

# WAKE COUNTY BOARD OF EDUCATION



## OPEN MINUTES –BOARD MEETING

Tuesday, June 1, 2004

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

*Susan Parry called the meeting to order at 4:10 p.m. Everyone recited the Pledge of Allegiance.*

### INFORMATION

#### Chair's Comments

- *Ms. Parry reported that Superintendent McNeal received the North Carolina Bar Association President's Award for outstanding service.*
- *Ms. Parry attended the Teacher Job Fair at Leesville High School.*
- *Thanks to the PTA for "Project Graduation" for our high school seniors.*
- *The Board of Education recognized Liza Weidle, PTA President, for her hard work, dedication, and leadership to the Parents of Wake County Public Schools.*
- *Kathryn Watson Quigg reported that Lockhart Elementary School had 100% of the 5<sup>th</sup> graders pass the End-of-Grade testing and the composite score of 97% for the school.*

#### Superintendent's Report

- *Wake County Public School System awarded diplomas to 6,200 students in 16 different graduation ceremonies that begin on Thursday, May 27, through Sunday, May, 30.*
- *Mr. McNeal thanked the security department and the Raleigh Police Department for their hard working in making certain graduation were safe for all who attended.*
- *The class of 2004 earned more than \$31.1 million in scholarships, recognized 2400 North Carolina scholars, and had more than 860 National Honor Society graduates.*

### BOARD ADVISORY COUNCIL ANNUAL REPORTS

*The Board Advisory Councils gave annual reports to the Board of Education about the issues and feedback from their respective districts. (Exhibit A)*

District 2 – Report given by Lisa Yelmini, chair

District 3 – Report given by Denise Kirkland, chair

District 4 - Report given by Tracey Dorsey, chair

District 5 - Report given by Ann Rollins, chair

District 7 - Report given by Vern Wilson, chair

District 8 – Report given by George Wait, chair

## **PUBLIC HEARING**

***George Cooper, Principal, Oak Grove Elementary School.*** Mr. Cooper thanked the Board of Education for the opportunity to be employed by WCPSS and their support during his 30 years of service. He will be retiring on June 30, 2004.

## **APPROVAL OF MEETING AGENDA**

*Patti Head made a motion to approve the meeting agenda, seconded by Carol Parker. The vote was unanimous.*

## **CONSENT ITEMS**

*Kathryn Watson Quigg made a motion to approve the Consent Agenda, seconded by Amy White. The vote was 7 to 1 with Ron Margiotta voting "no."*

## **APPROVAL OF MEETING MINUTES**

February 18, 2004 – Program Committee Meeting

April 20, 2004 - Human Resources Committee Meeting

May 11, 2004 – Policy Committee Meeting

March 30, 2004- Closed Session Minutes-Amendment Paragraph #3

## **FACILITIES**

### **1. BUS PARKING LEASE AGREEMENT – APEX ELEMENTARY**

Renovation of Apex Elementary and limited parking for buses in the Apex area, require the relocation of approximately 40 buses until a more permanent solution can be determined. Terms and Conditions of a 12 month Parking Lease Agreement from July 1, 2004 to June 30, 2005, have been reached with Peakway Development, LLC of Apex, NC for a parking lot off Perry Road near Apex Elementary. This same property was leased during 2003-2004. Fiscal Implications: A single sum lease payment of \$19,200 is due and payable on or before July 1, 2004. Funding is available for the fiscal year (2003-2004) Contract Services budget. Recommendation for Action: Staff recommends Board approval of a Parking Lease Agreement with Peakway Development, LLC from July 1, 2004 to June 30, 2005.

