



**WAKE COUNTY BOARD OF EDUCATION
MEETING MINUTES
June 1, 2010**

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

Chairman, Ron Margiotta, called the meeting to order at 3:03 p.m. Everyone recited the Pledge of Allegiance.

Chair's Comments

- Chairman Margiotta shared that the Class of 2010 will be the first class of graduates from the Wake Early College of Health and Sciences. Wake Early College of Health and Sciences is Wake County Public School System's first early college high school. The students are the first cohort to pioneer the small school program that is a partnership between Wake Tech, WakeMed, NC New Schools Project and the Wake County Public School System. The graduation was held the evening of Friday, May 28th, there were 54 students in the graduating class. Among these students, 19 earned 2-year college degrees in addition to completing their high school requirements. Chairman Margiotta congratulated the students, the principal, Teresa Pierrie, the staff at Wake Early College of Health and Sciences, and the families of the students.
- Chairman Margiotta shared that Southeast Raleigh High School held their graduation on Saturday, May 29th. Mr. Margiotta announced that over the next few weeks, WCPSS will graduate over 8,000 students. He congratulated all of the students. Mr. Margiotta also thanked Board members, Elected Officials, and Leadership Team Members who will be attending the graduations, as well as the principals and school staffs who have worked hard to coordinate the events.
- On June 2, 2010, the Wake County Public Schools Retirement Banquet will be held at Crossroads II. Chairman Margiotta thanked the Human Resources staff for planning the event; Mr. Margiotta also thanked all the employees who have given countless hours to the children of the Wake County Public School System.
- Chairman Margiotta announced that on May 20th, the Today Show visited Combs Leadership Magnet Elementary School, where author, John Grisham read his new book to students. Fifth grade students were given advance copies of Grisham's first

children's novel, *Theodore Boone: Kid Lawyer*. Students were able to participate in a conversation with the author about the novel and writing. Chairman Margiotta thanked the principal, Muriel Summers and the staff at Combs for hosting the event.

- On Friday, June 4th, Ann Majestic will conduct training for Board members from 2:00 p.m. until 4:00 p.m. The training will count towards the credit hours required by G.S. 115C-50. The training will be conducted in the Board conference room.
- Chairman Margiotta shared that before the Board meets again, the last day of school will occur for traditional schools. Chairman Margiotta thanked the principals and school staffs for all of their extra work in making this a smooth closing for children and their families.

Superintendent's Comments

- Dr. Hargens joined Chairman Margiotta in congratulating the first graduating class from Wake Early College of Health and Sciences. The students earned more than \$600,000 in scholarships to further their education. All of the students graduating in May will pursue post secondary opportunities.
- Dr. Hargens congratulated Cathy Moore, Central Area Superintendent. Mrs. Moore was recently selected by N.C. State to receive the Foreign Language Teacher Education Distinguished Alumni Award. An awards ceremony was held on April 28th where Mrs. Moore was recognized.
- Dr. Hargens congratulated Chris Killela, a Panther Creek High School teacher. Mr. Killela has been named the Teacher of the Year by ARC of Wake County. Each year, the Wake County organization honors teachers who have demonstrated excellence in teaching students with developmental disabilities.
- Dr. Hargens congratulated Cathy Horne, Elementary Science Senior Administrator. Ms. Horne has been elected to the position of President-Elect for the North Carolina Science Leadership Association Board.
- Audra Hawley, a teacher at Southeast Raleigh High School, was named as New Tech Network Exemplary Teacher. The recognition acknowledges her deep understanding of the key components of the New Tech model including project-based learning.
- The 2010 WCPSS Middle School Spring Sportsmanship results have been voted on by the middle school coaches and athletic directors. Schools recognized for at least one sports season receive a banner to hang at the school. This year, 10 schools received this recognition. Schools that won the sportsmanship banner in at least two of the three sports seasons will receive a plaque recognizing the achievement. Ten school received the award. Dr. Hargens extended a special thank you to Martin Middle School and West Millbrook Middle School. They won sportsmanship banners in all 3 sports seasons.
- Dr. Hargens congratulated Destiny Williams, a third grade student at Millbrook IB Magnet Elementary School. Destiny was recently selected as a State Finalist in the *Doodle for Google* contest. Destiny was one of two students chosen as a State of North Carolina winner, and her design can currently be viewed on the google.com website.
- Wiley Elementary School was recently the location for the Department of Public Instruction's "kick off" for the new North Carolina Environmental Literacy Plan. As part of the ceremony, State Superintendent of Education, Dr. June Atkinson,

- N.C. Secretary for Environment and Natural Resources, Dee Freeman, added new plants to the school's existing butterfly garden.
- Dr. Hargens announced that recently, the summer school schedule for high school students has been placed online for the public.
 - Final planning is underway for ESL Summer School to begin on July 6th. This year, the program will serve 562 students in elementary, middle, and high school. Federal funds will be used to cover the costs associated with the program.
 - Last week, Millbrook Magnet High School was officially awarded "IB Candidate School" status for its Middle Years Programme by IB Americas. Dr. Hargens shared that this is the result of a year of planning and begins the school's journey towards official authorization as an IB Middle Years Programme School.
 - Dr. Hargens thanked Wendell Howard who recently led an EOG PLT for the Testing Office. The focus of the PLT's was on improving turn-in processes for EOGs. Collaborating with Wendell to devise a new plan were testing technicians Barbara Williams and Nelson Surlis. They worked to identify concerns from previous turn-ins and brainstorming solutions for implementation.
 - Dr. Hargens shared that over the past semester students at Centennial Campus Magnet Middle School have been learning the steps to entrepreneurship and how to write a business plan. A total of 20 students recently presented their business concept ideas to a panel of judges that included school staff and members of the local business community. Drew Harrilchak took first place in the competition for his idea of Text on Demand, and educational service that would provide electronic reading tests and textbooks. The second place winner was Mahlon Rakes, and Nayasha Clarke took third place. The judges included Dan Crocker from Nationwide Insurance Agency, Donna Goodfried from Innovative Computer Systems, Inc., and Kelly Welch from Yes Career Services. Wake County Board of Commissioner District 2 Representative Lindy Brown was the community leader.

