

WAKE COUNTY BOARD OF EDUCATION



OPEN MINUTES –BOARD MEETING

Tuesday, March 30, 2004

Board Members Present	Staff Members Present	
<i>Susan Parry, Chair</i>	<i>Superintendent McNeal</i>	Donna Hargens
<i>Patti Head, Vice Chair</i>	Jo Baker	Danny Barnes
Bill Fletcher	Del Burns	
Rosa Gill	Luther Cherry	
Beverley Clark	Cindi Jolly	
Carol Parker	Michael Evans	
Amy White	Donald Haydon	
Ron Margiotta	Ann Hooker	
Kathryn Watson Quigg	Linda Isley	
	Toni Patterson	<u>Board Attorney Present</u>
	Karen Banks	<i>Ann Majestic</i>
	Janice Shearin	
	Julye Mizelle	

Susan Parry called the meeting to order at 4:00 p.m. Everyone recited the Pledge of Allegiance.

INFORMATION

Chair's Comments

- ⇒ *Ms. Parry reported that on Thursday, March 18, 2004, the Board of Education and the County Commissioners attended the Wake County Public School System Performance of "Piece Of Gold" at the BTI Performing Arts Center.*
- ⇒ *Rosa Gill and Chairwoman Parry attended the PTA Partners Reception to hear a report about small academies.*
- ⇒ *The Board of Education attended the NCAE open house.*
- ⇒ *The board chair attended the "Wide Awake Health Forum" sponsored by Wake County Human Services. The forum focused on Childhood Obesity.*
- ⇒ *The board chair attended the Battle of the Books at Southeast Raleigh High School. Students from grades 7, 8, & 9 read over 40 different books memorizing specific details for the competition.*
- ⇒ *She attended the All-County Elementary Honors Chorus performance. Over 160 4th and 5th grade students from 20 Wake County Schools participated in this event at the Highland United Methodist Church.*
- ⇒ *Patti Head and Chairwoman Parry attend the MLK Forum on Diversity held at the McKimmon Center.*
- ⇒ *Department of Public Instruction held the "Closing the Student Achievement Gap Conference," in Greensboro, North Carolina. Over 3,900 people attended this conference. The title of the conference was "Changing the Way We Do Business In The Village."*
- ⇒ *Patti Head attended the Science Fair at Jeffreys Grove Elementary School.*
- ⇒ *The Wake County PTA Council has been named Outstanding PTA Council in North Carolina.*
- ⇒ *The WCPTA sponsored Reflections held at Green Hope High School.*
- ⇒ *Carol Parker attended the first annual Wakefield Art Exhibit. This included Wakefield Elementary and Middle Schools art exhibits.*

Superintendent's Report

- ⇒ *Two Wake County students-A.J. Klingenmaier, a senior at Southeast Raleigh, and Kaleigh Klemm, a senior at Green Hope, have been named Susan Ellis Roberts Scholarship winners. The scholarship named in honor of a former Wake County teacher, provides each winner with \$3,000 toward university expenses.*
- ⇒ *The 20 semifinalists for the 2004 Teacher of the Year will be honored at a reception on April 14 at the NC Bar Association at 6:30 p.m. 10 finalists will be named.*
- ⇒ *The National Conference of Magnet Schools is April 18-22 and will be hosted by WCPSS.*

APPROVAL OF MEETING AGENDA

Bill Fletcher made a motion to amend the meeting agenda to update the backup information to the Action Agenda Policy-6425-Fighting/Physical Aggression or Assault.

Patti Head made a motion to amend the meeting agenda to add to the Closed Session: to consult with an attorney employed or retained by the Board in order to preserve the attorney-client privilege between the attorney and the Board. Hytech Construction Company, Inc vs. Wake County Board of Education and Cherry Huffman Architects, P.A., Inc., G.S. 143-318.11(a)(3).

Patti Head made a motion to amend the meeting agenda to add to the Consent Agenda Facilities- "Property Division Agreement for Knightdale High School and Forestville Road Elementary School Tract."

Patti Head made a motion to amend the meeting agenda to add the March 16, 2004, Closed Session Minutes to the Consent Agenda.

Bill Fletcher made a motion to approve the amended meeting agenda, seconded by Carol Parker. The vote was unanimous.

