

Approved by the Charlotte-
Mecklenburg Board of Education
February 13, 2007
Regular Board Meeting



Charlotte, North Carolina

November 14, 2006

**REGULAR MEETING
of the
CHARLOTTE-MECKLENBURG BOARD OF EDUCATION**

The Charlotte-Mecklenburg Board of Education held a Regular Board Meeting on November 14, 2006. The meeting began at 5:32 p.m. and was held in Room CH-14 of the Government Center.

Present: Joe I. White, Jr., Chairperson;
Molly Griffin, Vice-Chairperson, (District 5);
Trent Merchant, Member At-Large;
Vilma D. Leake (District 2);
George Dunlap (District 3);
Tom Tate (District 4); and
Ken Gjertsen (District 6)

Absent: Kaye McGarry, Member At-Large, and
Larry Gauvreau (District 1)

Also present at the request of the Board were Dr. Peter Gorman, Superintendent; Maurice Green, Chief Operating Officer; James G. Middlebrooks, attorney from Helms Mulliss & Wicker, PLLC, representing the Board; and Nancy Daughtride, Clerk to the Board.

Upon motion by Ms. Griffin, seconded by Mr. Tate, the Board voted unanimously of those present for approval to go into Closed Session for the following purposes:

- **To consult with the Board's attorneys on matters covered by attorney-client privilege; and**
- **To consider the performance of individual Board employees and the conditions of initial employment and/or appointment for individual employees.**

The motion was made pursuant to Section 143-318.11(a) of the North Carolina General Statutes.

Chairperson White reconvened the Regular Board Meeting at 6:01 p.m. in the Meeting Chamber of the Government Center. CMS TV Channel 3 televised the meeting.

Present: Joe White, Chairperson;
Molly Griffin, Vice Chairperson, (District 5);
Kaye McGarry, Member At-Large;
Trent Merchant, Member At-Large;
Larry Gauvreau (District 1);

Vilma D. Leake (District 2);
George Dunlap (District 3);
Tom Tate (District 4); and
Ken Gjertsen (District 6)

Absent: There were no absences

Also present at the request of the Board were Dr. Peter Gorman, Superintendent; Members of Executive and Senior Staffs; James G. Middlebrooks, Attorney from Helms Mulliss & Wicker, PLLC, representing the Board; Carole Hamrick, Manager of Board Services; and Nancy Daughtridge, Clerk to the Board.

I. CALL TO ORDER

Chairperson White welcomed everyone to the Board's Regular monthly business meeting. He stated we have a full agenda and asked the Board to use the 3-minute, 2-minute, and 1-minute discussion process.

A. Pledge of Allegiance

Chairperson White introduced Cassandra Smith, a senior at Independence High School, to lead those present and in the viewing audience in the Pledge of Allegiance and to speak to the November character trait of "honesty." Chairperson White said Cassandra is in her fourth year of Air Force JROTC and is second in command of this student-run organization of approximately 150 students. She has won many national awards in JROTC including the Distinguished Cadet Badge, Air Force Association Medal, Veterans of Foreign Wars Medal as well as two county awards – the Citizenship and Scholastic Medals. Cassandra has also participated in varsity soccer for three years and was awarded All-Conference status in the 10th and 11th grades. In addition, she was selected a Scholar Athlete in the 11th grade and has participated in cross country track and swimming. She has been awarded the school's highest honor, The Order of the Patriot, and holds the office of treasurer in the National Honor Society. Cassandra is currently the Valedictorian of the senior class and has an outstanding academic record with straight A's and honors and AP classes. Chairperson White introduced Casssandra's mother, Donna Smith, and principal, Nancy Bartles. Cassandra said one of the most admirable traits a person can have is "honesty." Cassandra talked about the merits of practicing "honesty" as a best policy and following the golden rule of "do unto others as you would have others do unto you." She said without "honesty" there can be no integrity. Cassandra invited everyone to stand to join her in reciting the Pledge of Allegiance.

B. Adoption of Agenda

Ms. Griffin moved that the Board approve the adoption of the agenda, seconded by Ms. McGarry, and the Board voted 9-0 to approve the adoption of the agenda.

C. Recognition of Wachovia Principal of the Year

Chairperson White called upon Dr. Gorman to present the recognition of Wachovia Principal of the Year. Dr. Gorman called upon Dr. Ruth Perez, Chief Academic Officer, to present the

recognition. Dr. Perez said the Wachovia Principal of the Year Award recognizes outstanding leaders in our public schools. The candidate selected must merit the respect of students, teachers, co-workers, and parents; be an active leader in their community; and demonstrate the ability to improve student achievement. Dr. Perez introduced Stanley Frazier, principal at Merry Oaks Elementary School, as the Charlotte-Mecklenburg nominee for the Wachovia Principal of the Year. Mr. Frazier has been principal of Merry Oaks since 1997 and has led the school to exemplary status. He will now compete on the regional and state levels for the title of Wachovia Principal of the Year. Mr. Frazier said he is very thankful to represent Merry Oaks and CMS. He thanked the people who have touched his life. He marveled at the students who come to school under adverse conditions to learn; the teachers who go beyond the call of duty to help students to learn; and a Superintendent who works tireless hours in an effort to change the wrongs to rights. Mr. Frazier was presented a plaque from the Board.

Community Report

- Report on Comprehensive Annual Financial Report for FY ending June 30, 2006

Chairperson White called upon Dr. Gorman to introduce the report. Dr. Gorman invited Ms. Lu Ellen Richard, Executive Directory of Accounting, to present the report. Ms. Richard said the Accounting Department has completed the Comprehensive Annual Financial Report for the fiscal year ending June 20, 2006. She introduced Vince Quinn, senior manager with Dixon Hughes, which is the external firm that conducted the audit, to present the findings. Mr. Quinn said Dixon Hughes received a report which was prepared by the Finance Department and they have provided their opinion on the financial information. The purpose of an audit is to meet the North Carolina General Statutes and to allow an independent CPA firm to render an opinion on that financial statement. The audit was also conducted meeting professional standards. Mr. Quinn reported that, in their opinion, they believe the financial statements are presented fairly and materially correct which means they have an unqualified audit opinion. Mr. Quinn informed the Board that they have also provided a compliance report on the internal controls and the federal and state financial assistance that the Board receives. Under these reports, compliance and control testing is conducted. There were no findings to report in those compliance reports. As an overall assessment, the Board's financial position fund balance improved \$2.1 million in 2006 over 2005. The information provided for the audit by staff is presented on a timely basis and is presented in an accurate order. Mr. Dunlap reported the Audit Committee had met this week and reviewed the audit report. They also found everything to be in order. Ms. Leake asked were there recommendations for improvements? Mr. Quinn said the information provided includes a management letter that listed a few immature items. Mr. Dunlap said the Audit Committee suggested that the Board consider an Educational Audit. He noted that he had shared this information with the Superintendent and the incoming chairperson of the new Civic Commission.

E. Public Hearing on proposed Policy GBEC, Alcohol and Illegal Drug Use: Applicants and Employees

Chairperson White called upon Ms. Griffin to introduce the Public Hearing.

Ms. Griffin moved that the Board approve opening the Public Hearing on Policy GBEC, seconded by Ms. McGarry, and the Board voted 9-0 to approve the motion.

There were no public speakers to speak to the item.

Mr. Tate moved that the Board approve closing the Public Hearing on Policy GBEC, seconded by Ms. McGarry, and the Board voted 9-0 to approve the motion.

Chairperson White noted that this item was also on the agenda as an Action Item.

F. Public Hearing on proposed boundaries and feeder patterns

Ms. McGarry moved that the Board approve opening the Public Hearing on the proposed boundaries and feeder patterns, seconded by Mr. Tate, and the Board vote 9-0 to approve the motion.

Lorrie Vanbuskirk represented the Glenfinnan and Strathmoor neighborhoods. She encouraged the Board to include this area in the boundaries for the new Lancaster Highway Elementary School. The school is within walking distance of their homes.

David Knoble resides on Providence Road West. He encouraged the Board to include this area in the boundaries for the new Lancaster Highway Elementary School. The school is less than one half mile from his home and his surrounding neighbors attend that school.

Nicholas Rose represented the Carrington Homeowners Association which is part of the Olde Providence southwest community. They were opposed to the revised student assignment boundaries because it doubled their travel distance to school and that action resulted in their voting against the Bonds. They are opposed to being rezoned from Olde Providence Elementary School to McAlpine Elementary School. He encouraged the Board to demonstrate changes to create neighborhood schools.