Board Members' Comments

- Mr. Sutton commended Wake Early College on their graduation on Friday, May 28th, which he attended, along with Dr. McLaurin. He and Dr. McLaurin also attended Southeast Raleigh High School's graduation on Saturday, May 29th. He congratulated the students, principals, and staffs for wonderful events.
- Mrs. Prickett shared that she attended a meeting at Stough Elementary School which included staff, PTA members, and community volunteers to discuss the idea of Stough possibly becoming a theme school with a technology focus. Members were very excited and open to the concept. Under the leadership of principal, Cindy Keech, much progress has been made already in the technology area. The school has 20 interactive white boards which have been provided by community partners, parents, and PTA members. Mrs. Prickett asked technology providers in Wake County to offer their support, technical assistance, and encouragement to Stough. Anyone interested should contact Mrs. Prickett via email and she will pass the information on to the school.
- Mrs. Goldman shared that during the week of May 24th, she was the guest of parents from Wiley Elementary School. Mrs. Goldman received a tour of the school, the gardens, and viewed artwork. Mrs. Goldman also visited Martin Middle School for

their dance recital; the recital was amazing. Mrs. Goldman shared with the public that as they speak, Board members are taking notes.

- Mr. Hill shared that he attended the Capital City Sertoma's African-American Achievers Banquet. Mr. Hill thanked the Capital City Sertoma for continuing to sponsor the event each year. Attendees have the opportunity to listen to each student from each high school. Mr. Hill also shared that on Friday, May 28th, the Community Relations Committee met. Mr. Hill thanked Dr. Morrison and Mrs. Goldman for attending the meeting and Michael Evans and his team for the job they did for prepping and getting the Board members ready for the meeting. Mr. Hill also thanked the community and the community members for joining. The next meeting of the Community Relations Committee will be in early September.
- Mr. Tedesco thanked Ballentine Elementary for being able to participate in their Firefly Festival and fundraiser. Mr. Tedesco thanked Baileywick Elementary School, its PTA and the surrounding District 3 community for inviting him to speak. The Economically Disadvantaged Student Performance Task Force kicked off its first meeting on Thursday, May 27th. Mr. Tedesco thanked his colleagues, staff, and community supporters for attending the meeting .
- Dr. McLaurin congratulated the graduates who already graduated from Southeast Raleigh High School and from Wake Early College. The music at both graduations was fabulous. She also congratulated all graduates who will be graduating in the upcoming week.
- Dr. Morrison shared that she attended Douglas Elementary's Spring Musical, "My Planet, Your Planet" on Wednesday, May 26th. It was a wonderful production on conservation and eco-friendly strategies.

APPROVAL OF THE MEETING AGENDA

Chairman Margiotta requested to move Items #9, RENEWAL OF WCPSS WORKERS' COMPENSATION INSURANCE COVERAGE, #13, CONTRACT FOR REAL ESTATE LEGAL SUPPORT SERVICES, #31, APPROVAL OF PHIL BOYLE, LEADING AND GOVERNING ASSOCIATES, AS A SERVICE PROVIDER OF ANNUAL TRAINING FOR THE BOARD OF EDUCATION, #32, APPROVAL OF ANN MAJESTIC, BOARD ATTORNEY, AS SERVICE PROVIDER OF ANNUAL TRAINING FOR THE BOARD OF EDUCATION, #33, RECOMMENDATIONS FOR EMPLOYMENT, AND #19, CONTRACT WITH EASTER SEALS UCP NC (CHARLIE GADDY) from the Consent Agenda to the Action Agenda.

Chairman Margiotta also requested that Items #35 UNDESIGNATED FUND BALANCE REQUEST FOR SUPERINTENDENT SEARCH AND #36, APPROVAL FOR THE USE OF A SEARCH FIRM IN THE SUPERINTENDENT SEARCH will be reversed in the order that they will be acted upon.

Chairman Margiotta requested to add hiring an additional attorney for the recent lawsuit to the Action Agenda. He also added the following item to the Closed Session Agenda, "to consider confidential personnel information protected under G.S. 143-318.11 (a)(6) and 115C-319".

Debra Goldman made a motion to approved the amended agenda, seconded by Chris Malone. The motion was unanimously approved.

Closed Session

Debra Goldman made a motion to go into Closed Session at 3:23 p.m. to consider confidential personnel information protected under G.S. 143-318.11 (a)(6) and 115C-319. The motion was seconded by Carolyn Morrison. The motion was unanimously approved.

The Board returned to Open Session at 4:00 p.m.

6. PUBLIC COMMENT – 4 P.M.

Citizens who signed up to address the board during public comment will be called on in priority order first for items on the agenda and then for items not on the agenda. Each individual speaker will be allowed two minutes for remarks. Issues or concerns involving personnel matters are not appropriate for this public comment setting. After 30 minutes of public comment, any speakers remaining will be recognized at the end of the agenda for their comments.

- **Vickie Adamson** – Ms. Adamson spoke to the Board regarding the undesignated fund balance request for the search of a new superintendent. Ms. Adamson shared her thoughts regarding the decisions the Board is making and their fiscal impacts.
- **Jim Martin** – Mr. Martin spoke to the Board regarding student achievement and some of the factors involved with student achievement including parents, teachers, and students.
- **Chris Aycock** – Mr. Aycock spoke to the Board regarding supporting diversity in a policy.
- **Betsy Lovejoy** – Ms. Lovejoy spoke to the Board regarding supporting magnet schools and they way that they were designed. Ms. Lovejoy requested that the Board works to support magnet schools as they are and where they are.
- **Michael Prince, Sr.** – Mr. Prince spoke to the Board regarding bus stops. Mr. Prince requested that the Board addresses bus stops and the walk zone process in their neighborhood policy.

CONSENT ITEMS

Debra Goldman made a motion to approve the amended Consent Agenda, seconded by Kevin L. Hill. The motion was unanimously approved.

7. APPROVAL OF MEETING MINUTES

- April 23, 2010 - Special Board of Education Meeting Minutes
- April 27, 2010 - Facilities Committee Meeting Minutes
- May 3, 2010 - Closed Session Meeting Minutes
- May 6, 2010 - Closed Session Meeting Minutes
- May 7, 2010 - Superintendent Search Committee Meeting Minutes
- May 17, 2010 - Closed Session Meeting Minutes
- May 18, 2010 - Committee of the Whole Meeting Minutes
- May 19, 2010 - Superintendent Search Committee Meeting Minutes

FINANCE

8. GIFTS TO THE SYSTEM

Eighty eight gifts have been donated to the Wake County Public School System. The approximate value of the gifts is \$46,952. Fiscal Implications: Not Applicable. Recommendation for Action: No Action is Required.

