INSTRUMENTS/
SUBSTANCES**

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010. Committee recommended the following policies to be submitted to the Board. Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**44. POLICY 6429 NARCOTICS, ALCOHOLIC BEVERAGES, CONTROLLED
SUBSTANCES, CHEMICALS, AND DRUG PARAPHERNALIA**

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010. Committee recommended the following policies to be submitted to the Board. Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

45. POLICY 6440 TRESPASSING

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010. Committee recommended the following policies to be submitted to the Board. Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

46. POLICY 6445 INTEGRITY

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010. Committee recommended the following policies to be submitted to the Board. Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**47. POLICY 6446 STUDENT ACCEPTABLE USE OF ELECTRONIC
RESOURCES**

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.
Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

48. POLICY 6450 MISCONDUCT ON THE SCHOOL BUS

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010.
Committee recommended the following policies to be submitted to the Board.
Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

49. POLICY 6500 DISCIPLINE

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010.
Committee recommended the following policies to be submitted to the Board.
Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

50. POLICY 6530 DUE PROCESS

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010.
Committee recommended the following policies to be submitted to the Board.
Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

51. POLICY 6600 SEARCH AND SEIZURE

Policy Revision: First Reading

The following policy was submitted to the Policy Committee on March 10, 2010.
Committee recommended the following policies to be submitted to the Board.
Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

52. POLICY 1323 RULES OF ORDER

Policy Revision: First Reading

The Policy Committee reviewed the proposed changes for Policy 1323-RULES OF ORDER on March 10, 2010. Committee of the Whole reviewed the changes on March 23, 2010. Fiscal Implications: None. Recommendation for Action: Staff is requesting Board Approval.

53. CONSIDERATION TO CHANGE POLICY COMMITTEE FROM AN AD HOC COMMITTEE TO A STANDING COMMITTEE

The Board will discuss making Policy Committee to a Standing Committee. This topic has been discussed by the Policy Committee on March 10, 2010. Fiscal Implications: None. Recommendation for Action: Board approval is requested.

Dr. McLaurin requested a summary of information for Items 18, 19, 20, 21, and 22 during the Action Agenda.

ACTION ITEMS

FACILITIES

34. AMENDMENT TO CONTRACT FOR LEGAL SUPPORT SERVICES

A contract for legal support services was awarded to Boxley, Bolton, Garber & Haywood, LLP, on July 1, 2009, in the amount of \$24,000, for the provision of legal services related to real estate matters. The contract was amended on February 16, 2010, by increasing the fiscal year compensation by \$10,000 to \$34,000. It is necessary to increase the total amount of fiscal year compensation to \$54,000 to reflect the anticipated expenses for the 2009-2010 fiscal year. All other terms of the original contract remain. This amendment is brought for Board approval in compliance with Board Policy 1214. Copies of the 2009-2010 contract and all executed amendments are attached, together with the proposed Third Amendment to Contract, as well as a list of issues and tasks for which legal services have been or are currently being provided. Fiscal Implications: The amount of total compensation proposed in the agreement includes fees for services based upon an hourly rate schedule, as well as reimbursement of out of pocket expenses advanced by the firm. Funding is available from the CIP 2006 Land Purchase budget. Recommendation for action: Board approval is requested.

Don Haydon presented information to the Board. Mr. Haydon shared that more information will be shared with the Board in Closed Session on April 6th in regards to condemnations that ended up being potentially more expensive than staff anticipated earlier. As staff begins to work on other alternative sites for H-6, expenses will be incurred.

Anne McLaurin made a motion to approve, seconded by Kevin L. Hill. The motion was unanimously approved.

35. BELL SCHEDULE RECOMMENDATIONS FOR THE 2010-2011 SCHOOL YEAR

Four new schools will open, and it is anticipated that 2,000 additional riders will be transported next school year. Because of budget limitations, no additional buses will be put on the road, so it will be necessary to adjust transportation schedules. Staff will present recommended Bell Schedules for the 2010-11 school year. Fiscal implications: The growth of the additional schools will be absorbed in the current number of active buses. Recommendation for action: Approval of bell schedules for the 2010-11 school year is recommended.

Bob Snidemiller presented information to the Board. Mr. Snidemiller shared that staff is faced with significant budget cuts for the 2010-2011 fiscal year. In order for staff to absorb growth with the current 907 buses, staff requires more time in between tiers to deliver students.