Susan Kilkka resides in Piper Glen. Her stepson attended McAlpine Elementary School, South Charlotte Middle School, and is a senior at South Mecklenburg High School. He has flourished and enjoyed his education at all these schools because of the quality and dedication of the teaching staff. Her daughter also attended CMS schools and graduated in 1997. She supports staff's recommendation for the three proposed elementary schools because it provides stability to Piper Glen. She encouraged the Board to approve the recommendations.

Scott Naclatchio represented the Rosecliff Homeowners Association. He presented additional considerations which recommended leaving the Olde Providence southwest community at Providence High School. He encouraged the Board to support neighborhood schools.

Alicia Durand represented the Rosecliff and Thornhill neighborhoods. She encouraged the Board to rezone the Old Providence southwest areas to Providence High School which would establish stability, fairness, and shorter bus rides for their children.

Tim Brooks resides in the Westin Glen neighborhood which is across the street from Community House Middle School. He encouraged the Board to support neighborhood schools. This area is within walking distance of Hawk Ridge Elementary School but is zoned for Elon Park Elementary School which is further away. He presented a proposal that would provide neighborhood schools and meet staff's enrollment needs.

Barbara Eudy is the parent of a South Mecklenburg High School graduate. She said staff's recommendations for the three elementary boundaries are excellent. She encouraged the Board to support all recommendations. She is opposed to the Glenfinnan and Strathmoor areas being reassigned to the new Lancaster Elementary School as it will create unintended consequences.

Rosemary DiGiovanni encouraged the Board to move the northern boundary for Ardrey Kell High School from Ballantyne Commons Parkway to I-485.

Renee Trei encouraged the Board to move the northern boundary for Ardrey Kell High School from Ballantyne Commons Parkway to I-485.

Pam Hunt is disappointed with the CMS boundary decisions and she is selling her house as a result. Her son will have to attend South Mecklenburg High School which is seven miles away as opposed to attending Ardrey Kell High School which is across the street.

Joe Oringel represented the Olde Providence southwest area. He made his home selection to be in a stable neighborhood and be assigned to schools close to home. The boundary revisions have caused this area to be assigned to schools further away. He encouraged the Board to follow Board policy and promises, and create neighborhood schools.

Mr. Dunlap moved that the Board approve closing the Public Hearing on Policy GBEC, seconded by Ms. Leake, and the Board voted 9-0 to approve the motion.

II. REQUESTS FROM THE PUBLIC

The following people expressed their concerns regarding staffing, leadership, and quality of education at Harding University High School:

- Charlene Price-Patterson
- Ashley Holland
- Annie Harris
- Sharon Harrington
- Cassandra Tucker
- Ruselle Sims-Moore
- Lisa Moore
- Sharon Davis
- Renard Burris
- Renee Hill
- Gaynor Russell
- Rochelle Davis
- Maxine Swain
- Dana Harris

Blanche Penn expressed her concerns regarding suspensions and safety in our schools including the suspension due process and the length of suspensions.

Chairperson White recognized Scout Troop 315 and welcomed them to the meeting.

III. CONSENT ITEMS

- A. Recommend approval of minutes.
 - October 24, 2006 Closed Session
 - October 19, 2006 Closed Session
 - October 13, 2006 Special Meeting
 - October 10, 2006 Closed Session
 - October 3, 2006 Joint Meeting
 - September 26, 2006 Regular Board Meeting
 - September 26, 2006 Closed Session
 - September 21, 2006 Closed Session
 - September 12, 2006 Regular Board Meeting
 - August 22, 2006 Regular Board Meeting
- B. Construction Items.
 - 1. Recommend approval of construction contract for Carmel Middle School.
 - 2. Recommend approval of construction contract for Huntersville Elementary School.
 - 3. Recommend approval by CMBOE to grant easement to BellSouth Telecommunications, Inc., at Newell Elementary School.
- C. Recommend approval of requests for release of students to other school districts.
- D. Recommend approval of appointment of administrative personnel.
- E. Recommend approval of licensed/non-licensed hires for October 2006.
- F. Recommend approval of Local Option Goals for Alternative Schools.
- G. Recommend approval of one citizen appointment to the Equity Committee by the Superintendent.
- H. Recommend approval of one citizen appointment to the Equity Committee by an At-large Representative.
- I. Recommend approval of one citizen appointment to the Equity Committee by the District Two Representative.
- J. Recommend approval of naming of new Mallard Creek High School.

Mr. Dunlap moved that the Board approve Consent Items A. thru J., seconded by Mr. Tate, and a discussion followed.

Chairperson White said the Consent Agenda included appointments to the Equity Committee by the Superintendent and Board Members. He asked that the appointment recommendations be reviewed.

G: Dr. Gorman recommended the reappointment of Jim Henderlite.

H: Ms. McGarry recommended the reappointment of Julian Wright. Mr. Wright is the current chairperson and will continue to serve as chairperson. He has ably served on the committee since 2002.

I.: Ms. Leake asked that her appointment recommendation be postponed until the next meeting scheduled for December 12, 2006.

A discussion followed. Ms. Leake said she supports the reappointment of Julian Wright but wants to ensure that everyone understands that this appointment will extend his term beyond the time allowed in Board policy for serving on Board committees. She encouraged the Board

to support the recommendation but hopes Board members will also be supportive in the future should other Board members want to make recommendations for reappointments that extend beyond the allowed term. Chairperson White said Ms. Leake is correct and Board members may challenge Ms. McGarry's appointment. Ms. Leake asked what should the Board do to change the process before allowing Mr. Wright to serve a third term? Chairperson White said the process does not need to be changed because Board policy states that the Board may override that process at any time.

Ms. Leake moved that the Board approve making an exception to Board policy to allow for the reappointment to a third term, seconded by Mr. Gjertsen, and a discussion followed. Mr. Dunlap said it sets a bad precedent when the Board violates this type policy. The Board worked hard to develop and be comfortable with the Board policy on committee appointments. He said Mr. Wright has performed an outstanding job and if the Board chooses to violate its own policy he will support the appointment. Mr. Dunlap expressed concern that should the Board violate its Board policy in this incidence the same issue will surface again. He noted that there is an individual on the Library Committee who will have to end her service because she has served two terms. He expressed concern about making an exception for one appointment but not for another appointment. Ms. Griffin said she feels differently about appointments by an individual Board member opposed to appointments by the Board as a whole. She will support Ms. McGarry's personal recommendation to the Equity Committee and does not believe that will set a precedent for future appointments by the Board as a whole such as the Library appointment. Ms. McGarry said an important aspect of some reappointments is it will help maintain the continuity of the committee. Mr. Wright serves as chairperson, has an excellent skill set, and has contributed to the committee as well as the community. Ms. McGarry feels confident in recommending Mr. Wright to a third term. Mr. Dunlap said he would prefer that the Board did not have to sanction another Board member's individual appointees. He said for the Board to vote on this item, the Board is sanctioning the authority of an individual member to appointment a person in violation of Board policy. Chairperson White asked Mr. Middlebrooks to research Board policy and the procedure for changing Board policy as Board policy could not be changed tonight. Mr. Gjertsen said there is a procedure in place for policy changes and the Board should follow that process and not override a policy.

The Board voted 7-2 to suspend its Board policy for the reappointment of Julian Wright to the Equity Committee. Chairperson White, Ms. Griffin, Ms. McGarry, Mr. Merchant, Mr. Gauvreau, Ms. Leake, and Mr. Tate voted in favor of the motion. Mr. Dunlap and Mr. Gjertsen voted against the motion.

Mr. Gauvreau said he has supported the Board members' Equity Committee appointments as a courtesy to his colleagues. He does not believe the Board needs an Equity Committee as it is a waste of time. He will not make an appointment to that committee.

The Board voted 9-0 to approve Consent Items A. thru J.

Dr. Gorman's administrative appointments were as follows:

Appointments:

- Donald E. Fennoy was named principal at Phillip O. Berry Academy of Technology. Mr. Fennoy has a Doctorate of Education Program in Educational Leadership (ABD), University of Central Florida, Orlando FL; Master of Educational Leadership and Administration, University of Central Florida, Orlando, FL; and Bachelors of Science with Honors in Elementary Education, Florida A&M University, Tallahassee, FL. He previously served as assistant principal at Olympia High School, Orlando, Fla. (Orange County Public Schools). He starts his new position on Dec. 4.
- Curtis Carroll named Area Superintendent. Mr. Carroll rejoins CMS. He previously served as executive director and managing principal with Duval County Public Schools in Jacksonville, FL.

Transfers:

- Edward Ellis named assistant principal at Providence High School and begins his new position on Nov. 27. He previously served as principal at E. E. Waddell High School.
- Stan Frazier was named principal at E.E. Waddell High School. He previously served as principal at Merry Oaks Elementary.