10. STUDENT & ATHLETIC ACCIDENT INSURANCE

The Wake County Public School System has maintained Voluntary Student Accident Insurance, High School Athletic Accident Insurance, and Middle School Catastrophe Accident Insurance to address potential losses. Technical and Cost Proposals were received from 4 out of 6 agents/brokers. In 2009, American Advantage offered a 2 year guarantee which we accepted. Even with higher claims to premium ratio, American Advantage has honored that rate. In comparing premiums for Voluntary Student Accident Coverage, American Advantage's rates were for the most part less other contractors for coverage purchased by parents. Cost proposals for 2010-2011 paid by WCPSS are as follows:

	American Advantage	Young Group
HS Athletics	\$77,000	\$76,900
MS Catastrophic	\$15,225	\$13,705

Fiscal Implications: Funds are available in the 2010-2011 Risk Management Budget in the amount of \$85,820. Additional funds are available within 2010-2011 Risk Management Budget. Recommendation for Action: Board Approval to renew High School Athletic and Voluntary Student Accident coverage with American Advantage Marketing Group, and Middle School Catastrophic Accident coverage with the Young Group is requested.

11. CHANGE ORDER 1: MCNATTON TECHNOLOGIES LLC SERVER SUPPORT SERVICES AGREEMENT

On April 26, 2009 a Request for Proposal was released offering qualified vendors an opportunity to bid on server support services. These services include all aspects of physical and logical server builds, configurations, patches, maintenance, support, application installation and decommissioning. Four proposals were considered. After careful consideration and review, McNatton Technologies LLC was recommended. On June 16, 2009 the Board awarded a one year contract to begin July 1, 2009. The contract includes the option of renewal for up to two additional one-year terms. \$787,200 was encumbered this fiscal year to offset monthly fixed fee of \$65,600. Change Order 1 will renew services for another one-year term. Monthly fixed fee will remain \$65,600. \$787,200 will be encumbered on a purchase order to cover anticipated invoiced amounts during the 2010-11 fiscal year. Fiscal Implications: Total amount of change order is \$787,200. Funding for contracted services is identified and planned for in the Technology Services 2010-11 operating budget request. Recommendation for Action: Staff is requesting Board approval of change order.

12. CHANGE ORDER 2: L-3 STRATIS NETWORK SUPPORT SERVICE AGREEMENT

A Request for Proposal was released in April 2009 offering qualified vendors an opportunity to bid on network support services. Network support includes all aspects of Wide and Local Area Network support. Three proposals were considered. After careful consideration and review, L-3 STRATIS was recommended. On June 16, 2009 the Board

awarded a one-year contract to begin July 1, 2009. The contract includes the option of renewal for up to two additional one-year terms. \$636,480 was initially encumbered to offset monthly fixed fee of \$53,040.

Per Board approval on January 6, 2009, L-3 also provides a limited number of personnel to help complete CIP 2006 network infrastructure installation and upgrade projects. This responsibility was added to the scope of the current contract through Change Order 1. \$170,590 of CIP 2006 funds was encumbered this fiscal year to cover these additional contractors.

Change Order 2 will renew all services for another one-year term. Monthly fee for network support services will remain fixed at \$53,040. \$200,000 is the estimated need to cover additional CIP 2006 infrastructure and upgrade projects throughout the year. A total of \$836,480 will be encumbered on a purchase order to cover all anticipated invoiced amounts during the 2010-11 fiscal year. Amount of change order is \$836,480. Funding for contracted services is identified and planned for in the Technology Services 2010-11 operating budget request. \$200,000 will be allocated through CIP 2006 bond funds. Recommendation for Action: Staff is requesting Board approval of change order.

14. BIDS: ENVIRONMENTAL HEALTH AND SAFETY DEPARTMENT JOB ORDER CONTRACTS

Bids for the Environmental Health and Safety Department Job Order Contracts were received on May 6, 2010. A Job Order Contract (JOC) is for construction or repair with indefinite demand or quantity. The total amount of these contracts is \$1,200,000. Staff recommends award of contracts to the following contractors: 39 Construction, LLC, in the amount of \$250,000 for indoor air quality (IAQ) replacement general contracting; Enpuricon, Inc., in the amount of \$250,000 for IAQ mold remediation; Quality Decorators, Inc., in the amount of \$250,000 for IAQ painting; 39 Construction, LLC, in the amount of \$150,000 for Americans with Disabilities Act general contracting; Enpuricon, Inc., in the amount of \$200,000 for asbestos abatement; Enpuricon, Inc., in the amount of \$100,000 for duct cleaning. All contracts have duration of July 1, 2010 to June 30, 2011. Fiscal implications: Funding is included in the 2010-2011 funding request. Recommendation for action: Board approval is requested.

15. CHANGE ORDER NO. CM-02: WILBURN ELEMENTARY

Board approval is requested for Change Order No. CM-02 to Barnhill Contracting Company, for their Construction Management at Risk contract for construction of Wilburn Elementary. This change order, in the amount of \$14,963,419, is to establish a guaranteed maximum price (GMP) for the elementary school project. A list of the 45 bid packages is attached. Fiscal implications: Funding is available from the total project budget of \$21,179,771, of which \$20,899,629 is from CIP 2006 and \$280,142 is from CIP 2006 Offsite (Public) Improvements. Recommendation for action: Board approval is requested.

STUDENT ACHIEVEMENT

16. CONTRACT RENEWAL WITH BLUE DIAMOND INFORMATION SOLUTIONS, LLC

To request approval for a second contract renewal with Blue Diamond Information Solutions, LLC (BDIS) based on the 2008-09 contract, which included the option to renew two times for one year each time (p. 4, paragraphs 3-5 of original contract), and was approved by the Board of Education in June 2008. The first renewal was approved in June 2009 and this will be the second renewal. BDIS provides software site licenses for all school sites, enabling each site the ability to score formative assessments and generate reports. BDIS also provides consultation services, support services, maintenance of applications, software maintenance, back-up data, and documentation as set forth in the service agreement with the Wake County Public School System. Fiscal Implications: The renewal contract amount is \$217,000 and will be paid from Disadvantaged Students Supplemental Funding. Recommendation for Action: This item is presented for approval.

17. PUBLIC CONSULTING GROUP, INC., MEDICAID BILLING SERVICES

The Wake County Public School System (WCPSS) has contracted with Public Consulting Group, Inc. (PCG) for the past twelve years for the provision of Medicaid billing processes compliant with federal and state requirements. PCG works with the WCPSS staff and the state Medicaid-billing agency to develop forms and reporting format, and provides training for staff. PCG will submit quarterly invoices for payment of their \$125,000 fees for Medicaid Administration and 15% of second portion of said fees for "Fee for Service," not to exceed \$60,000. Fiscal Implications: Contract totals \$125,000 and \$60,000 and will be funded by Medicaid revenues. Recommendation for Action: Staff is requesting Board approval.

18. CONTRACT WITH ACCURATE COMMUNICATION, INC

We are contracting with Accurate Communication to provide interpretation/translation services for classroom and extra-curricular activities for hearing impaired students in Wake County Public Schools. Fiscal Implications: Funding in the Special Education Services' budget in the amount of \$327,570 is to be used to pay for the cost of these services. Recommendation for Action: Board approval is requested.