### **2. UTILITY EASEMENT – OLIVE CHAPEL ELEMENTARY**

The Town of Apex is constructing a new 24-inch water line along Kelly Road to service a new water tank on South Salem Street. The line and tank will improve the performance of the distribution system. To complete the new water line, the Town requires a permanent easement containing 0.411 acres (17,889.5 square feet) and temporary construction easements containing 0.3497 acres (15,232 square feet). The easement is located along Kelly Road at Olive Chapel Elementary. Fiscal Implications: Board of Education receives \$8,000 for the easement. Recommendation for Action: Staff requests Board approval of a permanent water line easement at Olive Chapel Elementary to the Town of Apex containing 0.411 acres and temporary construction easements containing 0.3497 acres.

### **3. BIDS: BROUGHTON HIGH STORM DRAINAGE AND WATERPROOFING PROJECT**

Bids for the storm drainage and waterproofing project at Broughton High were received on May 3, 2004. Staff and Cherry Huffman Architects recommend award of the single-prime contract to JM Thompson Company in the amount of \$159,850. Fiscal Implications: Funding is available from the total project budget of \$6,564,166, of which \$ 5,564,166 is from the PLAN 2004 School Building Program, and \$1,000,000 is from the PLAN 2000 School Building Program. Recommendation for Action: Board approval is requested.

#### **4. BIDS: LOCKHART ELEMENTARY ROOF REPLACEMENT**

Bids for the roof replacement at Lockhart Elementary were received on May 6, 2004. Staff and Rooftop Systems Engineers recommend award of the single-prime contract to Owens Roofing Inc in the amount of \$137,319. Fiscal Implications: Funding is available from the total project budget of \$222,000, as provided in the re-roofing component of the PLAN 2004 School Building Program. Recommendation for Action: Board approval is requested.

### **FINANCE**

#### **1. RENEWAL OF ADMINISTRATIVE ASSISTANTS, LTD. (AAL) MAINTENANCE AGREEMENT**

WCPSS has an agreement with AAL to provide maintenance and support of the eSIS software used for NCWise. This contract was the result of WCPSS becoming its own data center last year and the need for direct contact with AAL. The software license fee is covered by DPI as agreed to in a Memo of Understanding. Maintenance cost is \$164,000 to renew for the 2004-05 fiscal year. Fiscal Implications: Total amount is \$164,000. Funding for contracted services was identified and planned for in the 2004-05 fiscal year budget request. Funding will be available in the Technology Services current expense budget.

#### **2. CHANGE ORDER 5 (CONTRACT EXTENSION) TO TITAN SYSTEMS CORPORATION SERVICE AGREEMENT**

Technology Services wishes to extend Titan Systems' contract through the 2004-05 fiscal year. Titan Systems has been providing their services to maintain the Wide Area Network (WAN), Network Operations Center (NOC), data connections and Local Area Networks (LANs) since October 1999. Titan Systems has also provided staff to support all administrative sites in regards to troubleshooting Help Desk calls since March 2001. Current agreement is set to expire on June 30, 2004. Change order 5 extends the term through June 30, 2005. A flat monthly rate of \$48,166.67 will continue to be invoiced through the new term. Fiscal Implications: Total amount of change order is \$578,000. Funding for contracted services was identified and planned for in the 2004-05 fiscal year budget request. Funding will be available in the Technology Services current expense budget.

#### **3. CHANGE ORDER 2 (CONTRACT EXTENSION) TO MCNATTON TECHNOLOGIES, INC. SERVICE AGREEMENT**

Technology Services wishes to extend McNatton Technologies' contract through the 2004-05 fiscal year. McNatton Technologies provides system administration services for UNIX-based computer systems and application systems, including DNS, FTP, Proxy, Firewall and Content Management services. This support is essential in managing Internet and intranet services throughout the school district. Current agreement is set to expire on June 30, 2004. Change order 2 extends the term through June 30, 2005. A flat monthly rate of \$48,000 will continue to be invoiced through the new term. Fiscal Implications: Total amount of change order is \$576,000. Funding for contracted services was identified and planned for in the 2004-05 fiscal year budget request. Funding will be available in the Technology Services current expense budget.

