



WAKE COUNTY BOARD OF EDUCATION MEETING MINUTES

May 6, 2008

Board Members Present	Staff Members Present	
Rosa Gill, Chair	Superintendent Del Burns	Don Haydon
Beverley Clark, Vice Chair	Terri Cobb	David Holdzkom
Eleanor Goettee	Danny Barnes	Ann Hooker
Patti Head	Maurice Boswell	Julye Mizelle
Kevin L. Hill	Mike Burriss	David Neter
Anne McLaurin	Kathy Chontos	Bev White
Ron Margiotta	Marvin Connelly	Jonibel Willis
Lori Millberg	Michael Evans	Mark Winters
Horace Tart	Lloyd Gardner	Board Attorney Present
	Donna Hargens	Ann Majestic

Chair Gill called the meeting to order at 3:06 p.m. Everyone recited the Pledge of Allegiance.

Chair's Comments

- On April 29, Chair Gill attended the Valedictorian Luncheon at the North Carolina State University Club along with five other Board members. Ms. Gill congratulated each student as well as their parents.
- Ms. Gill shared that graduations are approaching and encouraged all Board members to review the schedule and let Ms. Ann Hooker know which graduations they will attend. Ms. Gill thanked Ms. Hooker for the coordination of all the WCPSS graduations.
- Ms. Gill shared with Board members that they will have a work session on Tuesday, May 13 from 1:00-5:00 in the Board Conference Room at the Administrative Offices on Wake Forest Road and another work session on Wednesday, May 14 from 12:00-5:00 in the Board Conference Room as well.
- Ms. Gill announced that the Teacher of the Year Banquet will be held on May 15 at the Embassy Suites in Cary at 6:00 p.m.
- Ms. Gill announced that the week of May 4-10 was Teacher Appreciation Week. Ms. Gill thanked all of the teachers in WCPSS for the work they do to ensure that students graduate on time, prepared for the future.

Superintendent's Comments

- Superintendent Burns congratulated Vivian Harper, the 2008-2009 Wake County Teacher Assistant of the Year. Ms. Harper is a teacher assistant at Root Elementary. Dr. Burns congratulated all of the finalists as well as the representatives from each school and thanked all 2,000 teacher assistants for all they do to support learning and teaching in the classroom.
- On May 10, the Wakefield High School PTA will receive the Oak Leaf Award from the North Carolina State PTA. Wakefield High School is receiving the award as a

result of the “JUST THINK FIRST” video, which was produced after receiving a grant from the Wake County New Vehicle Dealer’s Association. In April of this year, the video documentary was distributed to superintendents and counselors in all North Carolina school districts to be used in their driver’s education programs. Dr. Burns thanked Assistant Principal, Vivian Wells, Athletic Director/Driver’s Education Coordinator, Dexter Cooler, Principal, Mark Savage, and Coordinator for a 5KRAce, Kazem Yahyapour, and the Wakefield High School PTSA.

- Wakefield High School students made a strong showing at the annual TEENFEST competition held earlier this month in Durham. The contest featured area teens who delivered original anti-drug and anti-violence messages through dance, drama, song, and other venues. Members of Wakefield’s UNITY Step Team captured first place and \$1000. The contest was sponsored in part by the North Carolina Cooperative Extension Service, Wake County 4-H Youth Development, and the Governor’s Institute on Alcohol and Substance Abuse.
- On April 24, Dr. Burns met with all Curriculum Management Audit (CMA) recommendation committee members. Dr. Fenwick English, the founder of the CMA process, provided an overview of how the CMA process can be used as a tool to improve instruction. Dr. English began this process in 1979 in Ohio and has since been involved with CMA all over the world. The session was very informative and beneficial to everyone in attendance.
- Fourteen students from three high schools and one middle school represented the Wake County Public School System in the State High School Mathematics Contest on Thursday, April 24. The competition was held at the NC School of Science and Mathematics in Durham. The fourteen WCPSS students were among 139 students who qualified through regional contests held earlier this year. Individual winners included: 4th place, William Schieper, 12th grader at Green Hope High School; 6th place, Daniel Vitek, 11th grader at Enloe High School; 8th place, Vivek Bhattacharya, 12th grader at Enloe High School; 13th place, Calvin Deng, 7th grader at Ligon Middle School; and 17th place, Allen Yang, 8th grader at Ligon Middle School. Dr. Burns congratulated each student, their teachers, and their schools.
- On Friday, April 4, more than 700 Hispanic students from more than 30 counties across the state convened at the 9th Annual Hispanic Educational Summit. The summit is an initiative for the NC Society of Hispanic Professionals (NCSHP). The day’s activities included a presentation by keynote speaker, Guillermo Diaz, Jr., Vice President of IT for Cisco Systems. Students had an opportunity to visit with more than 50 educational exhibitors from community colleges, universities, and other educational institutions.
- On May 1, Leesville Road High School’s Honors Vocal Ensemble was named the winner of the Triangle Youth Chorus Trophy for 2008. Capital Pride, the name of the Honors Vocal Ensemble, receives the opportunity for a professional recording and a \$300 credit for purchase of music from Hingham Music Company. Capital Pride, directed by Diane Covington, is an auditioned choir of 42 juniors and seniors. Ms. Covington received a \$750 cash grant to use for the choir, its members, or the school’s choral music department. Dr. Burns congratulated Capital Pride.
- Jim Wright, nationally known expert on Intervention in the Classroom, led a workshop of more than 300 SST coordinators, counselors, and psychologists on

April 24. The session was very informative and one in which participants walked away with a variety of strategies for responding to intervention in the classroom. Dr. Burns thanked Melissa Bunn and Nartarshia Sharpe for coordinating the event.