PUBLIC HEARING

***Jamie Stallings, teacher, Zebulon Elementary School.** Opposes the changing of the bell schedule at Zebulon Elementary School.*

***Arlene Good, Representative of Parents-Jones Dairy Elementary School.** Opposes the changing for the bell schedule at Jones Dairy Elementary School.*

CONSENT ITEMS

Bill Fletcher made a motion to approve the Consent Agenda, seconded by Rosa Gill. The Vote was unanimous.

APPROVAL OF MINUTES

February 10, 2004-Policy Committee Meeting
 March 9, 2004-Human Resources Committee Meeting
 March 16, 2004 – Closed Session

FACILITIES

1. MOBILE UNIT MASTER LEASE AGREEMENT

Renovation of school facilities throughout Wake County requires the use of mobile units on a short-term basis. With the assistance of TharringtonSmith, L.L.P., a mobile unit master lease agreement has been prepared and approved by RESUN, a Virginia Corporation. Mobile units will be provided on an as needed basis with the lease period not to exceed 12 months in duration from the date units are

required. Fiscal Implications: Funding is provided through the operating capital outlay budget. Recommendation for Action: Staff requests Board approval of a Master Mobile Lease Agreement with RESUN, a Virginia Corporation.

2. EASEMENTS-HIGHCROFT ELEMENTARY

Completion of construction of Highcroft Elementary requires the dedication to the Town of Cary of easements for four bio-retention basins including access containing 2.376 acres, an easement 20 feet wide for a new waterline containing 1.202 acres, a 20-foot wide easement for a new greenway containing .566 acres, and a site triangle easement containing .012 acres. The easements will be provided by recorded plats. Fiscal Implications: None. Recommendation for Action: Staff requests Board approval of easements to the Town of Cary for four bio-retention basins, waterline improvements, greenway system and site triangle easement all containing 4.156 acres.

3. RESERVOIR WATERSHED PROTECTION AND ACCESS EASEMENT AND AGREEMENT-HIGHCROFT ELEMENTARY

Construction of the new Highcroft Elementary requires the location on the property of four bio-retention basins for storm water management. A Reservoir Watershed Protection Access Easement and Agreement is required by the Town of Cary stating requirements for construction, operation and maintenance of the basins. Fiscal Implications: Maintenance is to be provided by WCPSS staff. The proposed budget for 2004-2005 includes \$250,000 for maintenance at 80 schools within jurisdiction of Raleigh and Cary. Recommendation for Action: Staff requests Board approval of a Reservoir Watershed Protection and Access Easement and Agreement for bio-retention basins at Highcroft Elementary.

4. BIDS: NORTHWOODS ELEMENTARY

Bids for the renovations at Northwoods Elementary were received on March 9, 2004. Staff and Arcadis G&M of North Carolina, Inc., recommend award of the single-prime contract to Harrod & Associates Constructors, Inc., in the amount of \$3,953,500. The total of the low-multi-prime bids was \$3,932,680. Staff recommends award of the single prime contract based on the value added for having a single point of contact and coordination of all sub-contractors. Fiscal Implications: Funding is available from the total project budget of \$5,772,742 of which \$4,178,070 is from the PLAN 2000 School Building Program, and \$1,594,672 is from the PLAN 2004 School Building Program. Due to project bidding below construction budget, staff recommends moving \$353,733 to savings. Recommendation for Action: Board approval is requested.

5. PURCHASE OF MAXIMO MOBILE SOFTWARE

This software application allows maintenance technicians the ability to interact with MAXIMO maintenance management software system remotely using handheld computers (PDAs). This will result in greater productive time, higher quality and more timely information for better decisions, and improved asset-materials accountability. Technicians will be able to record work status, labor, materials and failure codes; create new work orders; view equipment histories; locate spare parts; and perform multi-location inspections while at school sites. Simultaneously, this will require less travel, less paperwork, reduce data entry, promote better adherence to business rules and provide more accurate and timely data to support maintenance solutions. Fiscal Implications: Funding is available from the current Maintenance and Operations budget. Software cost is \$230,194. Recommendation for Action: Board approval is requested.