Reassignment:

- Denise Atkinson named assistant principal at Harding University High School and will begin her new position on Nov. 20. She will also serve as acting principal during Alicisa Johnson's medical leave. Ms. Atkinson previously served as assistant principal at Providence High School.

Dr. Gorman said Consent Item III. J. was the naming of the new Mallard Creek High School. The recommendation for the new school is Mallard Creek High School.

IV. ACTION ITEMS

- A. Recommend approval of proposed Policy GBEC, Alcohol and Illegal Drug Use: Applicants and Employees

Chairperson White called upon Ms. Griffin, chairperson of the Policy Committee, to present the recommendation.

Ms. Griffin moved that the Board approve the revisions to Policy GBEC, Alcohol and Illegal Drug Use: Applicants and Employees, and the Board voted 9-0 to approve the motion. No second was required because the recommendation was made by a member of the Policy Committee.

- B. Recommend approval of proposed boundaries and feeder patterns

Chairperson White called upon Dr. Gorman to present the proposed boundary recommendations. Dr. Gorman called upon Scott McCully, Executive Director of Student

Placement Services, to review the Superintendent's recommendations for the proposed boundaries. Mr. McCully said this item is the request for approval of boundaries for the opening of three new elementary schools over the next three years. The request also includes the approval of boundary changes to alleviate overcrowding at Mountain Island Elementary School. Mr. McCully reviewed the process to develop the proposed recommendations which included developing draft proposals, receiving community feedback, redesigning the draft proposals based upon community input, and presenting the recommendations to the Board at the October 10, 2006 Regular Board meeting. Mr. McCully reviewed the boundary recommendations for opening the three elementary schools in the southern portion of the County. For the 2007-2008 school year, the new Flat Branch facility will be completed and the recommendation requests that the new Elon Park Elementary School attendance zone be adopted and those students from that attendance zone be housed at the Flat Branch facility. This is needed to alleviate the overcrowding at Hawk Ridge Elementary School. For the 2008-2009 school year, the new Lancaster Highway Elementary School opens and it will relieve the overcrowding at both Hawk Ridge and Endhaven elementary schools. Smithfield Elementary School will also be relieved by an area that will be moved to Endhaven Elementary School. For the 2009-2010 school year, the new Elon Park Elementary School will open. The students who were housed at new Flat Branch Elementary School will be moved back to their permanent site at Elon Park Elementary School. At this time, the new Flat Branch Elementary School will be populated and it will relieve McKee Road, McAlpine, and Olde Providence elementary schools. Mr. McCully reviewed the boundary changes for the northwest portion of the County. Mountain Island Elementary School is overcrowded with a current enrollment of approximately 1,400 students and the population at Oakdale Elementary School is growing. The recommendation includes moving students from Mountain Island Elementary to Oakdale Elementary School and moving students from Oakdale Elementary School to Bruns Avenue Elementary School. In order to align the new elementary zones, some middle and high school boundaries required modifications. This required moving students from Coulwood Middle School to Ranson Middle School and moving students from Ranson Middle School to J. T. Williams Middle School. In addition, the boundaries for West Mecklenburg High School needed to be aligned. This required moving students from West Mecklenburg High School to West Charlotte High School.

Ms. Leake moved, seconded by Ms. McGarry, that the Board approve the Superintendent's proposal (presented at the October 10, 2006 Regular Board meeting) for the boundary changes that impact Mountain Island, Oakdale, and Bruns Avenue elementary schools for the 2007-2008 school year, and the associated changes for the home school areas of Coulwood, Ranson, and J. T. Williams middle schools, and West Charlotte and West Mecklenburg high schools, and a discussion followed.

Mr. Tate said this motion is different from the draft motion he received previously. He asked is this motion different from the draft motion? Dr. Gorman said the motions are slightly different. A Board member requested copies of the proposed boundaries as soon as possible and he distributed the motion in a draft format. Mr. Tate said he would like more time to review the new version and asked if it was necessary for the Board to vote upon this item tonight. Dr. Gorman replied, yes. Mr. McCully said the lottery process will begin in January and it is important that staff receive the approved boundaries as soon as possible so that changes can be made in the system which will allow for printing the applications in late

December. Mr. McCully said it is critical that the boundaries be approved tonight. Mr. Tate asked how is this motion different from the draft motion? Mr. McCully said the changes include a different format, spelling corrections, and a corrected road name. Staff developed a standardized format for the motions so that they would be consistent and the information would be clearly defined. Chairperson White asked did the changes include moving any additional students or moving any boundaries? Mr. McCully replied, no. Ms. McGarry asked for clarification on the sibling guarantee and the criteria that siblings of rising 8th graders will not have a sibling guarantee. Ms. McGarry believes families and siblings are important. Mr. McCully said the 8th graders have the ability to stay at their current assignment or they may go to their new assignment along with their siblings. It would defeat the purpose of the boundary change if CMS allowed siblings to return to the current school from which they have been assigned. Mr. Gauvreau offered an amendment to the motion.

Mr. Gauvreau moved to amend the high school boundaries and that the Board approve assigning the areas south of Sunset Boulevard that are currently assigned to Hopewell High School be assigned to West Charlotte High School, seconded by Ms. McGarry, and a discussion followed. Mr. Gauvreau said this would impact about ninety students, make the assignment for the area more contiguous and logical, students would be able to attend the school closest to their homes, reduce the overcrowding at Hopewell High School, and this would be the right thing to do. Mr. Dunlap expressed concern that the Board members were not made aware of this recommendation prior to the meeting. He also expressed concern that no one from this area requested nor have been notified of a boundary change unlike the current boundary changes which have been discussed for months. He believes it would not be wise to vote on this without studying the implications which has been the usual process for making boundary changes. Mr. Dunlap believes the families in this area and the surrounding areas should be allowed their due process. Mr. Gauvreau said this has been a concern since 2002 and he has brought it up about two dozen times. He encouraged the Board to support this motion because these students must travel too far to attend school and it will reduce the overcrowding at Hopewell High School which has approximately 2,700 students. He does not believe the Board needs to study this motion any further. Ms. McGarry asked how many students does this include? Mr. McCully said he does not have those numbers at this time. Mr. McCully said he discussed this with Mr. Gauvreau recently and the question Mr. Gauvreau asked him was when would it be appropriate to discuss this again? Mr. McCully told Mr. Gauvreau that it would be appropriate to discuss high school boundaries in that area when the new Bailey High School opens in a few years. Ms. Leake said she was also concerned that the parents had not been informed about a boundary change consideration. She would like to more clearly understand the facts of the recommendation as this concerns part of her district. She encouraged the Board to be fair, legal, and consistent and not make a hasty decision as the Board does not have a choice plan or a neighborhood plan for assigning students to a school. Mr. Merchant said the geography of Mr. Gauvreau's recommendation makes sense. He would also have liked to have had prior knowledge of this proposal so that he could make an informed decision. He is concerned that this may overcrowd West Charlotte High School in the future as it is one of the High School Challenge schools. He is also concerned that the parents have not been notified and is opposed to the amendment. Ms. McGarry is perplexed that one Board member asked for this data and all Board members were not copied on the information. She believes it would be difficult to address the amendment without the data. She asked that this item be delayed and voted upon at the December 12,

2006 Regular Board meeting. Mr. Gauvreau said he would agree with this and would disagree with Mr. McCully that this must be voted upon tonight. He will withdraw the amendment and take it to the next Board meeting. Ms. McGarry asked could she make an amendment to the amendment. Chairperson White said he would remind the Board by their own agreement that the Board would not address reassignment again until a new school opened in that area. Mr. Merchant asked that this be explained. Chairperson White said the Board spent a year completing a comprehensive review of student assignment. At that time, this Board agreed that they would not address boundary changes unless there was a new school being built in the area and it required moving students. Mr. Gjertsen asked why were the parents in his district told that the high school and middle school boundaries would not be reopened when CMS was building new elementary schools in that district. Mr. Gauvreau said the Board previously did this quietly with the Mountain Island area for the Hopewell High School assignment zone. Mr. Gauvreau expressed concern about busing the students so far and believes the zones were irregularly drawn in 2002. He noted he fought this in court and he wants it fixed for all students in the County. Ms. McGarry said this is a valid point because this does discuss high school boundaries.