20. CONTRACT WITH GLOBAL TRANSLATION SYSTEMS, INC.

We are contracting with Global Translation Systems, Inc. to provide foreign language translation services to students receiving Special Education Services. Fiscal Implications: Funding in the Special Education Services' budget in the amount of \$180,000.00 is to be used to pay for these services. Recommendation for Action: Board approval is requested.

21. CONTRACT WITH LEARNING TOGETHER, INC

Learning Together Inc., a development day center, provides special education and related services to students with special needs. The Wake County Public School System (WCPSS) has contracted with developmental day centers for over twenty years to provide special education and related services to students with disabilities ages three through twenty one.

The North Carolina Department of Public Instruction provides funding for students

receiving services in developmental day centers.

Fiscal Implications: The State of North Carolina provides categorical monies totaling \$9,991.00 per child, per year, for children ages three through twenty one served in developmental day centers. In addition, each year, the state provides \$50.00 per child to help provide needed supplies and materials. Funding from the state in the amount of \$843,444.00 (or approved state developmental day program rate) is to be used for the cost of these services. For each child receiving services at Learning Together, Inc., WCPSS will pay a yearly supplement of \$340.00 for a total of \$28,560.00. Special education funds will be used to pay this supplement. The total amount of the contract is \$872,004.00. Recommendation for Action: Board approval is requested.

22. CONTRACT WITH PEDIATRIC SERVICES OF AMERICA

We are contracting with Pediatric Services of America, Inc. to provide healthcare services to students enrolled in Wake County Public Schools. Fiscal Implications: Funding in the Special Education Services' budget in the amount of \$190,000.00 is to be used to pay the cost of these services. Recommendation for Action: Board approval is requested.

23. CONTRACT WITH TLC OPERATIONS, INC. (COMMUNITY RESIDENTIAL CENTER)

The Tammy Lynn Center, a Community Residential Center, provides special education and related services to students with special needs. The state assists with the cost of these services by providing funding for students served in community residential centers. This is the twelfth year that Community Residential funds have been allocated. There are two community residential centers in Wake County, Tammy Lynn Center and Hilltop Home. Fiscal Implications: The State of North Carolina provides categorical monies totaling \$16,429.00 per child, per year, for children ages three through twenty one served in community residential centers. In addition, each year the state provides \$50.00 per child per year for needed supplies and materials. Total contract amount is \$213,577.00. Funding from the state in the amount of \$213,577.00 (or approved state Community Residential rate) is to be used for this contract. Recommendation for Action: Board approval is requested.

24. CONTRACT WITH DAMAR SERVICES, INC.

We are contracting with Damar Services Inc., a private, non-profit corporation located in Indiana, to provide special education and related services for an identified student with special needs. This student was served at this residential facility prior to moving to Wake County. In order to facilitate the transition to the Wake County Public School System, it was agreed that the student should continue to receive services in the Damar facility through June 30, 2011. Fiscal Implications: Funding in the Special Education Services' budget in the amount of \$141,620.00 is to be used to pay the cost of these services. Recommendation for Action: Board approval is requested.

25. CONTRACT WITH FRANKIE LEMMON SCHOOL AND DEVELOPMENTAL CENTER

Frankie Lemmon School, a developmental day center, provides special education and related services to students with special needs. The Wake County Public School System (WCPSS) has contracted with developmental day centers for over twenty years to

provide special education and related services to students with disabilities ages three through twenty one. The North Carolina Department of Public Instruction provides funding for students receiving services in developmental day centers. Fiscal Implications: The State of North Carolina provides categorical monies totaling \$9,991.00 per child, per year, for children ages three through twenty one served in developmental day centers. In addition, each year, the state provides \$50.00 per child per year to help provide needed supplies and materials. Funding from the state in the amount of \$351,435.00 (or approved state developmental day program rate) is to be used to pay the cost of these services. For each child receiving services at Frankie Lemmon School and Development Center, WCPSS will pay a yearly supplement of \$340.00 for a total of \$11,900.00. Special education funds will be used to pay this supplement. The total amount of the contract is \$363,335.00. Recommendation for Action: Board approval is requested.

26. CONTRACT WITH HILLTOP HOME (COMMUNITY RESIDENTIAL CENTER)

Hilltop Home, a Community Residential Center, provides special education and related services to students with special needs. The state assists with the cost of these services by providing funding for students served in community residential centers. This is the twelfth year that Community Residential funds have been allocated. There are two community residential centers in Wake County, Tammy Lynn Center and Hilltop Home. Fiscal Implications: The State of North Carolina provides categorical monies totaling \$16,429.00 per child, per year, for children ages three through twenty one served in community residential centers. In addition, each year, the state provides \$50.00 per child per year for needed supplies and materials. Total contract amount is \$246,435.00. Funding from the state in the amount of \$246,435.00 (or approved state Community Residential rate) is to be used for these services. Recommendation for Action: Board approval is requested.

27. CONTRACT WITH THE LING AND KERR THERAPY SERVICES

We are contracting with the Ling and Kerr Therapy Services to provide speech/language therapy services to non public school students. Special Education Services is required by Title VI-B guidelines to provide services for students in Private Schools and Home Schools. Fiscal Implications: Funding from ARRA funds in the Special Education Services' budget in the amount of \$500,000.00 is to be used to pay for the cost of these services. Recommendation for Action: Board approval is requested.

28. CONTRACT WITH THE CHESHIRE CENTER

We are contracting with the Cheshire Center to provide speech/language therapy services to non public school students. Special Education Services is required by Title VI-B guidelines to provide services for students in Private Schools and Home Schools. Fiscal Implications: Funding from ARRA funds in the Special Education Services' budget in the amount of \$500,000.00 is to be used to pay for the cost of these services. Recommendation for Action: Board approval is requested.

29. CONTRACT WITH WHITE PLAINS CHILDREN'S CENTER

White Plains, a developmental day center, provides special education and related services to students with special needs. The Wake County Public School System (WCPSS) has contracted with developmental day centers for over twenty years to provide special education and related services to students with disabilities ages three through twenty one. The North Carolina Department of Public Instruction provides funding for students receiving services in developmental day centers. Fiscal Implications: The State of North Carolina provides categorical monies totaling \$9,991.00 per child, per year, for children ages three through twenty one served in developmental day centers. In addition, each year, the state provides \$50.00 per child to help provide needed supplies and materials. Funding from the state in the amount of \$169,847.00 (or approved state developmental day program rate) is to be used for these services. For each child receiving services at White Plains Children's Center, WCPSS will pay a yearly supplement of \$340.00 for a total of \$5,780.00. Special education funds will be used to pay this supplement. The total amount of the contract is \$176,477.00. Recommendation for Action: Board approval is requested.