- The School/Community Help Hands Mentoring Program hosted its 20th Annual Olympiad Competition at Carnage Middle School on Saturday, April 26. The purpose of the Olympiad is to create an opportunity for students to excel in academics, leadership, and athletics. West Millbrook Middle School won the overall Elementary School Championship Plaque and Partnership Elementary School won the overall Elementary School Championship Plaque. There were a total of 227 participants, 159 students and 68 adults.
- Fred McNary, principal at Phillips High School, is the acting president of the NC Association for Alternative Educators. Mr. McNary hosted the regional meeting for the Association's Board of Directors on Friday, April 25. Dr. Burns thanked Mr. McNary for taking on the important role within the State.
- David Holdzkom, WCPSS Assistant Superintendent in the Evaluation and Research Department, assisted in a one day professional development opportunity on April 24, sponsored by the Institute of Education Science and the U.S. Department of Education. The meeting was held in Washington, D.C. and the purpose of the activity was to present information on Program Evaluation Strategies and Randomized Trials.
- The North Carolina High School Athletic Association held its Annual Meeting in Chapel Hill. Several WCPSS employees received awards. Sanderson High School's track coach Tony Lewis was honored as a "Coach who makes a Difference". Vickie Peoples, former Enloe High School Swimming Coach; Jerry Winterton, Cary High School Wrestling Coach; and Bobby Guthrie were honored with awards for "Making Special Contributions" to the NCHSAA.
- Drivers from the Wake County Public School System Transportation Department took top honors at the Regional Bus Roadeo on May 1. There were 41 drivers who competed in the Roadeo and the top 10 winners were invited to compete in the State Roadeo on May 15. Four WCPSS drivers secured a spot in the top 10. The drivers are: First Place, Byron Lanier from the Broughton District; Second Place, Jeff Mellen from the Fuquay District; Third Place, Stephanie High from the Millbrook District, and Sixth Place, Billy McKemey from the Fuquay District. Dr. Burns congratulated all of the winners and wished them the best at the State Roadeo.

Board Members' Comments

- Beverley Clark shared that she attended the Valedictorian Luncheon with Ms. Gill and stated how great it was. Ms. Clark stated that Lori Millberg's daughter was in attendance as East Wake School of Health Science's Valedictorian.
- Lori Millberg shared that she, Ms. Gill, Ms. Goettee, and Ms. Clark travelled to Clinton, S.C. to look at the Teacher Advancement Program (T.A.P.) at Clinton Elementary School. Ms. Millberg shared that the trip was very inspiring.
- Ms. Goettee shared that she was a part of the Teacher of the Year interviews held on April 30. She shared several comments from the teachers regarding beginning teachers needing mentors, needing support as a first year teacher, and needing time

with their mentors. Ms. Goettee also shared that she, Mr. Hill, Mr. Tart, and Ms. Gill completed their Facilitative Leadership Training on April 25.

Board Attorney's Comments

- Ann Majestic, Board Attorney stated that *“we are very pleased that there was a unanimous decision from the Court of Appeals upholding the Board’s authority to establish year-round calendar schools and to assign students to year-round calendar schools. There were several arguments made in the case and some procedural issues regarding whether all the parties had standing to bring the lawsuit, whether or not they were required to exhaust their administrative remedies by appealing their assignments to the Board before going to court. The Court of Appeals held that Wake Cares did not have standing as a plaintiff in the case, so they dismissed Wake Cares as a party, as an initial matter. The court found that the parents of the individual students who’d been assigned to year-round schools did have standing at the end, that they were not required to exhaust their administrative remedies because they were seeking an interpretation by the court of the broader questions of the Board’s authority to have students assigned to year-round schools. To the Board’s advantage, the Court of Appeals found that they could overcome the procedural hurdles and could reach the merits. The court examined the arguments by the plaintiffs and the decision by the trial court and agreed with the Board’s analysis of the state law, which states that there is not a requirement that every student be offered attendance at a school on a traditional calendar, but rather the school board has the authority under state law to establish year-round calendar schools and has broad authority to assign students to schools of whatever calendar they establish, and that there is no requirement in law for informed parental consent as the trial court held. The Court of Appeals has remanded the case to the trial court. The ultimate finding of the court is reversing the decision and remanding the case to the trial court to enter a judgment in favor of the Board.*”

APPROVAL OF MEETING AGENDA

Chair Gill requested to add the Teacher Appreciation’s Week Resolution to the Action Agenda, Beverley Clark requested to have a report given from the Growth Management staff relative to what decisions have been made related to the recommended implementation plan for informed consent for assignment to year-round and modified calendar schools for 2008-2009, and Lori Millberg requested to pull Policy 6860- Co-Curricular Activities and Athletics, Under the Consent Agenda.

The Board unanimously approved the amended Meeting Agenda.