#### **4. CHANGE ORDER 6 (CONTRACT EXTENSION) TO 4FRONT SYSTEMS, INC. SERVICE AGREEMENT**

Technology Services wishes to continue 4Front Systems' agreement through the 2004-05 fiscal year. Technology Services has utilized contract personnel through 4Front since August 2001. In September 2002, 4Front was chosen through an RFP process to be listed as one of three preferred vendors to serve as a resource for contracted desktop support at school sites. Current term is set to expire on June 30, 2004. Change order 6 extends the contract through June 30, 2005. Hourly rate price range of contract personnel remains static through the new term. Fiscal Implications: Total amount of change

order is \$708,320. Funding for contracted services was identified and planned for in the 2004-05 fiscal year budget request. Funding will be available in the Technology Services current expense budget.

#### **5. CHANGE ORDER 4 (CONTRACT EXTENSION) TO POMEROY IT SOLUTIONS SERVICE AGREEMENT**

Technology Services wishes to continue Pomeroy's agreement through the 2004-05 fiscal year. Technology Services has utilized contract personnel through Pomeroy since November 2001. In September 2002, Pomeroy was chosen through an RFP process to be listed as one of three preferred vendors to serve as a resource for contracted desktop support at school sites. Current term is set to expire on June 30, 2004. Change order 4 extends the contract through June 30, 2005. Hourly rate price range of contract personnel remains static through the new term. Fiscal Implications: Total amount of change order is \$178,480. Funding for contracted services was identified and planned for in the 2004-05 fiscal year budget request. Funding will be available in the Technology Services current expense budget.

#### **6. CHANGE ORDER 2 (CONTRACT EXTENSION) TO QUEEN ASSOCIATES, INC. SERVICE AGREEMENT**

Technology Services wishes to continue Queen Associates' agreement through the 2004-05 fiscal year. Technology Services has utilized contract personnel through Queen Associates since they were chosen through an RFP process to be listed as one of three preferred vendors to serve as a resource for contracted desktop support at school sites. Current term is set to expire on June 30, 2004. Change order 2 extends the contract through June 30, 2005. Hourly rate price range of contract personnel remains static through the new term. Fiscal Implications: Total amount of change order is \$126,960. Funding for contracted services was identified and planned for in the 2004-05 fiscal year budget request. Funding will be available in the Technology Services current expense budget.

#### **7. THARRINGTON SMITH CONTRACT AMENDMENT**

Tharrington Smith serves as Board Attorney and provides legal services for the Wake County Board of Education. As indicated in the attached letter and contract amendment, retainer rates for attorney services are increasing by \$10 per hour, to \$155 per hour for partners and \$140 for associates. Fiscal Implications: The 2004-2005 budget for legal fees is \$593,000, which is based on a projection for the total expenditures for 2003-2004. It is estimated, based on the budgeted amount, that the total could rise to \$634,000 as a result of the rate increase. Should the amount required for legal fees exceed the amount budgeted, due either to the increased rate or required services, the amount will be reported on the quarterly Potential Changes to Budget report.

- *Mr. Ron Margiotta asked the question: "Are we entering into a contract with Tharrington Smith for the next year school?" Dr. Burns responded with a "yes" answer. Mr. Margiotta raised concerns on the annual fee for Tharrington Smith but did not have a problem with the increase in hourly rate of \$10.00 per hour. "Do we put this type of service out for bids?"*
- *Dr. Burn explained to Mr. Margiotta that the board explored the cost of in-house counsel. Ms. Ann Majestic of Tharrington Smith came to the Finance Committee to discuss the legal representation that Tharrington Smith has given WCPSS for the last 25 years. It was discovered that a single in-house attorney could not do everything that Tharrington Smith does. Tharrington Smith rates are below market at \$135.00 an hour, and they have made an effort to keep hourly rates and retainer fees low. WCPSS benefits from the experience Tharrington Smith receives from their other clients.*
- *Beverly Clark reiterated that the quality of work that we receive from Tharrington Smith is valuable to the Board of Education. Ms. Clark stated that the real cost is not the board's day-to-day work, but in the litigations. Tharrington Smith does an excellent job representing the board in these matters.*
- *Ms. Head stated that by having Tharrington Smith represent the school system, we don't have many a lot of litigations. Ms. Head is in full support of keeping legal counsel with Tharrington Smith*