POLICY

30. BOARD POLICY 5522: HONOR ROLL

Revised; Second Reading

The Honor Roll Policy, Policy 5522, was originally adopted August 20, 1976. Dr. Kenneth A. Branch reviewed the policy in April 2010 and is proposing changes to the policy. Fiscal Implications: None Recommendation for Action: This item is presented for second reading.

HUMAN RESOURCES

34. REQUEST FOR LEAVES

ACTION ITEMS

STUDENT ACHIEVEMENT

19. CONTRACT WITH EASTER SEALS UCP NC (CHARLIE GADDY)

Easter Seals UCP NC (Charlie Gaddy) provides special education and related services to students with special needs. The Wake County Public School System (WCPSS) has contracted with developmental day centers for over twenty years to provide special education and related services to students with disabilities ages three through twenty one. The North Carolina Department of Public Instruction provides funding for students receiving services in developmental day centers. Fiscal Implications: The State of North Carolina provides categorical monies totaling \$9,991.00 per child, per year, for children ages three through twenty one served in developmental day centers. In addition, each year, the state provides \$50.00 per child per year to help provide needed supplies and materials. Funding from the state in the amount of \$120,492.00 (or approved state developmental day program rate) is to be used for the cost of these services. For each child receiving services at Easter Seals UCP NC (Charlie Gaddy), WCPSS will pay a yearly supplement of \$340.00 for a total of \$4,080.00. Special education funds will be used to pay this supplement. The total amount of the contract is \$124,572.00. Recommendation for Action: Board approval is requested.

Marvin Connelly presented information to the Board. Mr. Connelly shared that the Charlie Gaddy Center is one of several vendors that Wake County contracts with to provide developmental day services. In total, WCPSS spends approximately \$6, 3,936 in contracted services for students with disabilities. Included is \$1,000,000 of ARRA funds, which is the proportionate share to private schools. Speech-language services are provided as required by Title VI-B for students in non-public schools.

Currently, Easter Seals serves 12 students; 35 students are served at Frankie Lemmon; 84 students are served at Learning Together; 17 students are served at Children’s Center (for students with multiple disabilities and developmental delays); 33 students are served at Hilltop Home and TLC (for students with multiple disabilities); 8 students are served at Accurate Communications (for students with hearing impairments and the contract provides for substitutes and teachers for translation services for deaf students); 1 student is served at DeMar Services (the student is severely developmentally delayed); 8 students are served at Transaction for Global Systems (for interpretation for non-English speaking students). Mr. Connelly stated that the Cheshire and Ling contracts are comprehensive contracts for non-public schools with no certain number tied to it, but up to \$500,000 for each of the contracts.

Mr. Connelly also shared that for the developmental day and the residential centers, there is a set state rate that are paid for the services. After clarifying questions from the Board regarding residential centers and placement of students in the centers, Anne McLaurin made a motion to approve the contract with Easter Seals UCP in NC. The motion was seconded by Debra Goldman. The motion was unanimously approved.

9. RENEWAL OF WCPSS WORKERS’ COMPENSATION INSURANCE COVERAGE

The Risk Management and Human Resource Departments, and our independent Insurance consultant, compared the cost/benefits of Third-party Claims Administrator of WCBOE Workers’ Compensation Claims Administration. Technical and Cost Proposals were received from four of nine Third-party Administrators contacted and two of the four met all of the bid requirements. Cost proposals for 2010–2011 are as follows:

Administration Fees

- Key Risk Management Services, Inc. \$10,500
- Brentwood Services Administrators, Inc. \$18,025

It is recommended that coverage continue with Key Risk Management Services based on:

▪ Current Service Provider past 8 years	▪ No Charge for 114 open claims
▪ No Charge for split-funded claims	▪ Unlimited user access of on-line system.
▪ Dedicated staff for coordination split funded claims	

Fiscal Implications: Funds are available in 2010-2011 in the estimated amount of \$1,407,096. Funds will be appropriated from reserved fund balance as required to pay claims incurred in excess of the 2010-2011 budgeted amounts. Recommendation for Action: Board approval is requested.

Mark Winters presented information to the Board. Mr. Winters shared that Risk

Management, Human Resources, and an independent consultant received and reviewed bids for third-party claims administrator services. Two of the four that returned proposals met all bid requirements. Staff recommends Key Risk Management Services which has the lowest cost to the school system, but also provides additional items such as, zero cost for split funded claims, and they have been the school system's current service provider for eight years.

The fiscal implication for the third-party claims administrator is \$10,500, the total plan for next year is \$1.4 million which is available in the budget for 2010-2011. Staff has self insured in Worker's Compensation since August 2002 and have saved approximately \$1million a year compared to commercial rates. Currently, this year, staff's bid on commercial rates would have been \$2.8 million.

Mr. Winters clarified information about attorneys and shared that the staff pays Key Risk and Key Risk will pay the attorney fees. The current attorney is under contract that is used with Key Risk, with a 60-day out clause for cancellation.

With no questions from the Board, Keith Sutton made a motion to approve the renewal of WCPSS Workers' Compensation Insurance coverage. The motion was seconded by Debra Goldman. The motion was unanimously approved.

FACILITIES

13.CONTRACT FOR REAL ESTATE LEGAL SUPPORT SERVICES

The current contract for real estate legal support services with Boxley, Bolton, Garber & Haywood, LLP, expires on June 30, 2010 and a new contract has been negotiated for the next fiscal year. Services will be provided as needed to assist in real estate matters involving real estate owned or leased by the Board, as well as real estate to be acquired. The contract term is from July 1, 2010, to June 30, 2011, and it includes a termination clause. A copy of the proposed contract and a memo describing current, on-going, and potential real estate issues are attached. Staff recommends approval in accordance with Board Policy 1214. Fiscal implications: The maximum yearly amount of \$100,000 proposed in the agreement includes fees for services based upon an hourly rate schedule. A separate purchase order in the amount of \$2,000 will cover reimbursements of out of pocket expenses advanced by the firm. Funding is available from the CIP 2006 Land Purchase budget. Recommendation for action: Board approval is requested.

Don Haydon presented information to the Board. With no questions from the Board, Keith Sutton made a motion to approve the contract for Real Estate Legal Support Services. The motion was seconded by Kevin L. Hill. The motion was unanimously approved.