Ms. McGarry made a substitute motion that the Board delay voting on the entire motion until the December 12, 2006 Regular Board meeting to allow time to receive pertinent data regarding Mr. Gauvreau's amendment, seconded by Mr. Gauvreau, and a discussion followed. Ms. McGarry said it is important that the Board receive the data in order to properly vote upon the motion. Chairperson White expressed concern that Dr. Gorman and Mr. McCully stated it was critical to have the boundary decisions tonight. Ms. McGarry said she heard that but she believes families and children are more important. She believes something may have been unintentionally overlooked. Mr. Merchant asked to hear from staff as he also heard a sense of urgency. Dr. Gorman said it is important for him to clearly understand the information the Board wants to receive. He is more than happy to provide all Board members information. Mr. Gauvreau said this is not rocket science and everyone knows what is going on. This area is not compact and was drawn by people who were still thinking that the school district was not unitary. He would like this fixed. Mr. Merchant asked that Dr. Gorman be allowed to finish because he was cut off by Mr. Gauvreau. Mr. McCully said there are magnet options that are contingent upon where students live. CMS is conducting a Magnet Fair this weekend and staff would like to be able to capture that audience and be able to tell parents their applications will be forthcoming the first of January as has been promised. When a boundary change is made staff must make changes in the system from one school to the next and this takes time. This also impacts the auditing process that goes along with the boundary change. A major concern of this is the timing of the approval. If the vote is delayed, staff will need additional time to get the information out to the community. This will impact the lottery process, staffing allocation process, as well a host of components that will be contingent upon where students are assigned. Mr. McCully believes there is a sense of urgency in order to execute the lottery in a timely fashion.

The Board voted 2-7 and the substitute motion failed. Ms. McGarry and Mr. Gauvreau voted in favor of the substitute motion. Chairperson White, Ms. Griffin, Mr. Merchant, Ms. Leake, Mr. Dunlap, Mr. Tate, and Mr. Gjertsen voted against the substitute motion.

Mr. Gauvreau asked is there any doubt in this district's senior's staff mind that these boundary

lines are not gerrymandered to socially engineer the school district? Dr. Gorman said it is inappropriate to ask him that question. He said the Board's role is to make policy and draw boundaries. He supports those boundaries and will continue to support them. He would appreciate not being asked questions that may pit him against another Board member or go down that avenue. He will be happy to respectfully reply to questions related to the operations of the district. Mr. Gauvreau asked if the Superintendent or Mr. McCully believed that the boundary was a gerrymandered, non-compact, irregularly drawn zone? Dr. Gorman said he would not repeat his answer.

The Board voted 1-8 on Mr. Gauvreau's amendment and the amendment failed. Mr. Gauvreau voted in favor of the amendment. Chairperson White, Ms. Griffin, Ms. McGarry, Mr. Merchant, Ms. Leake, Mr. Dunlap, Mr. Tate, and Mr. Gjertsen voted against the substitute motion.

The Board voted 7-2 to approve the motion.

Chairperson White said the Board will now vote upon the boundaries for the new Elon Park, new Lancaster Highway, and new Flat Branch elementary schools.

Mr. Gjertsen moved that the Board approve the Superintendent's proposal (presented at the Board meeting on October 10, 2006) for the boundaries for the new Elon Park, new Flat Branch, and new Lancaster Highway elementary schools, seconded by Mr. Merchant, and a discussion followed. Mr. Gjertsen said he would like to discuss the swing space option. He is a Hawk Ridge Elementary School parent and this school must have overcrowding relief as soon as possible. The solution that CMS has developed will place the students assigned to Elon Park Elementary in the new Flat Branch school until such time that Elon Park is completed. He expressed concern that the new Elon Park Elementary School, which was the number two priority of the school system, has not been funded. He said there have been a number of concerns of uncertainty, instability, and unfairness. Mr. Gjertsen asked Dr. Gorman what is the status of opening new Elon Park Elementary School? Dr. Gorman said he has discussed this with staff and new Elon Park Elementary School was previously higher on the list. Elon Park most likely would have been included in the COPs proposal that was submitted to the Board of County Commissioners but it did come off the list because of uncertainties regarding issues with the County. There were some requests to bring this before the Board tonight but staff was not prepared to do that tonight. Staff will be prepared to discuss this in the near future as it is clear we must take some action related to overcrowding and other issues in this area as well as others. Mr. Gjertsen said he would like to make two amendments to the motion.

Mr. Gjertsen moved to amend the motion that the Board approve that rising 5th grade students living in the home school area for new the Elon Park Elementary School (scheduled to open in the 2007-2008 school year) who currently attend Hawk Ridge Elementary School would be allowed to remain at Hawk Ridge Elementary School for the 5th grade, students who wish to exercise this option must indicate their intent through the student assignment lottery, and younger siblings of 5th grade students who choose to remain at Hawk Ridge Elementary School will not have a sibling guarantee to attend Hawk Ridge Elementary School, seconded by Ms. McGarry, and a discussion followed.

Mr. Gjertsen said traditionally with the opening of a new school, CMS has allowed the students of the terminal grade to remain at that school. This is being allowed in the Superintendent's recommendation for the new Lancaster Highway Elementary School; the new Flat Branch Elementary School; the boundary shifts between Smithfield and Endhaven elementary schools; and the boundary shifts between Olde Providence and McAlpine elementary schools. This will provide consistency and fairness for those students regarding swing space. This will be an option for about eighty-eight students and not all students will make that choice. These students should have the option to be able to stay at the school they have attended for five years as the Board has allowed in the past. Ms. Griffin said as a parent she is sympathetic to this request. She knows staff thoroughly reviewed this option and asked Mr. McCully to explain why this was not a viable option. Mr. McCully said currently there are one hundred students in the 5th grade that would have the option to remain at Hawk Ridge Elementary School. Next year, Hawk Ridge Elementary School would have approximately 1,100 students if those students were removed under this plan. The school will still be a very full school. Bringing the 5th grade back into the mix as well as the growth would increase that number significantly. The intent of this proposal was to reduce the number of students at Hawk Ridge Elementary School as much as possible. Ms. Griffin asked would the amendment have an impact on the placement of mobile units or any other factors beyond not providing as much overcrowding relief to Hawk Ridge Elementary School? Mr. McCully said currently there are mobiles at Hawk Ridge Elementary School and CMS will have to continue to have mobile units at that school. For those students to remain at Hawk Ridge Elementary School, the mobile units will also have to remain that could otherwise be moved to other school locations. Mobile units would not be required at the new Flat Branch Elementary School if all the 5th graders assigned to the new Elon Park Elementary School were moved to that facility. Mr. Dunlap said he received this recommended change earlier today and it has been a struggle for him. He asked what is the current enrollment at Hawk Ridge Elementary School? Mr. McCully said there are approximately 1,400 students as of the 20th day count and this is a K-4 configuration as the 5th graders of that school are currently housed at Community House Middle School. For the 2007-2008 school year, all those grades will advance one grade at Community House which will make the school a traditional 6-8 grade configuration. Mr. McCully said CMS must accommodate the 5th graders that would normally attend Hawk Ridge Elementary School. Mr. Dunlap recapped that the 4th graders would advance one grade to make a 5th grade at Hawk Ridge Elementary School for next year. If this amendment were approved, there would be the possibility of an additional 100 students at Hawk Ridge Elementary School. This would require about four mobiles which would mean that CMS would move four less mobiles to another school site. In addition, the population at Hawk Ridge Elementary School would still be decreased by about 300 students. Mr. McCully replied, that is correct. Ms. McGarry said this would be okay and she would support the amendment because it would accommodate the families. Ms. Griffin asked did staff take into consideration these factors and is it still staff's recommendation to not allow the 5th graders to remain at Hawk Ridge Elementary School. Mr. McCully replied, yes.

The Board voted 8-1 to approve the amendment to the motion to allow the 5th graders to have the option to attend Hawk Ridge Elementary School. Chairperson White, Ms. McGarry, Mr. Merchant, Mr. Gauvreau, Mr. Dunlap, Ms. Leake, Mr. Tate, and Mr. Gjertsen voted in favor of the amendment. Ms. Griffin voted against the amendment.