- *Ms. Kathryn Watson Quigg responded that she is in support of keeping legal counsel with Tharrington Smith. Tharrington Smith saves the school system money by avoiding litigation. Ron Margiotta voted “against” this contract.*

## **PROGRAM**

### **1. CLASS SIZE WAIVERS FOR 2004-2005**

Class size waivers are valid in grades 3-12, and allow schools to exceed the allowable maximum class size. They must be requested annually, as they are only valid for one year at a time. These waivers are requested as part of each school’s school improvement plan. Once approved by the WCPSS Board, these waivers must next be approved at the state level. There are no fiscal implications. This item is recommended for Board approval.

*Mr. Margiotta raised the question: “What are class size waivers?” Superintendent McNeal explained that class size waivers allow schools to exceed their allowable maximum class size only “if the need arises.” The allowable students in grades are 3-8 are 29 students per class and 9-12 grades, 32 students per class.*

### **2. ACADEMICALLY GIFTED PROGRAM PLAN**

The North Carolina Department of Public Instruction requires all school systems to develop local plans for the education of academically or intellectually gifted students. The plans contain comprehensive descriptions of services available to students in the local school systems. These plans are submitted to the State Board of Education for review, comments, and recommendations. There are no fiscal implications. Staff recommends that the Board approve the plan.

## **HUMAN RESOURCES**

### **1. RECOMMENDATIONS FOR EMPLOYMENT** *(Exhibit B)*

### **2. REQUESTS FOR LEAVE** *(Exhibit C)*

## **COMMITTEE CHAIRS’ REPORTS**

*Kathryn Watson Quigg shared from the Program Committee that the high school principals gave a report on the pros and cons from the first year of block scheduling.*

*Patti Head presented the recommendations from the Community Relations Community and made a motion to give committee recommendations to staff for review. Seconded by Bill Fletcher, The vote was unanimous.* *(Exhibit D)*

## **ACTION ITEMS**

## **FACILITIES**

### **1. LEVEL 4 JOINT USE AGREEMENT FOR THE HOLLY SPRINGS HIGH SCHOOL BASEBALL FIELD, SOFTBALL FIELD, MULTIPURPOSE FIELDS, TENNIS COURTS, PARKING AREAS, AND DRIVE ACCESSES**

The school will have priority use at all times. The Town and the Wake County Parks, Recreation and Open Space department will add lights, irrigation, and approximately 40 parking spaces. Town will maintain Town Licensed Areas in exchange for the privilege to schedule the Town Licensed Areas when not needed or scheduled for school use. The term is 25 years. Fiscal Implications: Board purchased approximately 92.57 acres of land. Town is responsible for the maintenance and utilities for the Town Licensed Areas. The Board shall pay no utilities or fees to the Town for its use. Town is 100% responsible for maintaining the baseball, softball, multipurpose fields and amenities, staff

parking area and drive access to the Landscape Maintenance Standards. Board and Town will share the maintenance for the tennis courts. Recommendation for Action: Request a waiver of current Policy 7400, which is in the review process for revision, to permit Town to schedule and rent out the designated Town Licensed Areas. Town's bid alternate for these amenities expires June 30, 2004; Town Council meets June 15, 2004. Board approval is recommended.