Staff recommended bumping the second tier and third tier bell schedules back by 15 minutes, with the first tier remaining the same as it was in 2008-2009. Staff did make two proposed tier changes which included Lincoln Heights (for coordination of busing) and Heritage Elementary (moving from a 1st tier school to a 3rd tier school).

After conversations with school administration and hearing parents' concerns from

Heritage Elementary, staff provided a revised proposal to Board members requesting moving Heritage Elementary to the 2nd tier to match the Heritage Middle schedule.

After several comments from Board members regarding the time changes, Mr. Margiotta requested that staff reconsider the bell schedule recommendations and bring suggestions back to the Board at the April 6th Board Meeting.

Debra Goldman made a motion to waive policy so that the bell schedule recommendations can be addressed at the next Board meeting. The motion was seconded by Deborah Prickett. The motion was unanimously approved.

54. DEVELOPMENT OF SUPERINTENDENT SEARCH COMMITTEE

Authorize the Board Chair to appoint a Committee Chair and two additional Committee Members for a Superintendent Search Committee. The Committee will be an ad hoc committee and will be charged with the responsibility for developing a timeline and recommendations for the processes that will be utilized in selecting and employing a permanent Superintendent of Wake County Public School System. The Committee will report findings and recommendations to the Board of Education. Fiscal Implications: None. Recommendation for Action: Board approval is requested.

Debra Goldman made a motion for the Chair to appoint a committee chair and two additional committee members for a Superintendent Search Committee. The motion was seconded by Chris Malone.

Mr. Margiotta shared that the committee will not have the authority to spend any dollars. The committee will have the authority to come back to the Board with process recommendations. Board Attorney, Ann Majestic, recommended a committee of four.

The Board unanimously approved the motion to develop a Superintendent Search Committee consisting of four committee members.

HUMAN RESOURCES

55. RATIFY BOARD OF EDUCATION DECISION REGARDING SUPERINTENDENT

The Board of Education will take action to ratify the Board of Education's decision to place Superintendent, Dr. Del Burns on Administrative Leave. Fiscal Implications: None. Recommendation for Action: Board approval is requested.

Debra Goldman made a motion to approve, seconded by Chris Malone. With no questions from the Board, a Roll Call vote was taken 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 tied 4 to 4, Chairman Margiotta broke the tie by voting "yes". The motion passed on a vote of 5 to 4.

18. AMENDMENT ONE TO BAYADA NURSES, INC.

We are increasing the Bayada Nurses contract by \$32,000 to cover the increased cost of nursing services. We are required to provide nursing services to meet the individual

needs of students with disabilities. The total contract amount will be \$112,000. Fiscal Implications: Funding is available in the Special Education Services' budget in the amount of \$32,000 to pay the cost of these services. Recommendation for Action: Board approval is requested.

19. AMENDMENT ONE TO GLOBAL TRANSLATION SYSTEMS, INC.

We are increasing our contract with Global Translation Systems, Inc. because of the significant increase in the number of requests we have received this year for foreign language interpreters. In February 2010, we are expecting to use 175 hours for interpreting, which is a 77% increase over the 39.5 hours we used in February 2009. Because of the increased demand for interpreters as well as the expected increase because of changes in the reevaluation process for related services, we are increasing our current contract by \$100,000.00. The total contract amount of \$180,000 is an increase of \$85,000 over last year's contract amount. Fiscal Implications: Funding is available in the Special Education Services' budget in the amount of \$100,000 to pay the cost of these services. Recommendation for Action: Board approval is requested.

20. AMENDMENT THREE TO INVO HEALTHCARE ASSOCIATES, INC.

We are increasing our contract with Invo Healthcare Associates, Inc. by \$11,000 to provide services for a speech pathologist on leave. Services will be provided at Briarcliff Elementary School. Fiscal Implications: Funding is available in the Special Education Services' budget in the amount of \$11,000 to pay the cost of these services. Recommendation for Action: Board approval is requested.

21. AMENDMENT ONE TO MAXIM HEALTHCARE SERVICES, INC.

We are decreasing our contract with Maxim Healthcare Services by \$80,000. Maxim Healthcare is serving one student less this year than last year. These funds will be used to cover other contract needs. Fiscal Implications: \$80,000 is being returned to the Special Education Services budget. Recommendation for Action: Board approval is requested.