6. JOINT USE AGREEMENT FOR KNIGHTDALE HIGH SCHOOL AND FORESTVILLE ROAD ELEMENTARY SCHOOL PROPERTY WITH THE TOWN OF KNIGHTDALE AND THE COUNTY OF WAKE; JOINT USE AGREEMENT FOR KNIGHTDALE COMMUNITY PARK WITH THE TOWN OF KNIGHTDALE

Board, Town, and County funds were used to purchase and master plan property for a high school, an elementary school, and park amenities. The development of the property includes the Board transferring to the Town ownership of three areas of the site that will be primarily used by the Town. In summary, the Town agreed to pay design and construction costs for two lighted little league fields, concession/restroom building, tot lot playground, and parking at the high school baseball field area; and, to upgrade the Forestville Road Elementary School multi-purpose room to a full-size gym and recreation center with additional parking. The recreation center will be on Board property but it will be principally used for Town purposes during school and non-school hours. County shall assist with maintenance of the high school track to allow for community use. The initial term of this agreement is for 50 years. Fiscal Implications-Board, Town, and County jointly purchased 169.65 acres with the Board paying 60% and the Town paying 40% of the utility extensions, road improvements, and construction administration costs associated with Phase 1 improvements. Town and/or County shall pay for the additional design and construction costs of the facilities that are not part of WCPSS educational program specifications. Town and County are responsible for the utility costs, routine and major maintenance and repair costs for the additional amenities. Town is responsible for the housekeeping costs, utility costs, and the preventive and major maintenance repair and replacement costs for the additional square footage at Forestville Road Elementary School. The Board shall pay no fees to the Town for use of Licensed Areas on Town Property. Recommendation for Action-Staff recommends approval of (1) the Joint Use Agreement for the Forestville Road Elementary School and Knightdale High School property; and (2) the Joint Use Agreement for school system use of Town property. Board approval is requested. Town Council has approved the Joint Use Agreements.

FINANCE

1.HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (“HIPAA”)

Resolutions authorizing approval for WCPSS Flexible Benefits Plan, Dependent Care Assistance Plan, and Medical Reimbursement Plan, required for compliance with new federal government privacy rules under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”). These new federal government privacy rules go into effect April 14, 2004.

1. Plan Documents: Flexible Benefits Plan, Dependent Care Assistance Plan, and Medical Reimbursement Plan.
2. Summary Plan Description: Flexible Benefits Plan, Dependent Care Assistance Plan, and Medical Reimbursement Plan.

Fiscal Implications: Total cost of \$11,216 for printing and distribution of materials as required by law.

2. GIFTS TO THE SYSTEM

Thirty-seven gifts have been donated to the Wake County Public School System.

The approximate value of the gifts is \$35,383.65. Fiscal Implications: Not applicable.

3. ALTERNATIVE REVENUE SOURCES STAFF RECOMMENDATIONS

Recommendations from the Finance Committee have been reviewed and discussed with principals and cabinet. Feasibility regarding implementation of each Finance Committee recommendation for alternative revenue determined from contact with vendors was presented to the Committee of the Whole on February 3, 2004. Staff recommendations are provided as précis backup material, as well as additional information requested by Board members. Fiscal Implications: Potential increases in revenue and/or savings.

COMMITTEE CHAIRS' REPORTS-None

ACTION ITEMS

POLICY

1. POLICY 6425-FIGHTING/PHYSICAL AGGRESSION OR ASSAULT

(Revised: Second Reading)

The purpose of this policy revision is to update policy to clarify application and reflect current system processes. Fiscal Implications-None. Recommendation for Action-Staff recommends approval for the 2004-2005 school year of revised Policy 6425 for second reading.

Bill Fletcher made a motion to approve, seconded by Beverley Clark. The vote was unanimous.

PROGRAM

1. GROWTH MANAGEMENT ASSIGNMENT PLAN FOR 2004-2005 *(Exhibit A)*

The staff of the Office of Growth Management presented recommendations for the 2004-2005 Growth Management Assignment Plan to the Board. This item is presented for Board approval.

The Superintendent McNeal spoke about the need for reassignment being directly related to growth, the building of new schools and housing students in those new schools. He commended Dr. Beavers and his staff for the time and attention given to the reassignment processes this year, community engagement meeting and the processing option feedback.