*Rosa Gill made a motion to approve, seconded by Ron Margiotta. The vote was unanimous.*

## **FINANCE**

### **1. TIME WARNER CABLE FIBER NETWORK AGREEMENT**

The current contract with BellSouth for T-1 connections to schools in the areas outside of Wake Forest and Fuquay-Varina will expire in December 2004. Technology Services posted an RFP and has negotiated a 5-year contract with Time Warner Cable to provide dedicated circuit connections (point-to-point fiber) to each of these sites and 3600 Wake Forest Road. Time Warner Cable will provide 10 megabit connections to elementary campuses and 25 megabit connections to secondary campuses. Monthly recurring charge for service to all sites specified in the contract will be \$56,900. There is a one-time installation fee of \$54,000. Fiscal Implications: Total amount of 5-year contract is \$3,154,417.97. Funding for contracted services was identified and planned for in the 2004-05 fiscal year budget request. Funding will be available in the Technology Services current expense budget. Recommendation for Action: Approval of contract is requested.

*Rosa Gill made a motion to approve, seconded by Carol Parker. Carol Parker recused herself from the vote because she is a former employee of Bellsouth. The vote was unanimous by all members voting.*

## **POLICY**

### **1. POLICY 2313/3013/4013-EMPLOYEE ACCEPTABLE USE POLICY**

*Revised; First Reading*

This policy is being updated to more broadly define the electronic information resources employees are accessing and define in greater detail the appropriate and inappropriate uses of these resources. Wording is also being added to account for the use of filters and other steps in security being utilized which are required by law. There are no fiscal implications. Approval of policy is requested.

*Ron Margiotta made a motion to approve, seconded by Rosa Gill. The vote was unanimous.*

### **2. POLICY 2314/3014/4014/6447-ELECTRONIC INFORMATION SECURITY**

*New; First Reading*

As a result of an information security audit conducted for Technology Services in the Fall 2003, this policy was drafted to define the purpose and objective of electronic information security. There are no fiscal implications. Approval of policy is requested.

*Amy White made a motion to approve, seconded by Carol Parker. The vote was unanimous.*

### **3. POLICY 6446-STUDENT ACCEPTABLE USE POLICY**

*Revised; First Reading*

This policy is being updated to more broadly define the electronic information resources students are accessing and define in greater detail the appropriate and inappropriate uses of these resources. Wording is also being added to account for the use of filters and other steps in security being utilized which are required by law. There are no fiscal implications. Approval of policy is requested.

*Beverley Clark asked a clarifying question regarding political use prior to the vote.*

*Amy White made a motion to approve, seconded by Carol Parker. The vote was unanimous.*

#### **4. POLICY 7400 – COMMUNITY USE OF SCHOOL FACILITIES**

*Revised; First Reading*

Definitions have been added to policy for clarification of the four different methods by which the community may access school system facilities. Additional changes clarify scheduling agent for levels 1-3 and permits municipalities to schedule and rent out fields and outdoor facilities designated in a level 4 joint use agreement. There are no fiscal implications. Staff recommends approval.

*Carol Parker made a motion to approve first reading, seconded by Amy White. The vote was unanimous.*

#### **5. POLICY 7410 – CLASSIFICATION, FEE SCHEDULE, PROCEDURES, AND GUIDELINES FOR FACILITY USE**

*Revised; First Reading*

Clarifying that BP7410 in general applies to requests for the use of school facilities in levels 1-3 and requests for use of designated fields/outdoor facilities in level 4 joint use agreements shall be referred to the appropriate municipality. There are no fiscal implications. Staff recommends approval.

*Rosa Gill made a motion to approve first reading, seconded by Patti Head. The vote was unanimous.*

### **PROGRAM**

#### **1. ASSIGNMENT OF NEW SUBDIVISIONS TO SCHOOLS**

The staff of the Office of Growth Management presented recommendations for the following subdivision: Quarry Pointe (Phases 1, 2, and 3), and Dutchman Creek (Phase 1). Transportation costs will increase due to travel time. Other facilities-related costs will be avoided. This item is presented for Board approval.