Mr. Gjertsen moved to amend the motion that the Board approve that the attendance boundary for the new Lancaster Highway Elementary School (scheduled to open in the 2008-2009 school year) include the subdivisions of Glenfinnan and Strathmoor which are currently assigned to Pineville Elementary School, seconded Ms. McGarry, and a discussion followed. Mr. Gjertsen said this was discussed at the Board Work Session and the Board has heard from many parents who live in the area. The two areas could walk to the school as they are less than one half mile away and they are the only areas in the Pineville boot that open to Providence Road West. This amendment would only impact about eleven students. Mr. Dunlap expressed concern that this amendment exposes the hypocrisy of the Board. He noted that a few years ago a neighborhood on Providence Road made the argument to the Board that rather than attend a school that was three blocks away they should be transferred to a school several miles away because it was unsafe to cross Providence Road. He said many Board members agreed with that and voted to grant them the transfer based upon that reasoning. Now, there is another neighborhood that states they do not mind walking their child to school and crossing Providence Road West because it is the closest to my home. He tries to review requests objectively. Basically, this group is opposed to riding a bus an additional four miles which may add an additional eight minutes to a bus ride. Mr. Dunlap expressed concern about parental comments regarding the boundaries created by CMS are social engineering, these parents will not support future bonds unless their requests are met, and fairness. Mr. Dunlap said what he considers unfair is for students to arrive at school and not have a qualified teacher, to not have an equal opportunity for a quality education, and to not feel safe in their school. Mr. Dunlap is not sure if students having to travel 4.6 miles to get to their assigned school versus 2.4 miles is a legitimate claim for being unfair. Mr. Merchant applauded the parents from the Glenfinnan and Strathmoor areas for presenting their case in a positive manner which was different from the more angry tones from some of the other areas. Olde Providence Elementary School will be his home school next year. He has discussed this school's assignment zone with the principal, the PTA president, and Scott McCully to seek potential options for Olde Providence Road West. Mr. Merchant is convinced that it is not about social engineering but growth and trying to prevent overcrowding at Olde Providence Elementary School. Mr. Merchant said the Glenfinnan and Strathmoor families provided a data-driven presentation which included supporting documentation that detailed the future growth of Pineville and they acted in a professional and courteous manner. Mr. Merchant will support the amendment and encouraged Board members to support it also. Mr. Dunlap noted that the mayor of Pineville has shared that he is not concerned about the growth in Pineville. Ms. Griffin said there is a question about the growth planned for Pineville. She said the school is not planned to open until 2008. She would support revisiting the request for these two neighborhoods this time next year. She believes this would require some agreement by the Board that the Board would change its general policy about not reviewing boundaries except at the time of opening new schools. She believes this is an unusual circumstance and it would be an advantage for the Board to be able to review current growth documentation at that time because the growth for the Pineville area is uncertain. Ms. Griffin said she would support staff's recommendation but she would like it to include that staff will review this consideration for the Glenfinnan and Strathmoor neighborhoods this time next year based upon the growth data at that time.

Ms. Griffin made a substitute motion that the Board would not reassign the Glenfinnan and Strathmoor neighborhoods at this time but would review the reassignment of those

areas this time next year based upon the current growth data at that time, seconded by Mr. Tate, and a discussion followed. Chairperson White said he would prefer a specific date. Ms. Griffin said she would suggest a timeframe that would work best for staff, perhaps late summer or early fall. Mr. Middlebrooks said this would be a question for the Superintendent if Ms. Griffin is asking for guidance from the Superintendent and staff. Mr. McCully said there will be boundaries that will need to be reviewed this time next year for some new schools that will be opening. Mr. McCully said staff will be happy to review this request at that particular time. Staff has not set a calendar for that review at this time. Ms. McGarry said there is not a personal agenda regarding this item. She believes the request is very clear cut, simple, and there is adequate data to support this request. This would impact only about twenty-six students. She encouraged the Board to put families first in hopes of keeping them in the public schools. She said there is no opposition to the request and the boundaries are very clear. Mr. Gjertsen said he has communicated that he is disappointed in staff's proposals because he knows staff will have to revisit these boundaries because of the growth in Pineville. He expressed concern that CMS does not have the data because they chose not to have the data. Growth information has been published in *The Charlotte Business Journal* and *The Charlotte Weekly*. Mr. Gjertsen said the families in District Six have researched and gathered extensive data that affirms there will be a huge amount of growth in Pineville. Mr. Gjertsen believes several boundaries will have to be reviewed when the growth hits Pineville. Mr. Gjertsen would prefer the Board to decide on this item now rather than wait another year, especially since this will only impact eleven students. Mr. Gjertsen said another concern for these parents is the time it takes for them to turn left out of their neighborhood onto Providence Road West. Mr. Dunlap said this is not the only area in Mecklenburg County that would like to be assigned to the school closest to their home. Should the Board allow this area to attend the school closest to their home, the Board would also have to approve all the other requests. This would require reopening pupil assignment for the whole district because the Board has never adopted a neighborhood school plan. Mr. Dunlap said it is impossible for the Board to make everyone happy with the pupil assignment decisions. Mr. Gauvreau said the Board does not have a neighborhood plan because the previous Board fought it for years. He said everyone wants a neighborhood plan and the Board should make that happen. Mr. Gauvreau said the Board should approve this item and move on. Mr. Dunlap expressed concern that there would be an election this time next year and there could be a change on the Board of Education. This would obligate newly elected Board members to vote upon a decision that this Board may make tonight.

The Board voted 3-6 and the substitute motion to revisit this item in one year failed. Chairperson White, Ms. Griffin, and Mr. Tate approved the motion. Ms. McGarry, Mr. Merchant, Mr. Gauvreau, Ms. Leake, Mr. Dunlap, and Mr. Gjertsen voted against the motion.

The Board voted 4-5 on Mr. Gjertsen's amendment and the amendment failed. Ms. McGarry, Mr. Merchant, Mr. Gauvreau, and Mr. Gjertsen voted in favor of the motion. Chairperson White, Ms. Griffin, Ms. Leake, Mr. Dunlap, and Mr. Tate voted against the motion.

The Board voted 7-2 to approve the original motion. Chairperson White, Ms. Griffin, Mr. Merchant, Ms. Leake, Mr. Dunlap, Mr. Tate, and Mr. Gjertsen voted in favor of the

motion. Ms. McGarry and Mr. Gauvreau voted against the motion.

C. Recommend approval of one citizen appointment to the Library Board of Trustees by the full Board

Chairperson White said this item is a full Board appointment to the Library Board of Trustees. He invited Board members to make nominations. He said the Board will vote on the nominees in the order they were nominated, each Board member will have one vote, and it will take five votes to be elected.

Ms. McGarry nominated Magdalena Maiz-Peña.

Ms. Leake nominated Laura Foxx for reappointment.

Mr. Gjertsen nominated Ebony Powers Waterman.

Six Board members voted to approve the election of Magdalena Maiz-Peña. Mr. Dunlap said he would change his vote toward the consensus which resulted in seven Board votes for Ms. Maiz-Peña.

Chairperson congratulated Ms. Maiz-Peña for her appointment to the Library Board of Trustees. Ms. McGarry thanked all the applicants who applied for the position and encouraged them to continue to seek ways to serve Mecklenburg County. Ms. Leake said as it relates to the Board appointments to various committees and Boards, she has repeatedly asked for a report from the people that represent this Board on their attendance and how they represent the Board. She would like to receive feedback as to how they support the Board's issues in those positions. Ms. Leake requested this information be reflected in the minutes. Chairperson White noted that Carole Hamrick, Manager of Board Services, receives the attendance records from the chairperson of each committee on a yearly basis and Ms. Hamrick shares that that information with the Board members. Ms. Leake said she wanted a written report or a verbal report once per year from those persons who represent the Board. Chairperson White said the Board receives a report from the Equity Committee only. The entire Board would have to address this issue and decide if they would like the various committees to provide a yearly report to the Board. Chairperson White believes this request needs more guidance. Dr. Gorman said he would require more direction on this item. Ms. Leake said this is not asking any more than what is required of anyone who represents a given group of individuals. The Board has appointed them to represent the Board as well as the community and the community needs to hear from those individuals that they have participated and what they have gained by serving on those committees. Ms. Leake said if the individuals cannot do that the Board should get other people to serve. Dr. Gorman asked did this item have a consensus among the Board members? Ms. Griffin said in the interest of keeping the Board meetings focused on student achievement she would not support having numerous individuals presenting reports at Board meetings. She would be open to having them submit a brief written summary of their service once per year. Chairperson White said this item is not on the agenda and the Board would need to amend the agenda to discuss it further. He said this item is appropriate and it will be added to the agenda of the next Board meeting. Dr. Gorman said he would take care of the issue, keep the Board informed, and it will not appear on the agenda.

D. Recommend approval of proposed 2007-2008 and 2008-2009 school calendars

Chairperson White called upon Dr. Gorman to present the recommendation. Dr. Gorman called upon Mary Martin, chairperson of the Calendar Committee, to present the recommendation. Ms. Martin said the committee follows a similar process every year for creating calendars. This year they expanded the committee by including additional members from the community and parents. The committee created about six proposed calendars for each of the next two years. The proposed calendars were presented to the committee and they narrowed the calendars to two for each year. The calendars were put on the CMS Intranet and employees were polled for their preference. The calendars were also put on the CMS website and the community and parents were asked to state their preferences. The calendars being recommended are Calendar B for the 2007-2008 school year and Calendar Y for the 2008-2009 school year. Ms. Martin said for the first time the Board is being asked to approve calendars for two years at one time because it will help the district plan for the future and families plan for their vacations and other activities.