INFORMATION ITEMS

1. AUTOMATED PREPAYMENT PROGRAM FOR PARENTS: MYLUNCHMONEY.COM

The existing software company (School-Link Technologies, Inc.) used for the cafeteria point of sale has a new service for school lunch programs that allows parents to make prepayments for school meals by the Internet or by telephone, using a credit or debit card. The program will eliminate the manual entry of prepayments because the new program communicates directly with student lunch accounts. Some of the advantages to the programs are: convenience for parents, accuracy for accountability, and reduced number of students without lunch money, because the system notifies parents by email when accounts are low. A future feature of the program is to allow parents to see what students

have purchased over the past seven days. Fiscal Implications: There is no cost to the district for this service. This program is less expensive per transaction than the one that is currently being used by parents. The vendor, at the end of this school year, is terminating the existing program. Recommendation for Action: Information only.

Don Haydon and Scott Mooneyham presented information to the Board regarding the mylunchmoney.com program. Mr. Haydon shared that the program will eliminate the manual entry of prepayments and will communicate directly with student lunch accounts. Mr. Haydon and Mr. Mooneyham shared that the program is less expensive per transaction and that there is no cost to the district for the service. Parents will no longer be charged \$3.00 per transaction per child to use the service, instead the charge will be \$1.95 per school.

Mr. Mooneyham answered clarifying questions from the Board.

2. CHECK RECOVERY PROGRAM: ePAYMENTS CORP.

The vendor, ePayments Corp., will provide a system of recovery of non-sufficient checks for funds due to the Child Nutrition Services program. Also provided is public information initiatives for parent notification, website information, marketing materials, etc. There will be notification to check writers prior to recovery and an avenue for voluntary payment. The vendor references noted the company's high level of dignity, respect, and customer service to the check writers. Fiscal Implications: There is no cost to the CNS program for this service. The CNS program will receive 100% guarantee on all returned items, including closed accounts. Recommendation for Action: Information only.

Don Haydon and Scott Mooneyham presented information to the Board regarding the new check recovery program. Mr. Haydon and Mr. Mooneyham shared that epayments will provide a system of recovery of non-sufficient checks for funds due to the Child Nutrition Services program. Mr. Haydon and Mr. Mooneyham also shared that there will be notification to check writers prior to recovery and an avenue for voluntary payment.

Mr. Mooneyham answered clarifying questions from the Board.

3. DEPARTMENT OF PUBLIC INSTRUCTION'S ANNUAL SCHOOL BUS INSPECTION

Annually the North Carolina Department of Public Instruction performs an unannounced inspection of each school system's bus fleet. The inspection of Wake County Public School System's fleet was conducted in mid-April. Staff will provide a summary of inspection results. Fiscal Implications: None. Recommendation for Action: Report is provided for information only.

Mr. Haydon shared the Annual School Bus Inspection report with the Board. Mr. Haydon shared that the Dept. of Public Instruction rigorously inspected 10% of the bus fleet. With 174 items on the checklist, the inspector samples all the manufacturers of buses, recordkeeping, files, check for preventive maintenance and monthly 30-day inspections, and conduct a sampling of the parts inventory. The 2007-2008 results have WCPSS at 67.6%, with zero being the best. The average score for the eastern area, where

Wake County is located is 55.8%. Inventory accuracy for the Transportation Department for 2007-2008 is 70%. Mr. Haydon shared that the reasons for improvement include, the staff focusing on 30-day inspections, awareness of the DPI inspection criteria, the realignment of mechanic responsibilities, filing of vacant positions, drivers' involvement, and the leadership emphasis on inspections. Next steps for bus inspections include, improving where we are, new maintenance coordinator has been hired, a continued focus on monthly inspections and preventative maintenance, staffing, recruitment, attendance, retention, and improving the mechanics working conditions.

PUBLIC COMMENT – 4 P.M.

Citizens who signed up to address the board during public comment will be called on in priority order first for items on the agenda and then for items not on the agenda. Each individual speaker will be allowed three minutes for remarks. 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.

- **Kenya Smith – parent:** Ms. Smith is concerned that WCPSS suspended 1,055 students long-term last school year, compared to Charlotte-Mecklenburg's 193 students. Ms. Smith is concerned that long-term suspensions are given as the only alternative. Ms. Smith further stated that students are missing vital education while awaiting due process procedural rights. Ms. Smith stated that WCPSS has only one hearing officer to oversee hearings. Of the 1,055 suspensions, 749 of the students were minority. Ms. Smith requested that the Board incorporate training to assist officials in identifying alternatives to long-term suspension, prevent school officials from treating Richard Milburn as a "new age" detention center, hire additional hearing officers to ensure that all school-based hearings can take place within the ten day suspension period, and mandate diversity and cultural sensitivity training for all WCPSS administrators.

CONSENT ITEMS

Patti Head made a motion to approve the Consent Agenda, seconded by Lori Millberg. The motion was unanimously approved.

APPROVAL OF MEETING MINUTES

- March 19, 2008 - Joint Board of Education & County Commissioner's Minutes
- April 22, 2008 - Work Session and Committee of the Whole Meeting Minutes
- April 22, 2008 - Board of Education Meeting Minutes

FINANCE

1. GIFTS TO THE SYSTEM

Eighty-nine gifts have been donated to the Wake County Public School System. The approximate value of the gifts is \$40,178.84. Fiscal Implications: Not applicable. Recommendation for Action: No action is required.

FACILITIES

1. TEMPORARY UTILITY EASEMENT: PROGRESS ENERGY (RIVER BEND ELEMENTARY)

As part of the construction process and in order to provide service to the River Bend Elementary site, Progress Energy Carolinas, Inc., requires a temporary easement to construct, relocate, maintain, and operate electric and/or communication facilities thereon consisting of poles, cables, wires, underground conduits, enclosures and other pertinent facilities. The temporary easement to be granted will allow for installation of utility service equipment where needed upon the site, with the precise location to be determined by mutual agreement and to be memorialized by site maps or drawings upon installation. The temporary easement will expire upon the installation and energizing of the permanent utility facilities. The requested easement will not interfere with the Wake County Public School System's present or future use of the property. A copy of the proposed Easement is attached. Fiscal Implications: None. Recommendation for Action: Staff request Board approval.