*A correction to Hunter Elementary School for levels 1 & 2 is listed as 24.70% should be listed as 6.0 %.*

*Amy White made a motion that the receiving school for this subdivision be Hunter Elementary School, seconded by Carol Parker. The vote was unanimous.*

*Rosa Gill made a motion to approve, seconded by Kathryn Watson Quigg. The vote was unanimous.*

#### **EMPLOYEE EXCELLENCE AWARDS**

*Eleven (11) employees were nominated for June's Employee Excellence Award.*

Tom Bartle, CCI Teacher, Briarcliff Elementary School
William "Bill" Brown, Senior Administrator, Human Resources
Lien Bui, Custodian, Olive Chapel Elementary School
Carl Clark, Head Custodian, Moore Square Museums Magnet Middle
Alfred Dennis, Custodian, Fuquay-Varina High School
Trophimus Fondren, Multi Task Employee, General Services
David Kind, Assistant Supervisor, HVAC Shop, Energy & Physical Plant
Rob Olevsky, Programmer, Technology Services
Mazie Smith, Director of Organizational Development, Auxiliary Services
Russ Smith, Security Investigator, Central/Security
James Underwood, Data Manager/SAC member, Durant Road Elementary

#### **2. NO CHILD LEFT BEHIND (NCLB)**

Staff will identify potential receiving schools under NCLB Legislation. Schools anticipated to face NCLB sanction for the 2004-05 school year will be identified, as well as receiving schools, for those parents exercising the option to transfer. Title I funds will be used to pay for increased transportation costs thus reducing available funds for Title I schools. This item is presented for Board approval.

*Rosa Gill made a motion to approve, seconded by Patti Head. The vote was unanimous.*

## CLOSED SESSION

*Beverley Clark made a motion to go into closed session at 7:05 p.m. to consider confidential personnel information protected under G.S. 115C-319, seconded by Patti Head. The vote was unanimous.*

**Reconvened at 7:45 p.m.**

## ACTION ITEMS (cont'd.)

### HUMAN RESOURCES

#### 1. RECOMMENDATIONS FOR ADMINISTRATIVE APPOINTMENTS

*Amy White made a motion to approve Judith Andersen, assistant principal at Partnership Elementary, to principal, at Partnership Elementary School. Beverley Clark seconded the motion. The vote was unanimous.*

*Amy White made a motion to approve Nancy Jirtle, on contract at Kingwood Elementary School, to assistant principal at Kingwood Elementary School. Beverley Clark seconded the motion. The vote was unanimous.*

*Amy White made a motion to approve Dermetta Stevens, applicant, to assistant principal at Conn Elementary School. Beverley Clark seconded the motion. The vote was unanimous.*

*Amy White made a motion to approve Douglas Thilman, assistant principal at Millbrook High School, to principal at West Cary Middle School. Beverley Clark seconded the motion. The vote was unanimous.*

#### 2. ADMINISTRATIVE TRANSFER

*The board reviewed information on the following administrative transfers:*

*Charles Aiken, assistant principal at Oak Grove Elementary School, to assistant principal at Heritage Middle School.*

*Richard Conley, principal at Apex Middle School, to assistant principal at Wake Forest-Rolesville Middle School.*

#### 3. RECOMMENDATIONS FOR CAREER STATUS (Exhibit E)

*651 teachers are being recommended for career status. This compares with 578 teachers who are recommended in 2002-2003.*

*Kathryn Watson Quigg made a motion to approve recommendations for career status, seconded by Beverley Clark. The vote was unanimous.*

### ADJOURNMENT

*There being no further business, Susan Parry adjourned the meeting at 7:55 p.m.*

*Respectfully submitted,*

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Elwanda K. Farrow, Recording Secretary

\_\_\_\_\_  
Bill McNeal, Superintendent, WCPSS

\_\_\_\_\_  
Susan Parry, Chair