22. AMENDMENT ONE TO PEDIATRIC SERVICES OF AMERICA

We are increasing our contract with Pediatric Services of America by \$16,000 to cover services for a student that has enrolled in our preschool program. Fiscal Implications: Funding is available in the Special Education Services' budget in the amount of \$16,000 to pay the cost of these services. Recommendation for Action: Board approval is requested.

Assistant Superintendent, Marvin Connelly, combined Items #18-22 at the request of the Board. Mr. Connelly shared that the contracts reflect the commitment that Special Education Services and Student Support Services has in ensuring that all students graduate on time, especially students with disabilities. The contracts reflect the effort.

Anne McLaurin made a motion to approve Items #18-22, seconded by Debra Goldman. The motion was unanimously approved.

25. RESOLUTION ESTABLISHING BOARD DIRECTIVES FOR COMMUNITY BASED ASSIGNMENTS

Board members are recommending a resolution to establish a Board Directive for the establishment of Community Based Assignments. The Resolution enclosed reflects a minor change from the version presented at the last Board meeting. These changes have been highlighted. Fiscal Implications: To be determined. Recommendation for Action: Board approval is requested.

Debra Goldman made a motion to approve, seconded by Chris Malone.

Keith Sutton made a motion to amend the previous motion and offered a substitute resolution. The motion was seconded by Carolyn Morrison. Mr. Sutton read the following substitute resolution:

Resolution Establishing Board Directive to Focus Attention on Student Achievement and Educational Quality

Whereas, the Wake County Board of Education (hereinafter, the **Board**) has a primary obligation to create a school system that is committed to the highest educational results for all children in the Wake County Public School System (hereinafter, **WCPSS**) to allow each student to reach their full potential and better our community.

Whereas, all children are capable of high academic achievement when provided instruction of rigor and relevance in a learning environment that incorporates high expectations, adequate resources and educational innovation.

Whereas, all children, families, schools, teachers, and Wake County residents are stakeholders that benefit from a high quality education.

Whereas, Board Policy 1000 provides Board member with the authority and duty to evaluate that WCPSS educational program to determine the effectiveness with which the system is achieving its educational purpose.

Whereas, under N.C. General Statutes Section 115C-81, the North Carolina General Assembly has expressed its belief that all children can learn and that the mission of the public school community is to challenge with high expectations each child to learn, to achieve, and to fulfill his or her potential.

Whereas, the North Carolina Constitution requires that each child in North Carolina have access to the opportunity to receive a sound, basic education in our public schools.

Be it hereby resolved:

1. The Board affirms that its primary duty is to ensure that every student in WCPSS receives a high quality education. During the next 9-15 months, the Board hereby establishes its primary goal as the development of Board policies to increase student achievement for all students in every Wake County school.

2. The Board acknowledges that there exists a significant and pervasive achievement gap in our system that has a negative impact on many African-American and Latino students, students identified as English Language Learners, and students from low income or special needs backgrounds. In developing a plan to increase student achievement system wide, the Board will consider and develop strategies and programs targeted specifically towards making sustainable gains in achievement for these students.
3. The Board will undertake a formal and systematic study of strategies to promote and improve student achievement, including but not limited to:
 - a. A review of Board Policies regarding student discipline and student due process, including a study of how implementation of zero-tolerance discipline policies contribute to the achievement gap and disproportionately impact African-American and Latino students, and a consideration of strategies (i.e. intermediate interventions and graduated consequence) to reduce school suspensions, school-based delinquency and criminal complaints;
 - b. A review of all casual factors identified in research that create barriers to student achievement, including a study of those factors which can be addressed under the purview of the Board of Education; a review of how to increase teaching capacity in WCPSS; and a consideration of how to recruit the most highly qualified teachers, improve preparation and training, reduce school and class sizes, and improve the availability of instructional assistance and resources; and
 - c. A review of the impact of high stakes standardized testing, including if critical thinking and problem solving skills are emphasized in classrooms; if a relevant and rigorous curriculum is available for all students; and if high stakes testing accountability and compensation systems discourage strong teachers from teaching in all schools and/or create pressures that result in at-risk students being pushed out from school.
4. The Board will rely upon staff to present reports detailing how to best align system and community resources to analyze ways to achieve these goals. Before the Board approves any specific student achievement plan or policy, staff shall present detailed reports regarding any proposed initiatives, indicating
 - a. The “valid pedagogical research” that supports and justifies the proposed plan;
 - b. The “sound business and financial practices” that support and justify the plan; and
 - c. The potential legal impacts or liabilities the proposed plan may implicate.
5. **Be it further resolved that effective immediately:**
 - a. ALL Board level committees, WCPSS departments, and other administrative committees are directed to prepare constructive suggestions to support the furtherance of the goals outlined herein.