2. UTILITY EASEMENT: PROGRESS ENERGY (HERBERT AKINS ROAD ELEMENTARY)

As part of the construction process and in order to provide service to the Herbert Akins Road Elementary site, Progress Energy Carolinas, Inc., requires an easement to construct, relocate, maintain, and operate electric and/or communication facilities thereon consisting of poles, cables, wires, underground conduits, enclosures and other pertinent facilities. The easement to be granted will allow for installation of utility service equipment where needed upon the site, with the precise location to be determined by mutual agreement and to be memorialized by site maps or drawings upon installation. The requested easement will not interfere with the Wake County Public School System's present or future use of the property. A copy of the proposed Easement is attached. Fiscal Implications: None. Recommendation for Action: Staff request Board approval.

3. PUBLIC WATER SUPPLY AND DISTRIBUTION EASEMENT: CITY OF RALEIGH (ZEBULON MIDDLE)

The City of Raleigh ("City") is working with the Town of Zebulon on a major environmental project and is installing a reclaimed water line adjacent to Zebulon Middle. The City is seeking a public water supply and distribution easement along a portion of the school's southern boundary line. Construction is scheduled to start in November or December 2008 and should last approximately 3-4 weeks. Zebulon Middle is currently operating on the traditional calendar. If school is in session, the City is willing to work with school administration to minimize disturbance by scheduling segments of the construction on weekends.

Staff has negotiated with the City, and terms and conditions have been reached regarding compensation for the acquisition of the temporary construction easement (7,516 sq. ft.) and the acquisition and dedication of the public water supply and distribution easement (24,233 sq. ft.). In addition, the City will install, in a mutually agreeable location, a tap and a meter on the reclaimed water line for future use by the Board. Furthermore, the City has agreed to waive the development fees associated with the tap connection and meter. The tap will allow the Board to use the reclaimed water for future field irrigation purposes. All plant and landscape materials affected by the installation will be replaced or

relocated by the City.

Pursuant to the Sales Tax Agreement, the Zebulon Middle site has been transferred to Wake County, which must approve and execute the easement conveyance. The requested easement will not substantially interfere with the present or future use of the property. A copy of the Deed of Easement and the Easement Plat is attached with the areas of the easements identified thereon. Fiscal Implications: The City of Raleigh will compensate the Board in the amount of \$19,090 for the easements involving Zebulon Middle. Funds will be allocated to the Capital Outlay within the annual operating budget.

Recommendation for Action: Staff requests Board approval.

**4. THREE PARTY RIGHT-OF-WAY ENCROACHMENT AGREEMENT:
DEPARTMENT OF TRANSPORTATION AND CITY OF RALEIGH (SMITH
ELEMENTARY)**

As a part of the renovations to Smith Elementary, a water line must be installed within the existing right-of-way of public roads SR 2797 (Maxwell Dr.) and SR 3740 (Vanessa Dr.) in Garner, NC. As a condition of permit approval and issuance, a three party right-of-way encroachment agreement with the North Carolina Department of Transportation (“DOT”) and the City of Raleigh (“City”) is required to permit the specified utility improvements to encroach within the limits of the existing public right-of-way subject to conditions stated therein. In addition, upon completion of the improvements and dedication of the water

line to the City, the City agrees to assume all responsibilities and rights and to perform all obligations as agreed to in the Agreement by the Board. A copy of the Agreement is attached. Fiscal Implications: None. Recommendation for Action: Staff requests Board approval.

**5. TWO PARTY RIGHT-OF-WAY ENCROACHMENT AGREEMENT:
DEPARTMENT OF TRANSPORTATION (SMITH ELEMENTARY)**

As a part of the renovations to Smith Elementary, road improvements must be made within the existing right-of-way of public road SR 2797 (Maxwell Dr.) in Garner, NC. As a condition of permit approval and issuance, a two party right-of-way encroachment agreement with the North Carolina Department of Transportation (“DOT”) is required to permit the specified road improvements to encroach within the limits of the existing public right-of-way subject to conditions stated therein. A copy of the Agreement is attached. Fiscal Implications: None. Recommendation for Action: Staff requests Board approval.

6. BIDS: MODULAR UNITS FOR ROOT ELEMENTARY SWING SCHOOL

Bids were received on April 18, 2008 for connecting/installing all services (power, water, sewer, accessibility, data, fire protection, and security) required for permitted occupancy of a 26-classroom modular school, administrative space equivalent of seven classrooms, and multi-purpose lunchroom space equivalent of five classrooms at North Hills East. Staff and Gurel Architecture, PA, recommend award of the single-prime contract to Scotia Construction, Inc., in the amount of \$804,000. Fiscal Implications: Funding is available from the total project budget of \$21,928,650, of which \$300,000 is from PLAN 2004 and \$21,628,650 from CIP 2006. Recommendation for Action: Board approval is requested.