Mr. Dunlap moved that the Board approve Calendar B for the 2007-2008 school year and Calendar Y for the 2008-2009 school year, seconded by Mr. Tate, and a discussion followed. Ms. Griffin said she is pleased that the committee has recommended calendars for two years and commended the committee on their hard work. She said the Board as well as the North Carolina School Board Association (NCSBA) will be calling for the Legislature to appeal the school calendar law. Should this effort be successful, she would like the 2008-2009 calendar reviewed because it would allow for more flexibility with the requirements regarding the school start and end dates. She said she will support this motion now but should Legislature appeal the law she will request the 2008-2009 calendar be reviewed. Ms. Martin said the committee will be happy to do that because they also have strong feelings on this matter.

Ms. McGarry moved to amend the motion that for the 2007-2008 school calendar, the Board approve election day (November 6th) be changed to a holiday, seconded by Mr. Gjertsen, and a discussion followed. Ms. McGarry said she would recommend changing the November 12th holiday to November 6th. Ms. Martin said November 12th is the Veteran's Day holiday which state law requires. Ms. McGarry said she would not want to take away Veteran's Day. She asked where is the Muslim holiday that was voted upon two years ago as we do not know how many families it affects? Ms. Martin said there is not a Islamic holiday in the 2007-2008 school year because they all fall on a Friday or a Saturday except for the one in December which is December 19th and 20th which occurs during the week prior to the Winter Break. The committee considers religious holidays when there is a dual purpose and there is a way to make it instructionally sound, and the Islamic holidays in 2007-2008 are not represented. Ms. McGarry asked if another day could be substituted for election day? She said previously there was no school for students on election day and this was only changed two years ago. She visited many poll locations on election day during the past two years and she witnessed voters going by dumpsters to enter the school at Long Creek Elementary School; voters had to come through the center of school at Bradley Middle School; and at South Mecklenburg High School the voters had to go to the other side of the school and when

the buses arrived the sidewalk was blocked so that the voters had to walk ¼ of a mile to get to the door to vote. When the students went to lunch the sidewalk was blocked by students which caused confusion. Ms. McGarry said it makes sense to her to say it is important enough to let the voters know that if schools are going to be used as polling places then why do we allow strangers on school property when we are also concerned about safety issues? Ms. McGarry would like election day to be a holiday or a teacher workday. Mr. Merchant said in an era that we have people in emerging democracies risking their life to vote, it is a little much to be concerned that someone may have to walk by a dumpster or walk ¼ mile to vote. This will be an off-year election and it usually results in a low turn out. Mr. Merchant believes conducting school on election day may enable more parents to get to the polls to vote and it will be a great educational opportunity for students. Ms. Griffin believes conducting school on election day increases the opportunities for Kids Voting. Ms. Griffin said she generally would prefer to not have school on election day. She does not believe the Board has a choice on this matter given the restrictions passed by the Legislature regarding the Calendar Law. Ms. Griffin will not support this amendment. Mr. Dunlap asked how many staff members participated in the preference poll? Ms. Martin said between 2,500 and 3,000. He asked how many people from the public participated in the preference poll? Ms. Martin said approximately 1,400. Mr. Dunlap said staff and the public have expressed their opinion on the calendars. He expressed concern that the motion does not take their thoughts into consideration and the reference to the Muslim holiday is insensitive. He believes the Board should be fair and support the wishes of the people who participated in the process. Ms. Leake thanked the committee for their hard work. She said designing the school calendar is a difficult task because of the state requirements and the focus on student achievement. She said conducting school on election day is a great opportunity for creating a learning experience for the students and for the public to visit our schools. Ms. Leake does not believe the voters are inconvenienced. The Board must follow the calendar process and the voting process. Ms. McGarry said she is entitled to her opinion just as other Board members are entitled to theirs. She would appreciate her colleagues expressing their opinions without attacking her. Mr. Gauvreau will support the amendment and asked if one of the make-up days could be used? Ms. Martin said there are six make-up days. Board regulations require at least five days be placed on the calendar to allow for icy or bad weather and those begin in February. November 21st is also an early make-up day to allow for a storm or hurricane. November 21 is prior to the Thanksgiving holiday and we have found that if school is scheduled for that day there is usually a dramatic drop in attendance. For several years, CMS has tried to schedule no school on that Wednesday. Mr. Gauvreau asked Ms. Martin what day would she recommend to accommodate Ms. McGarry's motion? Ms. Martin said the Calendar Committee has thoroughly reviewed all considerations for the calendar and she does not have a preference. The information includes a chart that explains how each one of those days is being utilized and why the days were selected. Election day is determined by Board policy which states CMS will not conduct school on election day during a presidential election because of the size of the crowd. In 2003, state law changed and it created more restrictions on designing the school calendar. Mr. Gauvreau said could a day be changed? Ms. Martin said teacher's workdays and annual leave days can be moved but they were placed there by the Committee for a purpose and the first purpose is always instruction. Mr. Merchant said, as a former teacher, he understands that instructionally the second quarter is difficult because of the scheduled holidays and short weeks. He expressed concern that adding one more day out of school for

students will create another short week and make the quarter more difficult for learning and teaching. Mr. Dunlap said he is not opposed to not having school on election day. He said the Calendar Committee has always done an outstanding job in determining what is best for students and staff. He is concerned that substituting a day for election day may create implications and he will not support the motion.

The Board voted 2-7 and the amendment failed. Ms. McGarry and Mr. Gauvreau voted in favor of the motion. Chairperson White, Ms. Griffin, Mr. Merchant, Ms. Leake, Mr. Dunlap, Mr. Tate, and Mr. Gjertsen voted against the amendment.

Ms. McGarry moved to amend the motion that the Board approve changing “Winter Break for students” to “Christmas Break for students,” seconded by Ms. Leake, and a discussion followed. Ms. McGarry said she has been on the Board for three years and expressed concern that staff must more or less apologize if they say “Christmas.” She believes this is wrong especially when CMS bends over backwards for other people’s religious preferences but when it comes time for a Christian holiday we can only call it “Winter Break.” She wants the calendar to reflect what it is which is “Christmas Break.” Ms. Griffin said she would not support the motion. She believes CMS has people of many different religions and people of no religions. She said while she and her family celebrate Christmas, she does not see a reason to create a further division in our school’s population. The fact that the holiday always falls on Christmas is a gift to the Christians among us. Mr. Dunlap agreed with Ms. Griffin. Mr. Tate also agreed with Ms. Griffin and stated he would not support the amendment. He serves on an Interfaith Advisory Council and they work hard to ensure they represent, in some sense, all the faith groups in Charlotte-Mecklenburg. He expressed concern about labeling any one holiday by any one faith as we respect every faith community. Ms. Leake said she is a Christian and she believes in the holiday but she believes CMS should use the terminology “Winter Break.” Ms. Martin said the Calendar Committee uses the terminology “Winter Break” because the break covers a wide span of time and there are several religious holidays in that timeframe. Mr. Merchant said the calendar references the individual holidays of Rosh Hashanah and Easter. He said it would be difficult to come up with one name to acknowledge all the religions that may be included in the “Winter Break.” Mr. Merchant would prefer to keep the calendar as recommended by the Superintendent. Mr. Gauvreau said the amendment is a good idea. He expressed concern that the Board is a secular Board because several of the members want to remain neutral on this issue. He said this is Christmas break, we all know that, and the Board should recognize this publicly. Ms. McGarry said she is floored by having to listen to staff refer to events conducted by CMS as a “Holiday luncheon” instead of a “Christmas luncheon.” She said staff should be allowed to refer to these events as a “Christmas luncheon.” Dr. Gorman asked the Board to consider listening to legal advice on this issue. James Middlebrooks, Legal Counsel for the Board, said the school district could be liable for enforcing a particular religious holiday. Ms. McGarry asked why did nothing happen two years ago when the Board had a Muslim holiday by name in the Regular Board Meeting minutes? Mr. Middlebrooks said he was not here at that time and could not address that particular incidence. He said school districts can be sensitive to cultural and religious holidays when they plan but they run the risk of being challenged on church and state separation issues when they start endorsing holidays by name for a particular religion or any religion. He said, for example, if the break were called the “Religious Break”

that would be unconstitutional and most likely someone would file a complaint in federal court. Ms. McGarry asked to be provided information on why, if this calendar is approved for the 2007-2008 school year, the Muslim holiday Eid-al-Fitr can be called by its name but we cannot call Christmas by its name? Ms. Martin said whenever we have one of those days in the calendar it serves a dual purpose. The days that were included in the calendar from several years past were held as teachers' workdays and they fell at a time when, instructionally, the teachers felt that it was sound and they needed that break in the month to complete their work. It was never just because it was a religious holiday. In the 2007-2008 there is a similar situation. Yom Kippur falls on September 13th. We are not taking that day just to celebrate Yom Kippur as that comes after school has been in session for almost fifteen days and by the 20th day teachers must have plans in place for the children who are struggling learners. In order to get those completed, the workday falls at an appropriate time and the holiday and workday can be meshed to serve two purposes. This is not a designated holiday. Ms. Leake expressed concern that religion is considered part of the process but yet race is not considered as part of the process as we talk about pupil assignment. Mr. Gauvreau said 85% to 90% of the school district is Christian. He said for us to be advised that we are crossing the line blinks reality and that doesn't make sense. Mr. Middlebrooks said that proves the legal point when you say the implication of your statement is because the vast majority of the populous is of one religious persuasion. That is exactly why local governmental or state bodies should not get into the purposes of endorsing religions because there will be people of other religious faiths who will feel discriminated against. This is against the first amendment. Mr. Gauvreau said the sense of secularism within this school district is wrong and he would argue that this advice should be ignored. Mr. Tate said he is disturbed by the idea that we are a religious school district because we are not as CMS is a secular school district. Mr. Gauvreau said we shouldn't be and this is wrong because 99% of CMS is Christian. Mr. Tate said you cannot have a public school system in the United States that would be a religious school.