- b. All Board members shall participate in the development of Board Policy to address the goals outlined herein, and refer drafts of all Policies to the Board Policy Committee for review and consideration.

- c. The Board will eliminate high concentrations of low-income students in schools, which disproportionately has a negative effect on the achievement of African-American and Latino students.

After several comments from Board members, the Board voted on the substitute motion by Roll Call Vote with Anne McLaurin voting “yes”, John Tedesco voting “no”, Kevin L. Hill voting “yes”, Debra Goldman voting “no”, Chris Malone voting “no”, Deborah Prickett voting “no”, Keith Sutton voting “yes”, and Carolyn Morrison voting “yes”. The vote as tied 4 to 4. Chairman Margiotta broke the tie by voting “yes”. The motion failed to pass on a 4 to 5 vote.

Anne McLaurin made a motion to move the resolution for evaluation to the Policy Committee first. Prior to a full Board vote on any resolution that will suspend, revise, or replace the existing Board Policy 6200, the “Resolution Establishing Board Directive for Community Based School Assignments”, and any other resolution regarding Board policies or directives for student assignment, is referred to the Policy Committee for review, consideration, and formal vote or recommendation. This will allow deliberation without delaying the process. The motion was seconded by Keith Sutton.

After several comments from Board members, The Board voted by Roll Call vote with Anne McLaurin voting “yes”, John Tedesco voting “no”, Kevin L. Hill voting “yes”, Debra Goldman voting “no”, Chris Malone voting “no”, Deborah Prickett voting “no”, Keith Sutton voting “yes”, and Carolyn Morrison voting “no”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “no”. The motion failed to pass on a 4 to 5 vote.

Carolyn Morrison made a motion to amend the proposed resolution by inserting as the new number 2 in “Be it hereby resolved:” Prior to adopting any changes to Policy 6200 or approving the 2012-2015 student assignment plan, the Board will convene a series of community stakeholder meetings in each proposed zone to discuss student assignment policies and student achievement. The motion was seconded by Kevin L. Hill.

After several comments and clarifying questions from Board members, the Board voted by Roll Call vote with Anne McLaurin voting “yes”, John Tedesco voting “no”, Kevin L. Hill voting “yes”, Debra Goldman voting “no”, Chris Malone voting “no”, Deborah Prickett voting “no”, Keith Sutton voting “yes”, and Carolyn Morrison voting “yes”. The vote was tied 4 to 4, Chairman Margiotta broke the tie by voting “no”. The motion failed to pass on a 4 to 5 vote.

John Tedesco made a motion to amend the resolution and include after Item #1, the following sentence: *“The plan would be presented at public hearings prior to final adoption.”* The motion was seconded by Debra Goldman. Keith Sutton made the following friendly

amendment to the motion, *“the input would include, community engagement meetings prior to finalizing such zones.”*

After several comments and clarifying statements, the Board voted by Roll Call Vote on the amendment made by John Tedesco with Carolyn Morrison voting “yes”, Keith Sutton voting “no”, Deborah Prickett voting “yes”, Chris Malone voting “yes”, Debra Goldman voting “no”, Kevin Hill voting “no”, John Tedesco voting “yes”, and Anne McLaurin voting “no”. The vote was tied 4 to 4, Chairman Margiotta broke the tie by voting “yes”. The motion passed on a 5 to 4 vote.