POLICY

31.APPROVAL OF PHIL BOYLE, LEADING AND GOVERNING ASSOCIATES, AS A SERVICE PROVIDER OF ANNUAL TRAINING FOR THE BOARD OF EDUCATION

In North Carolina, Board members are required to complete 12 clock hours of training on an annual basis according to G.S. 115C-50. Additionally, each member of the Board is required to have 2 hours of ethics training within 12 months of being elected or

appointed to office and within 12 months of each re-election or re-appointment. All current school board members must complete the 2 hours by December 31, 2010. The 2 hours may be applied to the annual 12 hours of training required of school board members. The training may be provided by the North Carolina School Boards Association, the Institute of Government, or other qualified sources approved by local boards of education. Board approval is requested for Phil Boyle, Leading and Governing Associates, as a Service Provider of Annual Training for the Board of Education. Leading and Governing Associates is a governance education and consulting practice. Dr. Boyle works with government, business, and community leaders and their organizations to strengthen their capacity to understand public problems, design democratic decisions, and engage constituents and each other in public policy conversations. Funding will be determined according to the training that is providing. Board approval is requested.

Terri Cobb presented information to the Board. Board members shared concerns regarding the wording. The concern is the stating of the wording “as a service provider of annual training”. The concern is that the Board is not locking into an annual agreement. Additional concerns included the cost per hour of the service provider, and who will pay. Within the last few months, the Board added Civitas for an acceptable vendor of training, however, part of the caveat of that, was since it was not the NCSBA, board members were required to pay for the training themselves individually.

Ms. Cobb shared that all of the service providers are at the Board’s discretion. Board members clarified that the Civitas training was agreed on for a year, as there was a limit, because the Board wanted to try Civitas for the one training and see how it went. Mr. Margiotta shared that the resolution for Civitas read the exact same way, “as provider of annual training.” There was clarification, that Dr. Boyle would be approved as a vendor for annual training. The fee/cost of Dr. Boyle’s training would be given to Board members at a later time, as it was unavailable at the meeting.

Mr. Margiotta clarified the payment of training for Board members. He stated that with the Civitas training, Board members paid for the training themselves, which was not intended. Mr. Margiotta shared that he would get an indication as to how much was expended for Civitas. Mr. Margiotta reiterated that the intention of training that is provided by a service provider, is to be paid from the Board of Education’s account.

Debra Goldman made a motion to approve Item #31, Approving Phil Boyle, Leading and Governing Associates, as a service provider of annual training for the Board of Education. The motion was seconded by Keith Sutton. Chairman Margiotta clarified that Dr. Boyle will be hired as a provider of annual training, not a provider for annual training. It was requested that the Board receive the rates that are being charged by the provider, Dr. Boyle. The motion was unanimously approved.

32. APPROVAL OF ANN MAJESTIC, BOARD ATTORNEY, AS SERVICE PROVIDER OF ANNUAL TRAINING FOR THE BOARD OF EDUCATION

In North Carolina, Board members are required to complete 12 clock hours of training on an annual basis according to G.S. 115C-50. Additionally, each member of the Board is required to have 2 hours of ethics training within 12 months of being elected or appointed to office and within 12 months of each re-election or re-appointment. All

current school board members must complete the 2 hours by December 31, 2010. The 2 hours may be applied to the annual 12 hours of training required of school board members. The training may be provided by the North Carolina School Boards Association, the Institute of Government, or other qualified sources approved by local boards of education. Board approval is requested for Ann Majestic, Board attorney, to be a provider of annual training for the Wake County Board of Education. Ms. Majestic currently provides training, including ethics training for school boards through the North Carolina School Boards Association. Funding will be available according to the training that is providing. Board approval is requested.

Board Attorney, Jonathan Blumberg, shared that Ann Majestic's rate of training would be the same as the retainer fee for Tharrington Smith, LLP, of \$175/per hour.

With no questions from the Board, Kevin L. Hill made a motion to approve Item #32, approving Ann Majestic, Board Attorney, as a service provider of annual training for the Board of Education. The motion was seconded by Chris Malone. The motion was unanimously approved.

HUMAN RESOURCES

33.RECOMMENDATIONS FOR EMPLOYMENT

- a. Professional
- b. Support

Dr. Stephen Gainey presented information to the Board. Dr. Gainey shared that the Board receives a consent list for professional and support staff recommendations for employment. Dr. Gainey shared that all employees that are not school-based are highlighted in yellow, these individuals require a waiver for to hire. The waiver is required, due to the hiring freeze put into place in November 2008 for non-school based positions, which is still in effect.

For the past 15 months, school-based positions have been frozen twice; last spring in preparation for the 2009-2010 school year and again, this spring in preparation for the 2010-2011 school year. Due to budget cuts that the school system was facing and formula changes, this strategy was used to ensure there were enough spaces for contractual obligations to be met, simultaneously with the Central Services reduction in force.

On April 12th, staff implemented a hiring freeze for all school-based positions with the exception of ESL teachers and Special Education teachers. On April 29th, staff was made aware that they needed to include ESL teachers in the freeze as well. On May 26th, staff lifted the freeze with school-based positions in several areas; core teachers at the high school and middle school level, K-6 classroom teachers who do not teach electives or specials, physical education teachers, Title I math coach, Title I literacy coach, Title I pre k teacher, Title I pre-k teacher assistants, and assistant principals. The Central Services freeze has not been lifted as of yet; staff is continuing to follow a mission critical theme.

Due to funding issues currently, the Human Resources staff with assistance from

principals, had a Displacement Fair on May 25th where employees were able to see where vacancies were and have some say in where they were being placed. As of June 1st, staff has 30 certified employees to place, 1 support employee to place, and 21 teacher assistants to place.

Dr. Gainey shared that anyone new to WCPSS next year, will be placed on a temporary position employment contract, which will have a 30-day out clause.

Debra Goldman made a motion to approve the recommendations for employment. The motion was seconded by Deborah Prickett. The motion was unanimously approved.

BOARD

36. APPROVAL FOR THE USE OF A SEARCH FIRM IN THE SUPERINTENDENT SEARCH

The Superintendent Search Committee is an ad hoc committee formed for the purpose of assisting in the recruiting/hiring of a Superintendent for the Wake County Public School System. On Tuesday, May 4, Debra Goldman, Committee Chair, presented information to Committee of the Whole regarding the possibility of investigating the use of a search firm in the Superintendent Search. At this meeting, Board members supported this option and requested that the Committee begin to gather information. The Superintendent Search Committee met on May the 19 and May 25 to review proposals from search firms. After a review of the services that a search firm might be able to provide, the Committee agreed by consensus to request approval to continue this process in order to be able to recommend a search firm to the Board of Education. Funds will be appropriated from Undesignated Fund Balance. The Superintendent Search Committee is seeking approval to recommend a search firm to the Board of Education.

Debra Goldman made a motion to approve the Board acquiring the services of a search firm for a superintendent. The motion was seconded by Chris Malone. The motion was unanimously approved. The motion was unanimously approved.