The Board voted 3-5-1 on the amendment and the amendment failed. Ms. McGarry, Mr. Gauvreau, and Mr. Gjertsen voted in favor of the amendment. Chairperson White, Ms. Griffin, Mr. Tate, Ms. Leake, and Mr. Dunlap voted against the amendment. Mr. Merchant abstained.

The Board voted 9-0 to adopt the 2007-2008 and 2008-2009 school calendars as recommended by the Superintendent.

V. REPORTS/INFORMATION ITEMS

A. Report on Budget Amendments for September 2006

Chairperson White called upon Dr. Gorman to present the report. Dr. Gorman said he would review items V.A. (Budget Amendments for September 2006) and V.B. (Financial Statements for September 2006) together. He said it was recently recommended that these items be presented to the Board in a report format as opposed to being items included in the Consent Agenda. The reports are very straight forward but staff will be happy to answer any questions. Ms. Leake asked how much money was left over from Title I funding from last year and were those funds carried over into the budget for this year? Dennis Covington, Executive Director of Budget and Evaluation, said the funds are carried over and they are put into the school plans

for this fiscal year. Ms. Leake asked how much money did CMS have left from Title I monies that were allocated for Titled I monies that were not spent last year that came into the budget and how were those funds then reallocated after they were sent back to the budget? Mr. Covington said he would provide that information at a later time. Ms. Leake said regarding the Afterschool Program provided by the state for Title I school children who have not performed well and providing tutors, she has received calls from parents regarding a state list versus those persons who have businesses to negotiate with the school system to provide tutoring. Dr. Gorman said he believes Ms. Leake is referring to the No Child Left Behind Approved Tutoring List which goes to the state for approval to ensure they meet the criteria. After approval, the list is forwarded to the school district and people can choose from that list. Ms. Leake asked can parents select from that list? Dr. Gorman said yes, at certain locations and schools that did not make Adequate Yearly Progress (AYP). Ms. Leake said she would recommend to the Legislative Committee that they ask the representatives to change that process by turning those funds over to the district and allowing the district to take care of providing persons who can do tutoring. Dr. Gorman said there are a series of items that must be met which includes you cannot be in district improvement. We have now been placed in district improvement status and we are ineligible to make that request. Dr. Gorman said he has made that request and filed an appeal on behalf of the district so that we can have that option available. We are waiting on the appeal ruling at the state level which will then go to the federal level.

B. Report on Financial Statements for September 2006

Presented with item V.A.

C. Report on proposed 2007 Legislative Agenda

Chairperson White called upon Dr. Gorman to present the report. Dr. Gorman called upon Maurice Green, Chief Operating Officer, to review the proposed Legislative Agenda. Mr. Green said the General Assembly will be back in session in a couple of months. As a result, now is the time for the Board to begin its deliberations on a 2007 Legislative Agenda. The Board is scheduled to adopt its Legislative Agenda at the December 12, 2006 Regular Board meeting. To assist the Board in its deliberations staff has provided the Board a potential list of Legislative Agenda items for the Board's consideration and a Legislative Summary as prepared by the North Carolina School Boards Association (NCSBA) for the results of the 2006 Legislative session. Mr. Green said staff will be glad to provide the Board with any additional information that they may need to establish its 2007 Legislative Agenda. Mr. Green highlighted the 2006 Legislative session results which were items on the Board's 2006 Legislative Agenda which included the following:

- Salary increases: Significant salary increases for staff members ranging from 5.5% for non-certified personnel to an average of 8% for teachers and 7% for principals and assistant principals.
- Disadvantaged Student Supplement Fund: For many years, the Board has pushed for additional resources from the state as part of the *Leandro* litigation. The General Assembly began this initiative by providing funds to sixteen pilot districts. Last year, this initiative was expanded to include all districts and CMS received approximately

- \$1.5 million.
- Refund of local Sales Tax.
- Public-Private Partnerships laws were amended to include the allowance for capital leases.

Mr. Green said there were a number of other Legislative items approved and staff is reviewing those to ensure CMS is being responsive to the legislature. For the Board's consideration for its 2007 Legislative Agenda, there were items left undone that the Board may want to continue to work towards and the Board may want to consider new items as well. Mr. Green highlighted the proposed 2007 Legislative Agenda. The first several items relate to compensation issues. For many years, the Board has pushed for increased compensation, especially for teachers, and there has been some movement on that initiative. The Board has also pushed for pay-for-performance for teachers to be included in the Legislation. The Board asked that instead of having money set in a state salary schedule the money would be given to local Boards. The local Boards could then set their own salary schedule or have a salary schedule that would include pay-for-performance. It also included that if the state was to continue with the salary schedule that it include pay structures for the next several years that would help move teachers' salaries to the national average and beyond as well as a plan to make that happen. The proposed list also includes items related to compensation for employees other than teachers including pay-for performance for non-teachers; items related to recruitment and retention; less restrictions on retirees for returning to work; Disadvantaged Student Supplemental Funding; restoring the state sales tax; ensuring the lottery proceeds are earmarked to not supplant current funds; taxing authority; charter school cap at 100; more school nurses; more flexibility with the school calendar; and continue the push for alternative funding sources for school construction. The list also includes new items related to safety, legislation on gang activity, and funding for juvenile detention beds. A discussion with Board members followed. Ms. McGarry said the items related to compensation should be consolidated; she would prefer a list of three or four items because it would provide for a better opportunity of getting items passed; and she will support restoring the state sales tax refund and the lottery proceeds earmarked for school districts to not supplant funds currently and traditionally appropriate to the district. She is against limiting the charter school cap at one hundred. She is disappointed that the information provided is outdated and references a 2001 report. She encouraged the Board to review more current data which included a report on the Mecklenburg County School Bonds Perception, statistics based on the 2005 ABCs which indicate that a greater percentage of the 82 regular charters met Adequate Yearly Progress (AYP), made high growth, and made Schools of Distinction and Excellence than the regular traditional schools; and the regular charters had an average 80% at or above grade level versus 80.9% with a much higher percentage of minority students. Ms. McGarry said if the cap is removed four things would happen especially in Mecklenburg County with the overcrowding conditions. It will help relieve the overcrowding situation with fewer county tax dollars for facilities which will provide more tax dollars for operational expenses as charter schools get no capital funding and only receive operating funds; by increasing charters schools by ten it would provide more school choice to about 4,000 families and it would relieve overcrowding in fast growing areas with no added costs; show the taxpayers that CMS is open to saving tax dollars; provide lower-income families the opportunity to have optional educational providers and make an action statement that the child is more important than the system; and allow parents who are dissatisfied with the CMS school system other means for