7. MATERIALS TESTING SERVICES: ROOT ELEMENTARY

Negotiations have been completed with S&ME, Inc., to provide construction materials testing and special inspection services for the Root Elementary Additions and Renovations Project, in an amount not-to exceed \$151,300, in accordance with the Master Geotechnical, Material Testing, Special Inspections, and/or Wetland Delineation Services Agreement. Fiscal Implications: Funding is available from the total project budget of \$21,928,650, of which \$300,000 is from PLAN 2004 and \$21,628,650 from CIP 2006. Recommendation for Action: Board approval is requested.

8. CHANGE ORDER NO. CM-04: BUGG ELEMENTARY

Board approval is requested for Change Order No. CM-04 to Clancy & Theys Construction Company, Inc., for their Construction Management at Risk contract for additions and renovations at Bugg Elementary School. This change order, in the amount of \$7,703,334, is to establish a guaranteed maximum price (GMP) for the final 27 bid packages, which are part of the 30 construction packages for this project. In addition, \$217,732 (2%) of the owner's contingency has been encumbered in order to improve the efficiency of the change order process. The total GMP for this project is \$13,104,837 including the additional 2% owner contingency. A list of the bid packages is attached. Fiscal Implications: Funding is available from the total project budget of \$19,569,538, of which \$19,459,878 is from CIP 2006, \$75,000 is from PLAN 2004, and \$34,660 from PLAN 2000. Recommendation for Action: Board approval is requested.

9. CHANGE ORDER NO. GC-06: RIVER BEND ELEMENTARY (E-19)

Board approval is requested for Change Order No. GC-06 to Barnhill Contracting Company, Inc., for their Construction Management at Risk contract for construction of the new River Bend Elementary School. This change order, in the amount of \$456,635.24, is primarily for an additional seven months of lump sum general conditions (\$181,522.50) for the Construction Manager and additional costs (\$426,977.07) from the sub-contractors caused by a delayed start of building construction. The delay was due to the complex approval process for the planned unit development that the developer had to go through, before the City of Raleigh could issue a building permit. This change order also includes a credit for the deletion of the fire pump. The new substantial completion date for this project is November 19, 2008. Fiscal Implications: The proposed total project budget is \$20,873,210, of which \$2,292,654 is from PLAN 2004, \$18,115,691 from CIP 2006, \$259,622 from CIP 2006 Offsite Improvements, \$187,243 from CIP 2006 Program Contingency, and \$18,000 from the City of Raleigh. A reallocation will be brought to a future Board meeting to reallocate the contingency funds to this project. Recommendation for Action: Board approval is requested.

10. DESIGN CONSULTANT SELECTION AND AGREEMENT: E-21 ELEMENTARY

The CIP 2006 School Building Program includes a new elementary school, designated E 21, located in the City of Raleigh at the intersection of Rock Quarry and Sunnybrook Roads, near the Time Warner Cable Walnut Creek Amphitheatre. This resolution is presented to waive the traditional designer selection process and to select Cherry Huffman Architects, PA, for the design of E-21 elementary. E-21 is scheduled to open in 2010. This request is in accordance with NCGS 143-64.32, which allows exemptions to the statutory designer selection process. The specific reason for this exemption is that

this is a re-use of the Mills Park Elementary prototype and it fits the site the best of the three current elementary prototypes. This will shorten design time, reduce cost, and help expedite the project. Staff recommends selection of Cherry Huffman Architects, PA.

Negotiations have been completed with Cherry Huffman Architects, PA, for the design of this project. The form of agreement is the standard form approved by the Board attorney. Fiscal Implications: Originally E-28 was scheduled to open in 2009. Subsequently it was replaced by E-21 with an opening date of 2010 – one year later. The proposed project budget is \$23,945,367, of which \$22,662,184 is from CIP 2006 and \$1,283,183 is to be reallocated from CIP 2006 Reserve at a future meeting due to the opening date change. The total project budget includes proposed compensation for the design consultant of \$784,677 for this project. Recommendation for Action: Board approval is requested.

11.CONSTRUCTION MANAGER AT RISK AGREEMENT: E-21 ELEMENTARY

The CIP 2006 School Building Program includes a new elementary school, designated E 21, located in the City of Raleigh at the intersection of Rock Quarry and Sunnybrook Roads, near the Time Warner Cable Walnut Creek Amphitheatre. Negotiations have been completed with Clancy & Theys Construction Company, Inc., for the construction manager's pre-construction services only. Modifications to this agreement have been approved by the Board's attorney and are noted on the attached summary. This contract includes reimbursable general conditions. These changes will all be incorporated into the next revision of the standard form of agreement. Cherry Huffman Architects, PA, was selected as the designer for this project. Fiscal Implications: Originally E-28 was scheduled to open in 2009. Subsequently it was replaced by E-21 with an opening date of 2010. The proposed project budget is \$23,945,367, of which \$22,662,184 is from CIP 2006 and \$1,283,183 is to be reallocated from CIP 2006 Reserve at a future meeting due to the date change. The total project budget includes proposed compensation for the Construction Manager of \$80,000 for pre-construction basic services. Recommendation for Action: Board approval is requested.

12.DESIGN CONSULTANT AGREEMENT: BRYAN ROAD MIDDLE (M-12)

The next building program includes a new middle school designated M-12, located on Bryan Road in Garner. Middle school seats will be needed in Garner in 2011 when this school is scheduled to open. Negotiations have been completed with Skinner Lamm & Highsmith Architects, PA, for the design of this project. The form of agreement is the standard form approved by the Board attorney. Fiscal Implications: The total proposed budget will be determined with the development of the next building program. The current estimated budget is approximately \$44,000,000, of which \$1,200,000 is currently available from CIP 2006. The remaining funds will be provided from the next building program. The total project budget includes proposed compensation for the design consultant of \$1,286,122. The amount authorized by this contract funds the design through the Permitting Phase. Thus, this agreement is for \$707,367. The remaining amount of \$578,755 will be authorized by change order in the next building program. The contract authorized by this action will be awarded from currently available funds. Recommendation for Action: Board approval is requested.