Keith Sutton proposed an amendment to the Resolution Establishing Board Directive for Community Based School Assignments – Work Session. Mr. Sutton made a motion to amend by inserting as the new number (2) in “Be it hereby resolved:”

Prior to adopting any policies which revise Board Policy 6200, the Wake County Board of Education will hold one or more formal work sessions to review data, cost analysis, and other information related to future student assignment policies and how these policies could impact student achievement. Deliberations shall include the following:

- (a) an overview of how the current Policy 6200 has been implemented and its success and drawbacks;
- (b) research to help Board members understand and further refine the concept of community zones;
- (c) research and information on the benefits of diversity and student assignment models, including research from other districts that have achieved a balance between school proximity and diverse learning environments; and
- (d) the total costs and sources of funding for all proposals.

The motion was seconded by Anne McLaurin. After several comments from Board members, the Board voted by Roll Call vote with Anne McLaurin voting “yes”, John Tedesco voting “no”, Kevin L. Hill voting “yes”, Debra Goldman voting “no”, Chris Malone voting “no”, Deborah Prickett voting “no”, Keith Sutton voting “yes”, and Carolyn Morrison voting “yes”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “no”. The motion failed to pass on a 4 to 5 vote.

Kevin L. Hill proposed an amendment to Resolution Establishing Board Directive for Community Based School Assignments – Cost Assessment. Mr. Hill made a motion to amend by inserting as a new number (2) in “Be it hereby resolved:”

Prior to the adoption of the final approved model, the board shall review a full assessment of all costs, including transportation, educational tools, and personnel – including teachers- to implement the proposed student assignment plan, including any additional expenses associated with the creation of high poverty schools.

The motion was seconded by Anne McLaurin. After several comments from Board members, the Board voted by Roll Call vote with Anne McLaurin voting “yes”, John Tedesco voting “no”, Kevin L. Hill voting “yes”, Debra Goldman voting “no”, Chris

Malone voting “no”, Deborah Prickett voting “no”, Keith Sutton voting “yes”, and Carolyn Morrison voting “yes”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “no”. The motion failed to pass on a 4 to 5 vote.

Keith Sutton proposed an amendment to the Resolution Establishing Board Directive for Community Based School Assignments – Establish SES and Student Achievement Limits for Student Assignment Goals. Mr. Sutton made a motion to amend by inserting the following paragraph as a new number (2) in “Be it hereby resolved:”

The Board acknowledges that it assigns students to schools in order to optimally and efficiently utilize existing school buildings, plan for hiring adequate teacher resources, and to create a learning environment to improve achievement for all students. Within the community-based school student assignment model, the Board will not create any high poverty school, defined as 75% or more of students meeting the district’s definition of poverty. The motion was seconded by Carolyn Morrison.

After several comments from Board members, The Board voted by Roll Call Vote with Anne McLaurin voting “yes”, John Tedesco voting “no”, Kevin L. Hill voting “yes”, Debra Goldman voting “no”, Chris Malone voting “no”, Deborah Prickett voting “no”, Keith Sutton voting “yes”, and Carolyn Morrison voting “yes”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “no”. The motion failed to pass on a 4 to 5 vote.

Anne McLaurin proposed an amendment to the Resolution Establishing Board Directive for Community Based School Assignments – Equal Opportunity to a Sound, Basic Education. Dr. McLaurin made a motion to amend by inserting as an additional bullet at the end of the list of bullets in number two, “Be it hereby resolved:” A plan that provides all students at all schools with an equal opportunity to a sound, basic education. The motion was seconded by Keith Sutton.

John Tedesco shared his support of the amendment to be added as an additional bullet under Item #2. John Tedesco seconded her motion. With no questions or comments from the Board, The Board voted by Roll Call with Carolyn Morrison voting “yes”, Keith Sutton voting “yes”, Deborah Prickett voting “yes”, Chris Malone voting “yes”, Chris Malone voting “yes”, Debra Goldman voting “yes”, Kevin L. Hill voting “yes”, John Tedesco voting “yes”, and Anne McLaurin voting “yes”. The motion was unanimously approved.

Carolyn Morrison proposed an amendment to the Resolution Establishing Board Directive for Community Based School Assignments – Avoid Resegregation and Student Achievement Limits for Student Assignment Goals. Dr. Morrison made a motion to amend by inserting as an additional bullet at the end of the list of bullets in number two, “Be it hereby resolved:” A plan that ensures that schools will not become segregated. The motion was seconded by Keith Sutton.