35. UNDESIGNATED FUND BALANCE REQUEST FOR SUPERINTENDENT SEARCH

The Superintendent Search Committee is an ad hoc committee formed for the purpose of assisting in the recruiting/hiring of a Superintendent for the Wake County Public School System. On Tuesday, May 4, Debra Goldman, Committee Chair, presented information to Committee of the Whole regarding the possibility of investigating the use of a search firm. At this meeting, Board members supported this option and requested that the Committee begin to gather information. The Committee met on May 19 and May 25 to review proposals. As a result, the Superintendent Search Committee is requesting that the Board of Education appropriate undesignated fund balance for this item. While the Committee is investigating search firms with a wide range of services and costs, the Committee is requesting for \$125,000.00 to be designated with the knowledge that unused funds will be reverted to fund balance. If approved and funds are available, the Committee will present recommendations for a search firm to the Board for approval prior to the development of a service contract, even if the amount is less than \$100,000. Funds are available in undesignated fund balance. Board approval is requested.

Debra Goldman shared that the committee is requesting for \$125,000 to be designated with the knowledge that unused funds will be reverted to fund balance. Mrs. Goldman shared that the amount is well over and above and a target that they will hopefully not reach.

Debra Goldman made a motion to approve \$125,000 be appropriated for the superintendent search. The motion was seconded by Chris Malone. After several comments and questions from Board members regarding lowering the amount and if there was a unanimous vote from the committee on the amount. The motion passed unanimously.

POLICY

37.POLICY 1300 BOARD MEETINGS

First Reading: Request Waiver of Second Reading

At Committee of the Whole meetings on May 18, 2010 and June 1, 2010, the Board considered options for creating panels to hear student transfer appeals. The proposed revision to Policy 1300 provides for administrative staff to serve as hearing officers. The hearing panels will gather facts concerning the appeals and present them to the Board for final decision. Fiscal implications: None. Recommendation for action: Board approval is requested.

Don Haydon presented information to the Board. Mr. Haydon shared that the policy that deals with Board meetings. The proposed change is on the third page of the policy under paragraph h dealing with hearing panels. The revisions are a change in the text to facilitate carrying out the Board's direction that this year; staff will serve as hearing officers for transfer hearing appeals.

Paragraph H provides the opportunity for staff to serve on the hearing panels and then staff will return to the Board at Closed Session to make a recommendation. Mr. Haydon emphasized, that while staff is hearing the appeal and gathering information to bring to the Board, it is the Board that makes the decision on every appeal.

Debra Goldman made a motion to approve the proposed changes to Board Policy 1300. The motion was seconded by Deborah Prickett. The motion was unanimously approved.

Debra Goldman made a motion to waive the second the reading of the policy changes to Board Policy 1300 due to the nature and time constraints involved with the hearings beginning on June 2, 2010; and thereby approve the policy revision tonight. The motion was seconded by Kevin L. Hill. The motion was unanimously approved.

38.POLICY 6203: TRANSFER OF SCHOOL ASSIGNMENT

First Reading: Request Waiver of Second Reading

At Committee of the Whole meetings on May 4, 2010, and May 18, 2010, the Board considered revisions for Policy 6203 and R&P to bring this policy in line with Board of Education Resolution on Assignment and recent Board of Education revision of Policy 6200. The proposed revision to Policy 6203 and R&P 6203 provides for reasons transfer requests may be approved or denied by staff and for administrative staff to serve as hearing officers for transfer appeals. The hearing panels will gather facts concerning the

appeals and present them to the Board for final decision. Fiscal implications: None.
Recommendation for action: Board approval is requested.

Laura Evans presented information to the Board. Debra Goldman made a motion to approve the proposed changes to Board Policy 6203: Transfer of School Assignment. The motion was seconded by Keith Sutton.

Several Board members shared concerns and their objections to several of the items contained in the proposed changes to Policy 6203. Dr. McLaurin said that she objected to the deletion in the first paragraph of, *“maintenance of appropriate socioeconomic and achievement diversity in all schools”*, and on B1, Dr. McLaurin also objected to *“Transfer requests that contribute to better school utilization”* and the deletion of *“and greater socioeconomic and achievement diversity.”* Dr. Morrison shared that she concurred with Dr. McLaurin’s comments. Mr. Tedesco thanked Mrs. Evans and the Growth and Planning Department for their hard work in the process. Mrs. Prickett echoed Mr. Tedesco’s comments.

The Board voted by Roll Call Vote on the motion to approve the proposed changes to Board Policy 6203, with Anne McLaurin voting “no”, John Tedesco voting “yes”, Kevin L. Hill voting “no”, Debra Goldman voting “yes”, Chris Malone voting “yes”, Deborah Prickett voting “yes”, Keith Sutton abstained from voting, and Carolyn Morrison voting “no”. The Chairman voted “yes”. The motion passed on a 5 to 3 vote.

Due to the timeliness of the transfer hearings beginning on June 2nd, Debra Goldman made a motion to waive the second reading on Board Policy 6203 and thereby approve the policy revisions tonight. The motion was seconded by Deborah Prickett. The Board voted by Roll Call Vote with, Anne McLaurin voting “no”, John Tedesco voting “yes”, Kevin L. Hill voting “no”, Debra Goldman voting “yes”, Chris Malone voting “yes”, Deborah Prickett voting “yes”, Keith Sutton voting “no”, and Carolyn Morrison voting “no”. Board Attorney, Jonathan Blumberg, stated that a 2/3 vote is needed to waive second reading. The policy on first reading with revisions has been approved.

RECOGNITION – 5 P.M.

STUDENT ACHIEVEMENT

39. BOARD COMMENDATION FOR SCHOOLS RECOGNIZED BY MAGNET SCHOOLS OF AMERICA AS “SCHOOLS OF DISTINCTION” OR SCHOOLS OF EXCELLENCE

The following fourteen schools were recently named by the *Magnet Schools of America* as 2010 Magnet Schools of Excellence or Magnet Schools of Distinction.