13. CONSTRUCTION MANAGER AT RISK AGREEMENT: BRYAN ROAD MIDDLE (M-12)

The next building program includes a new middle school designated M-12, located on Bryan Road in Garner. Negotiations have been completed with D.H. Griffin Construction, Inc., for the construction manager's pre-construction services only. Modifications to this agreement have been approved by the Board's attorney and are noted on the attached summary. This contract includes reimbursable general conditions. These changes will all be incorporated into the next revision of the standard form of agreement. Skinner Lamb & Highsmith, PA, was selected as the designer for this project. Fiscal Implications: The total proposed budget will be determined with the development of the next building program. The current estimated budget is approximately \$44,000,000, of which \$1,200,000 is currently available from CIP 2006. The remaining funds will be provided from the next building program. The total project budget includes proposed compensation for the Construction Manager of \$70,000 for pre construction basic services. The contract authorized by this action will be awarded from currently available funds. Recommendation for Action: Board approval is requested.

INSTRUCTIONAL PROGRAM

1. BROUGHTON HIGH SCHOOL TRIP TO ANTIGUA, GUATEMALA

- Students participating will be representative of grades 10-12.
- Approximately 18 students will participate and four chaperones.
- Students will depart from RDU on Saturday, November 22, and return on Saturday, November 29, 2008. Only two days of school will be missed as this is over Thanksgiving.
- This trip supports Broughton's service requirement, as well as the Spanish, history, art and science curricula. It gives students a chance to do community service on the international level and develop awareness, a key component of the IB program.

Fiscal Implications: The cost per student will be approximately \$1250.00. The total cost will be approximately \$22,500.00. The Capital Foundation at Broughton provides scholarship assistance for students who cannot afford to pay the cost of the trip. Recommendation for Action: This item is recommended for consent.

2. GRANT PROPOSALS

- Competitive (#1228): ExxonMobil Educational Alliance Program / Individual schools.
- Competitive (#1229): SHOPA Foundation for Education Excellence, Kids In Need / Individual schools.

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

POLICY

1. POLICY 6230 – ASSURANCES OF APPROPRIATE SERVICES FOR ACADEMICALLY GIFTED STUDENTS

Policy 6230 addresses the identification and assurances of appropriate services for Academically Gifted Students in Wake County. The Wake County Public School System

Academically Gifted Program is governed by the requirements of N.C. General Statutes *Article 9-B. Academically or Intellectually Gifted Students*. The Wake County Public School System Academically Gifted Program plan addresses identification and service delivery as required by law. Fiscal Implications: None. Recommendation for Action: Staff is requesting Board approval.

HUMAN RESOURCES

1. RECOMMENDATION FOR EMPLOYMENT

- A. Professional
- B. Support

COMMITTEE CHAIRS' REPORT

Mr. Tart shared that the Facilities Committee met on Tuesday, April 29. The committee reviewed the Wake Forest-Rolesville High School Renovation summary proposed, project scope, and cost.

The committee reviewed E-31 and E-25 and considered delaying the construction of the schools and using the money for the renovation of Wake Forest-Rolesville High School as well as other projects that are not costly that could be funded from the CIP Savings.

The committee reviewed the planning assumptions for the next CIP. The committee shared that several assumptions that have been reviewed are subject to change. A preliminary schematic design for Wilburn Elementary School was shared with the committee as well as looking at the softball field at Wendell Middle at the request of a Board member. Mr. Tart stated that the next Facilities Committee meeting would be held on Tuesday, May 13, at 9:30 a.m.

Ms. Head shared that the Community Relations Committee would not meet on Wednesday, May 8, but would meet on Wednesday, May 28 from 10:30 a.m. until 12:00 noon. The committee would discuss multi-year assignment communication strategies and will have discussion on the Wake Education Partnership and Raleigh Chamber of Commerce proposal.

ACTION ITEMS

RECOGNITION

1. TEACHER APPRECIATION WEEK RESOLUTION

The week of May 4 through May 10 is Teacher Appreciation Week. A resolution is attached to recognize all Wake County teachers for their commitment and dedication to ensuring that all children graduate on time, prepared for the future. A copy of the approved resolution will be shared with all principals. Fiscal Implications: None. Recommendation for Action: Approval and adoption by the Wake County Board of Education.

Dr. Burns presented the Teacher Appreciation Week Resolution to the Board. He stated, “**WHEREAS**, *teachers make public schools exceptional by working tirelessly to serve our children and the community with the utmost professionalism; and*

***WHEREAS,** teachers work to open students' minds to ideas, knowledge, dreams, and new possibilities for the future; and*

***WHEREAS,** teachers keep American democracy alive by laying the foundation for good citizenship; and*

***WHEREAS,** teachers fill many roles, as listeners, explorers, role models, motivators and mentors, and*

***WHEREAS,** teachers continue to seek methods to ensure all students graduate on time prepared for the future; and*

***WHEREAS,** teachers influence us long after our school days are only memories;*

***NOW, THEREFORE, BE IT RESOLVED,** that the Wake County Public School System and the Wake County Board of Education wish to honor and thank teachers for their commitment and dedication to ensuring that all children graduated on time, prepared for the future.*

Approved and adopted this 6th day of May 2008.