After several comments from Board members regarding segregation, the Board voted by Roll Call Vote with Anne McLaurin voting “yes”, John Tedesco voting “no”, Kevin L. Hill voting “yes”, Debra Goldman voting “no”, Chris Malone voting “no”, Deborah Prickett voting “no”, Keith Sutton voting “yes”, and Carolyn Morrison voting “yes”.

The vote was tied 4 to 4. Chairman Marigotta broke the tie by voting “no”. The motion failed to pass on a 4 to 5 vote.

Kevin L. Hill asked for clarification regarding the questions he submitted to the Board Chair regarding the Resolution Establishing Board Directives for Community Based Assignments. The questions were as followed:

- Clarification of how the **Resolution Establishing Board Directives for Community Based Assignments** will modify / change Board Policy 6200- Student Assignment,
- The definition of community assignment zone and feeder patterns that would be associated within the zones, i.e., number of elementary / middle / high schools in each zone,
- Information about the number of students who will be reassigned with the community assignment zone plan, along with the seat capacity in each zone and capacity issues at individual schools,
- What is required of the WCPSS in grant policies in order to maintain our magnet school grants,
- The potential impact on magnet grant funding, along with plans for replacing lost magnet grant funds,
- The impact on the current magnet program, i.e., current schools losing their magnet status due to the shift to community assignment zones,
- Cost impact for new transportation patterns within community zones, and
- Cost estimates for the additional resources needed to meet constitutional mandates for an equal opportunity for a sound, basic education, for all students, at all schools.

Chairman Margiotta stated that Mr. Hill’s concerns have been addressed. Board Attorney, Ann Majestic, stated that because of the wording change in the resolution, that there will be 9-15 months in the development of the plan, there will be an opportunity that doesn’t preclude the opportunity to have the questions answered.

The Board voted by Roll Call Vote on the original motion with the addition of the two amendments, including after Item #1, the following sentence: *“The plan would be presented at public hearings prior to final adoption”* and adding the additional bullet under Item #2, *“A plan that provides all students at all schools with an equal opportunity to a sound, basic education.”*

Board Attorney, Ann Majestic clarified that, *“it has not been the practice of this Board to require a 2/3 vote when a policy is amended. When the policy was amended in 2000 to go from using race to using socioeconomic status, we didn’t look to the 2/3 vote. The Board adopts policies on a regular basis; changing past policy and doesn’t require a 2/3 vote.”*

It would be unique to require that in this context. *“It’s difficult to apply strictly the Robert’s Rules about recession to policy development because it is an on-going year-by-year, decade-by-decade process.”* Mrs. Majestic said that *“she has never known the Board to require a 2/3 vote of itself in amending its own policies from year-to-year, as Board members change and policies change. Mrs. Majestic stated further that, “It would be unusual to require that, even though it is a change in your existing policy. The resolution is changing that factor as to magnet schools right now. I think the rest of the resolution isn’t changing the policy at this time. It is setting direction for that change.”*

Anne McLaurin voted “no”, John Tedesco voted “yes”, Kevin L. Hill voted “no”, Debra Goldman voted “yes”, Chris Malone voted “yes”, Deborah Prickett voted “yes”, Keith

Sutton voted “no”, and Carolyn Morrison voted “no”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “yes”. The motion was approved on a 5 to 4 vote.

The Board recessed at 7:50 p.m. The Board returned to Open Session at 8:21 p.m.

CLOSED SESSION

Kevin L. Hill made a motion to go into Closed Session at 8:22 p.m. to consider confidential personnel information protected under G.S. 143-318.11 (a)(6) and 115C-319, and to consider confidential student information protected under G.S. 115C-402 and the Family Educational and Privacy Rights Act, 20 U.S.C. 1232. The motion was seconded by Debra Goldman. The motion was unanimously approved.

The Board returned to Open Session at 8:59 p.m.