2010 National Magnet Schools of Excellence

Bugg Creative Arts and Science Magnet Elementary

Conn Active Learning and Technology Magnet Elementary

Joyner Center for Spanish Language / International Baccalaureate PYP Magnet Elementary

Millbrook International Baccalaureate PYP Magnet Elementary

Wiley International Studies Magnet Elementary

Ligon Gifted and Talented Magnet Middle School

Garner International Baccalaureate MYP/DP Magnet High

2010 National Magnet Schools of Distinction

Brooks Museums Magnet Elementary

Combs Leadership Magnet Elementary

Douglas Creative Arts and Science Magnet Elementary

Hunter Gifted and Talented Magnet Elementary

Washington Gifted and Talented Magnet Elementary

Centennial Campus University Connections & Leadership Magnet Middle

East Garner International Baccalaureate MYP Magnet Middle

Magnet Schools of America is a national collaborative network of magnet schools that provide leadership for innovative instructional programs promoting equity, diversity, and academic excellence for all students in public school choice programs. The schools were selected from a national field of over 2,000 magnet schools based on rigorous criteria that includes innovative instructional strategies, student achievement, diversity goals, and parent and community involvement in the magnet school. This year, WCPSS had the most award winning schools of any district in the nation. As WCPSS proceeds with the Curriculum Management Audit's call to evaluate all programs, the accomplishment of these schools shows the level to which WCPSS magnet programs meet and exceed the national standard for magnet schools. Fiscal Implications: None. Recommendation for Action: Staff recommends that principals and school representatives be invited to the board meeting for commendation.

Each of the school's representatives were presented a plaque for their accomplishment and was recognized by the Board. Chairman Margiotta congratulated each of the principals and the staff at each of the schools.

The Board recessed at 5:12 p.m. The Board returned to Open Session at 5:22 p.m.

Kevin L. Hill made a motion to reconsider the issue of the second reading on Agenda Item #38, Board Policy 6203: Transfer of School Assignment. The motion to reconsider was seconded by Keith Sutton. The Board voted by Roll Call Vote with Anne McLaurin voting "no", John Tedesco voting "yes", Kevin L. Hill voting "yes", Debra Goldman voting "yes", Chris Malone voting "yes", Deborah Prickett voting "yes", Keith Sutton voting "yes", and Carolyn Morrison voting "no". The motion passed on a 6 to 2 vote.

Debra Goldman made a motion to waive the seconding of the changes to Board Policy 6203: Transfer of School Assignment, which would approve the policy. The motion was seconded by Chris Malone. The Board voted by Roll Call Vote with Anne McLaurin voting "no", John Tedesco voting "yes", Kevin L. Hill voted "yes" to waive the second reading while not supporting the policy, Debra Goldman voting "yes", Chris Malone voting "yes", Deborah Prickett voting "yes", Keith Sutton voting "yes", and Carolyn Morrison voting "no". The motion passed on a 6 to 2 vote.

Chris Malone read the following resolution as a motion,

WHEREAS, litigation was filed against the Wake County Board of Education in Superior Court (Garlock, Snee, Eisenstadt, Barlow, Pidcock, Byrd, Wright, and Evans vs. Wake County Board of Education, No. 10-CVS-7713); and

WHEREAS, the Wake Board of Education recognized the need for supplemental legal counsel; and

WHEREAS, litigation was filed on May 6, 2010 and the case was heard on May 14, 2010 by Judge Bill Pittman.

NOW, THEREFORE, BE IT RESOLVED, that the Wake County Board of Education ratifies the contract engaging Shanahan Law Group, PLLC in joining Board attorney, Ann Majestic with Tharrington-Smith LLP, in representing the Board of Education.

Approved and adopted this 1st day of June 2010.

Ron Margiotta, Chair
Wake County Board of Education

Wake County Public School System
Dr. Donna Hargens, Interim Superintendent

The motion was seconded by Debra Goldman. Board members inquired as to why a resolution was being passed after action was taken. Chairman Margiotta shared that there were time constraints in have the resolution prior to the engagement of the services. Chairman Margiotta shared that he followed a process he considered to be a proper one. The issue was discussed with staff members and determined what procedure should be followed for engaging a second attorney.

Dr. McLaurin asked if the Chairman made the decision by himself to hire the second attorney. The Chairman responded pretty much so and that he discussed it with staff and had full consultation with staff and the Board attorney's office. Chairman Margiotta clarified that no other Board members were involved in the discussion. The Chairman considered calling a special meeting, but there wasn't ample time.

Mr. Hill shared his concerns regarding the appearances of following policy and following policy. Mr. Hill asked what was the basis in policy for making the decision on part of the Chair. Chairman Margiotta shared that he had a concern that the current counsel could have been in conflict, because the counsel was advising the Board on the matters that the court case was brought upon.

Mr. Sutton recommended that in the future, some reasonable effort be made to contact Board members.

The Board voted on the resolution by Roll Call Vote, with Ann McLaurin voting “yes”, John Tedesco voting “yes”, Kevin L. Hill voting “no”, Debra Goldman voting “yes”, Chris Malone and voting “yes”, Deborah Prickett voting “yes”, Keith Sutton voting “yes”, and Carolyn Morrison recused herself due to the fact that she is a family friend with a member of the Shanahan Firm. The motion passed on a 6 to 1 vote.

CLOSED SESSION

Debra Goldman made a motion to go into Closed Session at 5:36 p.m. to consider confidential personnel information protected under G.s. 143-318.11 (a)(6) and 115C-319, to consider confidential student information protected under G.S. 115C-402 and Family Educational and Privacy Rights Act, U.S.C. 1232g, and to establish or give instructions concerning the Board’s negotiating position related to a potential acquisition of real property, as provided in G.S. 143-318.11 (a)(5). The motion was seconded by Deborah Prickett. The motion was unanimously approved.

ACTION ITEMS CONT’D

HUMAN RESOURCES

40. RECOMMENDATION FOR ADMINISTRATIVE APPOINTMENT(S)

- Kevin L. Hill made a motion to approve the following Administrative Appointment(s):
- (1). Jonathan Enns, Converted 2009-2010 Assistant Principal position at Fuquay-Varina High School to permanent Assistant Principal at Fuquay-Varina High School effective date July 1, 2010.
 - (2). Anthony Wilson, Teacher at Mills Park Middle School to Assistant Principal at Mills Park Middle School effective date July 1, 2010.

The motion was seconded by John Tedesco. The motion was unanimously approved.

41. ADMINISTRATIVE TRANSFER(S)

Administrative Transfers were announced.

42. RECOMMENDATION FOR CAREER STATUS

Kevin L. Hill made a motion to approve the candidates for career status. The motion was seconded by John Tedesco. The motion was unanimously approved.

43. RECOMMENDATION FOR NON-RENEWALS

Kevin L. Hill made a motion to approve the non-renewals. The motion was seconded by John Tedesco. The motion was unanimously approved.

On a motion by Debra Goldman, seconded by John Tedesco, the Board approved a motion to amend Dr. Burns’ contract to continue his administrative leave through June 30, 2010.

ADJOURNMENT

There being no further business coming before the Board, Debra Goldman made a motion to adjourn, seconded by John Tedesco. The motion was unanimously approved. The meeting adjourned at approximately 8:30 p.m.

Respectfully submitted,

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

Donna M. Hargens, Acting Superintendent, WCPSS

Melissa R. Christmas, Recording Secretary