Rosa Gill, Chair
Wake County Board of Education

Del Burns, Superintendent
Wake County Public School System

Ron Margiotta made a motion to approve the Teacher Appreciation Week Resolution, seconded by Horace Tart. The motion was unanimously approved.

FACILITIES

1. RESOLUTION: APPROPRIATION FOR E-25 ELEMENTARY

Resolution requests funds for the CIP 2006 School Building Program previously approved by the Board. This request will provide the remainder of funding for E-25 Elementary. Once these funds are appropriated, they will be reallocated in a separate précis to the Wake Forest-Rolesville High project in the next building program. Total of this appropriation request is \$20,830,887. Appropriations for CIP 2006 to date total \$831,380,120. The total CIP 2006 appropriation, including this request, will equal \$852,211,007. This leaves a balance of \$203,663,830 to be appropriated from the total CIP 2006 Building Program sum of \$1,055,874,837.

Mike Burriss presented information to the Board regarding the appropriation. Mr. Burriss shared that the request for the CIP 2006 School Building Program previously approved by the Board will provide the remainder of funding for E-25 Elementary. Once the funds are appropriated, they will be reallocated to the Wake Forest-Rolesville High project in the next building program.

After lengthy conversation regarding the E-25 property delay, the funding mechanism for

construction and the due diligence concerns, Lori Millberg made a motion to approve, seconded by Beverley Clark. The Board voted 7 to 1 with Kevin L. Hill, Horace Tart, Patti Head, Lori Millberg, Beverley Clark, Eleanor Goettee, and Anne McLaurin voting “yes” and Ron Margiotta voting “no”. The motion was approved.

2. CHANGE ORDER NO. CM-04: BRYAN ROAD ELEMENTARY

Board approval is requested for Change Order No. CM-04 to Clancy & Theys Construction Company, Inc., for their Construction Management at Risk contract for construction of the new Bryan Road Elementary School. This change order, a reduction in the amount of \$2,058,622, is to cancel the early steel package that was awarded by the Board at their March 18, 2008 meeting. Due to the tight timeline for construction of Bryan Road Elementary School (E-31) and the fact that the Garner area did not grow at the projected rate for elementary seats, staff recommends that remaining available funding be reallocated to the Wake Forest-Rolesville High project. This project will now be funded in the next building program with a scheduled opening of 2011 instead of 2009. Fiscal Implications: \$21,450,000 of the total project budget will be available for reallocation to the Wake Forest-Rolesville High project in the next building program. \$1,296,541 will remain in this project due to current design and construction contracts. Recommendation for Action: Board approval is requested.

Mike Burriss presented information to the Board regarding the change order. After clarifying questions from the Board, Lori Millberg made a motion to approve, seconded by Patti Head. The Board voted 7 to 1 with Kevin L. Hill, Horace Tart, Patti Head, Lori Millberg, Beverley Clark, Eleanor Goettee, and Anne McLaurin voting “yes”, and Ron Margiotta voting “no”. The motion passed.

3. RESOLUTION: CIP 2006 FUNDING REALLOCATION FROM E-25 AND E-31 TO WAKE FOREST-ROLESVILLE HIGH

On February 5, 2008, the Board approved a resolution for \$11,000,000 from CIP 2006 Reserve to be reallocated to Wake Forest-Rolesville High renovation and addition project, to allow early work packages to be bid and to permit use of Heritage High as a swing school in 2009-2010. To ensure that this project will be constructed during the available time period, additional funding would be needed. Work packages would begin in early 2009 with the major construction beginning summer 2009.

Due to the timing for acquiring all of the needed property for E-25 elementary school required by the revised site plan and the increasing time required for the Public-Private Partnership to be finalized, staff recommends that \$22,400,000 of its funding be reallocated to the Wake Forest-Rolesville High project. It will now be funded in the next building program with a scheduled opening of 2011 instead of 2010. In addition, staff recommends that \$21,450,000 of the Bryan Road Elementary School funding also be reallocated to the Wake Forest-Rolesville High project. Bryan Road will now be funded in the next building program with a scheduled opening of 2011 instead of 2009. Fiscal Implications: The current estimated budget for the Wake Forest-Rolesville High project is \$62,800,000, of which \$2,500,000 is currently available from the CIP 2006, \$200,000 from PLAN 2004 Start-Up, \$22,400,000 from this reallocation from E-25, \$21,450,000 from this reallocation from Bryan Road Elementary, \$11,000,000 from the previous reallocation from CIP 2006 Reserve, and \$5,250,000 from savings yet to be identified

from previous bond programs. A small amount of additional funding may be needed from the next building program after all escalation factors are finalized. Recommendation for Action: Board approval is requested.

Mike Burriss shared a change in the process of numbers for parking at Wake Forest Rolesville High School. Mr. Burriss called the Southeastern Baptist Seminary to continue a lease for parking. The seminary recently completed construction of a building on their property and gained approximately 50 parking spaces, by doing so, they can extend the current lease of 80 spaces for another two years. This extension of the lease still does not bring WCPSS into compliance of the current conditions on the site, but does bring it closer.