ACTION ITEMS CONT'D

HUMAN RESOURCES

56. RECOMMENDATION FOR ADMINISTRATIVE APPOINTMENT(S)

Kevin L. Hill made a motion to approve the following Administrative Appointment(s):

- (1). LaShara Gilkes, Teacher at Forest Pines Drive Elementary School to Assistant Principal at Salem Elementary School effective March 24, 2010.
- (2). Dawn Gooding-Edwards, Applicant to Assistant Principal at Durant Road Middle School effective April 5, 2010.
- (3). Michael Hokenberg, Teacher at East Cary Middle School to Assistant Principal at East Cary Middle School effective March 24, 2010.
- (4). Michael Massey, Teacher at Wake Forest-Rolesville High School to Assistant Principal at Wake Forest-Rolesville Middle School effective March 24, 2010.
- (5). Roxane Neal, Behavior Specialist at River Oaks Middle School, to Assistant Principal at River Oaks Middle School effective March 24, 2010.
- (6). Clifford Owens, Applicant to Assistant Principal at West Cary Middle School effective March 29, 2010. (Converted Position)
- (7). Cara Sullivan, Teacher at Highcroft Drive Elementary School to Assistant Principal at Alston Ridge Elementary School effective April 26, 2010.

The motion was seconded by Debra Goldman. The motion was unanimously approved.

Chairman Margiotta stated that Items #31 REVIEW OF THE THREE-YEAR STUDENT ASSIGNMENT PLAN, #32 STATUS OF 2010 APPLICATIONS FOR MAGNET AND CALENDAR SCHOOLS, and #33 STUDENT ASSIGNMENT GRANDFATHERING GUIDELINES, will be moved to the Board’s Work Session on Wednesday, March 31, 2010 for further discussion. Action will be taken on the items at the April 6, 2010 Board Meeting.

FACILITIES

31. REVIEW OF THE THREE-YEAR STUDENT ASSIGNMENT PLAN

On February 3, 2009, the Board of Education approved a three-year assignment plan. The Board of Education has requested staff to provide data pertaining to the three-year reassignment plan. Recommendations from the Student Assignment Committee were considered at the Committee of the Whole meeting. Fiscal Implications: Changes in attendance areas may impact transportation

costs. Recommendation for Action:

1. Assign Node 368.2 to Reedy Creek Elementary as base beginning 2010-2011.
Assign Nodes 412.8 and 412.9 to Dillard Drive Elementary as base beginning 2010-2011.
Assign Nodes 412.8 and 412.9 to Dillard Drive Middle as base beginning 2010-2011.
Assign Nodes 579.0 and 580.0 to Kingswood Elementary as base beginning 2010-2011.
2. Assign Nodes 248.1; 617.0; 622.0; 704.0; 707.0; 709.0; 710.0; 732.0; 752.0; 755.0; 276.0; 277.1; and 277.3 to Heritage High as base beginning 2010-2011 (9th and 10th grade only).
3. Assign Nodes 357.1; 357.2; 357.3; 358.0; 359.0; 360.0; 621.0; 642.0; 666.0; 667.0; 702.0; and 708.0 to Panther Creek High as base beginning 2010-2011.
4. Assign Nodes 358.0; 359.0; 360.0; 642.0; 666.0; 667.0; 702.0; 708.0; 357.1; 357.2; 357.3; and 621.0 to Mills Park Middle as base beginning 2010-2011.
5. Assign Nodes 539.0 to Salem Elementary as base beginning 2010-2011.
6. Assign Nodes 416.0, 632.0 to Holly Ridge Middle as base beginning 2010-2011.
7. Assign Nodes 458.2, 465.2 to Fuquay-Varina High as base beginning 2010-2011.

Laura Evans presented information to the Board. John Tedesco made a motion to approve, seconded by Deborah Prickett. After comments from Board members, the Board voted 5 to 3, with Anne McLaurin voting “no”, John Tedesco voting “yes”, Kevin L. Hill voting “no”, Debra Goldman voting “yes”, Chris Malone voting “yes”, Deborah Prickett voting “yes”, Keith Sutton voting “yes”, and Carolyn Morrison voting “no”. The motion passed on a 5 to 3 vote.

STUDENT ASSIGNMENT GRANDFATHERING GUIDELINES

On February 3, 2009, the Board of Education approved the following grandfathering guidelines: Transfer requests will be automatically approved if the following three conditions apply: (1) if they are submitted during the annual transfer application period between May 14th and June 1st, (2) if the application is for a student who has been attending WCPSS schools and the Board’s action has changed the student’s assignment for the subsequent year to a school different from the current school, and (3) if one of the following statements is true: the student is rising into grades 4 or 5 (and is reassigned to either an existing school), or the student is rising into grades 7,8,10,11, or 12 and the change in assignment is from an existing school to an existing school, or the student is rising into grade 8 and the reassignment is to a new school.