Carol Parker make a statement that the student assignment process has been a learning experience for her and that she will vote to approve the plan, but she has several major concerns. She requested that her prepared statement become part of the minutes. "I want to commend the Board and the staff for holding Community Engagement meeting. It is critical that we continue to improve communications and involvement of the community in the student assignment process and in other areas as well. I want to commend the community for their involvement and support of our schools. If no one cared that they were being moved, it would be an indictment of our schools, and that certainly is not the case. I'd like to thank all the parents that took the time to attend the community engagement meetings, the public hearings, and for sharing their concerns and making suggestion in emails and telephone calls. My concerns are the parts of this plan that took children out of neighborhood schools, rejected requests to move children to closer schools, and forced year-round assignments. I support expanded choice in our school system, and also support diversity. I don't think these two are mutually exclusive. The Board needs to consider ways to achieve both goals, and to be responsive to the growing National trend for more parental involvement in choosing schools. The school system is developing long-range plans for building locations, and we also need to develop long range plans for types of schools and student assignments. It is my hope that a lenient transfer policy will allow parental choice to be recognized. It is my hope that this Board will work together to continuously improve our system. It is a great school system, and I'm honored to be a part of the Board of Education."

Ron Margiotta stated that he will vote "against" the Student Reassignment Plan and requested a roll call vote.

Amy White reported on the sub committee meeting to discuss how the process for transfer hearings will be handled. Any parent may request a student transfer. The transfer forms may be submitted to the Office of Growth Management beginning on May 14 and running through June 1, 2004.

Beverley Clark thanked staff for their hard work in the community to get the student assignment plan out to the public. She stated that there are people out in the community that we don't hear from and that most of the community is happy with the school system; however, there are those that we hear

from that are not satisfied with the school system. Less than 10% of the community was present at the community engagement meetings. We will continue to improve the Student Assignment process.

Carol Parker reminded the Board that it needed to look at the “rim schools” to see what support can be provided.

Patti Head stated that she will support the student assignment plan, but has concerns with base assignments at year-round schools.

Ron Margiotta made a formal motion to request that a roll call vote be conducted to poll the board’s votes, seconded by Patti Head. The motion failed for lack of any votes by board members.

Ron Margiotta explained his reasons for not supporting the student reassignment plan. He feels that mandatory assignments to year-round schools place a burden on families who cannot accommodate the schedule. He feels this represents a change in life styles for families. Mr. Margiotta stated that he is in support of neighborhood schools. This is his position, unless parents choose other options.

Beverley Clark made a motion to approve the Growth Management Assignment Plan for the 2004-2005, seconded by Rosa Gill. The vote was 7 to 1 with Amy White, Kathryn Watson Quigg, Carol Parker, Rosa Gill, Patti Head, Beverley Clark and Bill Fletcher voting “yes” and Ron Margiotta voting “no.”

INFORMATION ITEMS

1. PRESENTATION OF SUPERINTENDENT’S BUDGET REQUEST 2004-2005 (Exhibit B)

To present the Superintendent’s Budget Request for 2004-2005. Fiscal Implications:

This document establishes the Superintendent’s budget request for fiscal year 2004-2005.

Dr. Del Burns gave an overview of the Superintendent’s Budget Request.

CLOSED SESSION

Patti Head made a motion to go into closed session at 6:00 p.m. to consider confidential student information protected under the Family Rights and Privacy Act (FERPA) and G.S. 115C-402 and to consult with an attorney employed or retained by the Board in order to preserve the attorney-client privilege between the attorney and the Board. Hytech Construction Company, Inc vs. Wake County Board of Education and Cherry Huffman Architects, P.A., Inc., G.S. 143-318.11(a)(3). Seconded by Carol Parker. The vote was unanimous.

Reconvened 6:23 p.m.

Ron Margiotta made a motion to approve Tharrington Smith Attorney-at-Law to represent Cherry Huffman Architects, P.A., Inc and the Board of Education in litigation against Hytech Construction Company, Inc., seconded by Patti Head. The vote was unanimous.

ADJOURNMENT

There being no further business, Susan Parry adjourned the meeting at 6:25 p.m., on March 30, 2004.

Respectfully submitted,

Elwanda K. Farrow, Recording Secretary

Bill McNeal, Superintendent, WCPSS

Susan Parry, Chair