Lori Millberg made a motion to approve, seconded by Patti Head. The Board voted 7 to 1 with Kevin L. Hill, Horace Tart, Patti Head, Lori Millberg, Beverley Clark, Eleanor Goettee, and Anne McLaurin voting “yes”, and Ron Margiotta voting “no”. The motion passed.

4. REPORT FROM THE GROWTH MANAGEMENT STAFF RELATIVE TO WHAT DECISIONS HAVE BEEN MADE RELATED TO THE RECOMMENDED IMPLEMENTATION PLAN FOR INFORMED CONSENT FOR ASSIGNMENT TO YEAR-ROUND AND MODIFIED CALENDAR SCHOOLS FOR 2008-2009

George Risinger gave an overview of the recommended implementation plan for informed consent. The board re-emphasized that anyone who applied for a traditional calendar school in February, were granted 100% and are not affected by the ruling. Anyone who previously consented to a year-round, but has changed their mind and chooses to withdraw their consent, and request a traditional calendar, has until May 23, 2008. 5,000 students that were assigned to a year-round calendar this year who did not apply for the traditional calendar option, have been sent a letter and may request to be assigned to a traditional calendar school. The request must be submitted by May 23, 2008.

The Board had in-depth, lengthy conversation regarding the implementation plan relative to the decision by the North Carolina Court of Appeals. Ms. Clark made a motion to uphold with regard to the recommended implementation plan that the Board re-affirm the process related to the 26,269 students whose parents previously gave consent and the students are currently in a year-round or modified school, be provided a letter that indicates that they can change their consent for the 2008-09 school year by notifying their school in writing that they want to be assigned to the traditional calendar designated as the “non-consent” school for their node. The motion was seconded by Ron Margiotta. The Board voting 7 to 1 with Kevin L. Hill, Horace Tart, Patti Head, Beverley Clark, Ron Margiotta, Eleanor Goettee, and Anne McLaurin voting “yes”, and Lori Millberg voting “no”. The motion passed.

Patti Head made a motion that if staff does not hear back from the parent by May 23, the default will be for the student to go to their base school assignment. Ms. Millberg amended the motion to include staff sending another letter changing the default to the

assigned base year-round school and extend the deadline to June 1. Ms. Head accepted the motion being amended. The amended motion was seconded by Ms. Clark.

Ms. Clark made a motion that any student who registers in Wake County schools June 1, will be assigned to their base school. The motion was seconded by Lori Millberg. The motion was unanimously approved.

POLICY

1. APPOINTMENT TO WAKE TECHNICAL COMMUNITY COLLEGE BOARD OF TRUSTEES

In accordance with NC General Statute 115D-12, the Board of Education appoints four of the trustees on the Wake Technical Community College Board of Trustees. Terms are for four years and are staggered. The term for Harvey Montague will expire on June 30, 2008. Attached is a spreadsheet showing the current appointees of the Board of Education as well as a biographical profile of Harvey Montague, who is being considered for reappointment by the Board. Fiscal Implications: None. Recommendation for Action: Presented for reappointment by the Board of Education.

Ms. Gill shared that Dr. Scott, President of Wake Tech Community College requested to have Harvey Montague reappointed to the Wake Technical Community College Board of Trustees.

Ron Margiotta made a motion to approve, seconded by Patti Head. The motion was unanimously approved.

CLOSED SESSION

Patti Head made a motion to go into Closed Session at 5:50 p.m. to consider confidential personnel information protected under G.S. 143-318.11(a)(6) and 115C-319. The motion was seconded by Beverley Clark. The motion was unanimously approved.

RECOGNITION

SPOTLIGHT ON STUDENTS

Twenty-one students will be recognized as Spotlight on Students award winners.

Eric Sparks presented each student for recognition. Ms. Gill thanked the students and their supporters for sharing in the special occasion. Ms. Gill stated that the students are great examples of students who exhibit outstanding character traits every day. The students were commended because they make a difference in their school and community. Ms. Gill congratulated the students and thanked them for choosing the direction of serving as a leader and model in their school.

ACTION ITEMS- Cont'd

HUMAN RESOURCES

1. RECOMMENDATION FOR ADMINISTRATIVE APPOINTMENT(S)

Patti Head made a motion to approve the following Administrative Appointment(s):

- (1) Todd Baulch, Assistant Principal Intern at Northwoods Elementary School to Assistant Principal at Oak Grove Elementary School, effective date May 27, 2008 (Permanent Position).
- (2) Jessica Burroughs, Assistant Principal Intern at East Garner Middle School to Assistant Principal at East Garner Middle School, effective date May 7, 2008 to June 30, 2008 (Converted Position).
- (3) Angelia Wright, Applicant to Senior Director of Grants and Evaluation and Research, effective date to be determined (Permanent Position)

The motion was seconded by Lori Millberg. The motion was unanimously approved.

2. RECOMMENDATION FOR ADMINISTRATIVE TRANSFER(S)

Patti Head made a motion to approve the following Administrative Transfer(s):

- (1) Danny W. Barnes, Area Superintendent of Eastern Wake County to Chief Area Superintendent of Wake County, effective date June 1, 2008 (Permanent Position).

The motion was seconded by Lori Millberg. The motion was unanimously approved.

ADJOURNMENT

With no further business coming before the Board, Patti Head made a motion to adjourn, seconded by Lori Millberg. The meeting adjourned at approximately 6:25 p.m.

Respectfully submitted,

Rosa U. Gill, Chair, Wake County Board of Education

Del Burns, Superintendent, WCPSS

Melissa R. Christmas, Recording Secretary