Staff will be available to answer questions regarding grandfathering and athletic eligibility.

Staff is recommending siblings rising into grades K, 6th, or 9th be allowed to transfer into the same school as the older sibling. Transfers are approved without transportation. Fiscal Implications: None. Recommendation for Action: Board approval is requested.

Laura Evans presented information to the Board. Ms. Evans provided the following information to Board members regarding athletic eligibility, *“Per Board Policy 6203.8 high school students on transfer waive the right to participate in athletic activities for 365 days. If a student is approved for transfer under the grandfather provisions, however, the student is not required to appeal for athletic participation. If growth management allows the student to stay at the previous school due to grandfathering, then the student is eligible for athletics.”*

Kevin L. Hill made a motion to approve, seconded by Anne McLaurin. With no questions from the Board, the motion was unanimously approved.

PUBLIC COMMENT

- **Amy Lee** - Ms. Lee spoke to the Board regarding schools in downtown Raleigh, and the effect of the community based assignment model.
- **Christine Kushner** – Ms. Kushner shared her concern regarding the process of consensus. Ms. Kushner urged the Board to work together and come up with a plan that can serve all the children and community of Wake County.
- **Larrie Loehr** – Mr. Loehr spoke to the Board regarding a vision of what quality student learning is. Mr. Loehr requested that the Board postpone the neighborhood resolution and put energy into chartering a design team to guide development of a vision for student learning useful for living in our new world.
- **Marvin Pittman** – Mr. Pittman spoke to the Board regarding developing high poverty and struggling schools. Mr. Pittman shared his thoughts of what a vote for neighborhood schools could bring to Wake County.
- **Jerod Johnson** – Mr. Johnson spoke to the Board regarding the community based assignment zones.
- **Diana Bader** – Ms. Bader shared her thoughts and feelings regarding assignments and the decisions being made regarding assignments.
- **Dove Tinker** – Mr. Tinker shared his thoughts with the Board regarding the resolution on community assignments. Mr. Tinker shared his concern of how rash behavior will lead to unintended consequences.
- **Yuri Yamamoto** – Ms. Yamamoto shared her thoughts regarding her support of diversity and community schools working together.
- **Nefertiti Byrd** – Ms. Byrd spoke to the Board and stated that she did not support the resolution that was passed. Ms. Byrd also shared her thoughts and feelings regarding Board decisions.
- **Christina Creech** – Ms. Creech shared her thoughts and feelings regarding Board members’ conduct at Board meetings, specifically compromising at the role it must play in society.
- **Marc Nolan**– Mr. Nolan spoke to the Board regarding the selection committee’s recommendation of PCG for electronic data management. Mr. Nolan spoke to the Board on behalf of Spectrum K-12 and the RFP process.
- **Carol Fekaris** – Ms. Fekaris spoke to the Board regarding her node staying at Heritage Middle School instead of being moved to Durant Road Middle.
- **Matthew Booker** – Mr. Booker complimented the Board on vigorously debating the implications of several amendments. Mr. Booker shared that the efforts and conversation should and could lead to compromise.
- **Jackson Foster** – Mr. Foster shared his thoughts regarding the community based assignment model and what the lack of diversity will do to his school.
- **Heather Losurdo** – Ms. Losurdo shared her thoughts regarding the magnet system lottery and how it operates.
- **Annette Exum** – Ms. Exum shared her thoughts regarding the community based assignment zone resolution and how separate but equal is inherently unequal.
- **Ed Morris** – Mr. Morris shared his thoughts regarding forced busing.
- **Cathy Harris-Cannon** – Ms. Harris-Cannon spoke to the Board regarding Spotlight on Students and the next time students will be recognized.

ADJOURNMENT

There being no further business coming before the Board, Debra Goldman made a motion to adjourn, seconded by John Tedesco. The motion was unanimously approved. The meeting adjourned at 10:01 p.m.

Respectfully submitted,

Ronald A. Margiotta, Chair, Wake County Board of Education

Donna M. Hargens, Acting Superintendent, WCPSS

Melissa R. Christmas, Recording Secretary