educating their children. Ms. McGarry would prefer the Board approve raising the cap on the Legislative Agenda. Ms. Griffin said she and Chairperson White attended the NCSBA's Annual meeting today and the delegates approved the NCSBA's Legislative Agenda. She will be glad to share that information with Mr. Green because in the past the Board has taken a position on whether to support items on the NCSBA's Legislative Agenda. She said the NCSBA's agenda is recommending moving the cut off date for entrance into kindergarten to August 31st instead of the current October 15th. She believes the Board should be prepared to take a position on that item. Mr. Dunlap also believes the compensation items should be consolidated. The Board has worked hard to limit the list so that it would be something that the Legislature would actually review. Mr. Dunlap would prefer to have a condensed list. Mr. Dunlap said he would like to address three issues and would like a response as to why the Board would want to become involved with those issues. He said regarding the initiative to develop a bond package to facilitate juvenile detention beds, he believes this is the responsibility of the County and it should be on the County's Legislative Agenda. He said granting taxing authority is an issue that the Board has continued to include on its Legislative Agenda and it is an item that he supports. He is concerned that it never goes further because most people do not understand what it means. Most people who are opposed to it believe it is adding an additional tax or people will be taxed at a higher rate. This item will actually separate the funds that the County receives so that the school Board will receive them directly. The Board will not have to receive its funding by requesting the funding through the County. Mr. Dunlap said if the Board is going to support these initiatives we must educate the community and the legislators. Mr. Dunlap said regarding the charter school cap, he is not opposed to charter schools. The Board must recognize the fact that they cannot educate everybody and if they can be educated a better way so be it. While he is not opposed to charter schools, he believes the Board must be sensitive to not inundate the community with charter schools because they affect the bottom line of CMS because each charter school means less dollars going into the budget for CMS. He expressed concern that many students perform poorly in charter schools and when they enter CMS they are further behind and it takes more resources to help them reach grade level. He does not believe charter schools have demonstrated that they can be effective. Mr. Merchant expressed concern that this discussion is going further than what is intended for a report item. He asked for clarification on the process for adopting the Board's Legislative Agenda and providing a more formal structure for discussion. Dr. Gorman said when a report is provided to the Board there is always the opportunity to have feedback. This item was presented to the Board as a proposed list to think about, process, and share discussion among the Board members and the community. The intent tonight was to not narrow it down to a finite list. Mr. Merchant suggested the Board have a Work Shop to discuss this item further. Chairperson White said in the past the Board had a Legislative committee that was chaired by Molly Griffin and they presented recommendations for the Legislative Agenda to the Board. Chairperson White said the Board has moved to a committee as a whole and he would be glad to schedule a Work Shop on this item if the Board so desires. Mr. Gjertsen said the majority of the items are related to teacher salaries, getting more dollars, charter school caps, and nurses. He expressed concern that no items are related to student achievement. He would like the Board to ask for higher standards from the Department of Public Instruction, to raise the bar, tie the testing to a national standard, and colleges should teach a second language and grammar to teaching candidates. He encouraged the Board to address these items on its Legislative Agenda. Ms. Leake agreed

with Mr. Gjertsen. Ms. Leake wanted to assure the non-certified workers that they are included in the process for salary increases and the Board is doing everything it can to help bus drivers, secretaries, custodians, etc. Ms. Leake encouraged the Board to provide a process for the people who work in the district who have not completed their high school program to be afforded an opportunity to do so. She believes this would be more of a county and district process. She wants staff to understand that the Board supports all staff in the district and wants to help them to have a high school diploma. Ms. Leake supports taxing authority because it would be a better process for providing funds for student achievement. She said regarding charter schools, she has yet to be convinced that charter schools are the answer for educating all children in the district. She is concerned about the use of poor minority children in programs to make money off the backs of young people. She has witnessed this in many programs. This has turned her against the charter process because it takes away from the funds that are available for the public school process where the greater number of the public attends these schools. She supports public education. She does not support charter schools because she has witnessed that many of the children from lower income families have not been successful in charter schools. She does not believe that students are better off in charter schools than they are in CMS as she believes CMS is the best district in the country. She does not support the charter school process nor the statement that lower income families can do better in charter schools when they make money off the backs of these same families and these children come back to CMS. Mr. Merchant asked that the Board schedule a Work Shop. He also asked that Ms. Griffin provide the State Board information and that Board members submit items for consideration in advance of the Work Shop. Chairperson White said he will schedule the Work Shop. Ms. Leake said people voted for jails in the last Bond issue rather than supporting children for schools. She is opposed to developing a Bond package to facilitate juvenile detention needs. She believes the Board should focus on bringing students into the schools and providing them with the resources necessary for them to be successful. Ms. McGarry would like additional information on asking the state for flexibility on utilizing the dollars for compensation and how that could be worded. She believes the Legislative Agenda should include increasing the salaries for math and science teachers to the national average and that would also be an initiative for increasing student achievement. Ms. McGarry will share her reports on charter schools with the Board. Chairperson White said taxing authority now has enough support across the state that it will probably be introduced this year. This will be a controversial item and it will be interesting to see how far it may go. It would begin as a pilot program for a number of districts and most likely CMS would not be one. Chairperson White expressed concern about the information that has been presented as facts about charter schools. He has represented the Board at the National School Board's Association, the North Carolina School Board's Association, the Council of Urban Board's of Education, and the Council of Great City Schools and he has listened to experts from all over the country who would refute the charter school facts that were presented tonight.

D. Report on Capital Program Management and current contract with Bovis Lend Lease

Chairperson White called upon Dr. Gorman to present the report. Dr. Gorman called upon Guy Chamberlain, Associate Superintendent for Auxiliary Services, to present the report. Mr. Chamberlain said Capital Program Management is currently being performed by Bovis Lend Lease. Under any circumstance, the construction business is extremely challenging. It involves many components and construction services with the objective of producing a

building for some purpose and a project that is successful. At its worst, the construction business can be dangerous; combative; costly; and include cost-overruns, late delivery, and poor quality which can result in litigation. When a project culminates with litigation the only winners are lawyers. Mr. Chamberlain believes the construction side of CMS has been rewarding, a cooperative endeavor, and produced a product that is useful to society and the school district. The *Charlotte Business Journal* periodically publishes a listing of the top private sector real estate developers in the County. He believes if CMS was compared to the private developers it would rank among the top three every year. Mr. Chamberlain provided the Board with a brief history of Capital Program Management. CMS first used Program Management in 1993 for the 1993 Bonds with J. A. Jones; the 1995 Bonds were split between M.B. Kahn and McDevitt Street; and in 1997 the Board selected Bovis Lend Lease to do the Program Management for the 1996 state Bonds and 1997 General Obligation Bonds, and Bovis Lend Lease has continued to serve in that function. Mr. Chamberlain provided a brief review of the Bond projects from 1993 to 2006; scope of services provided by previous Program Management companies; a comparison of the services provided by Bovis Lend Lease; the benefits of the CMS-Bovis Lend Lease relationship; and a fee comparison. CMS has developed a seamless public-private partnership with Bovis Lend Lease. Mr. Chamberlain views the staff of Bovis Lend Lease as part of the CMS team. They provide many services to CMS that include developing a comprehensive financial reporting system that will account for every cent that is spent; assisting CMS with the three-year CIP and the ten-year capital needs assessment; swing space planning and coordination; and school occupancy planning and coordination. The CMS-Bovis Lend Lease team has established strong relationships with many agencies which help to coordinate all projects to be successful. The cost of utilizing Bovis Lend Lease is 2.38% and it would cost approximately 1.5% for CMS to staff an in-house operation which equates to a cost variance of less than 1%. This partnership provides CMS access to a professional staff that probably could not be hired through the CMS Human Resources system and pay scale. It also allows CMS access to other employees on a short-term basis which has been helpful in completing projects in a short period of time in order to be ready for the first day of school. CMS is at the low end of the scale when compared to other school districts and the fees that they have paid for a Program Manager. Mr. Chamberlain reviewed the many CMS-Bovis Lend Lease accomplishments. He said the average cost per seat in CMS over the past five years is substantially lower when compared to the state standard. Mr. Chamberlain said the Board has four options to discuss. CMS can continue the Program Management services as they are currently contracted; continue the Program Management services as they are currently contracted but make an effort to replace some of the Bovis staff with CMS staff; hire our own staff and move the Program Management services in-house; or issue a Request for Quote (RFQ) to seek services from a new vendor. A discussion with Board members followed. Ms. Leake said she remembers when the community asked CMS to go in this direction back in 1996. CMS accommodated that request by establishing this process. She said people involved in the process have done an excellent job and the process has saved CMS a lot of money. Ms. McGarry asked what is the per square footage cost for office space that is being utilized by Bovis Lend Lease? Mr. Chamberlain said the operational cost for a square foot of all our facilities is about \$4.15. He would estimate that the nineteen Bovis employees would occupy less than 4,000 square feet. He said we are not affording Bovis Lend Lease anything more than we did for our previous Program Managers as all the previous Program Managers have also been in our facility on

Wilkinson Boulevard. Ms. McGarry believes the Board should review all options because CMS has used Bovis Lend Lease for nine years and it would be a good idea to issue a RFQ to be competitive. Mr. Merchant asked Mr. Chamberlain to speak to Gwinnett County because they also are experiencing a growth explosion and had a low fee. Mr. Chamberlain said Gwinnett County is very different from Charlotte-Mecklenburg and previously it had an in-house operation. The process in Georgia is not as complex as Charlotte because the School Board has taxing authority; there are fewer restrictions on building permits; the infrastructure is all new; schools are exempt from zoning requirements; and the same individual has run the program for twenty-five years and has built a very solid organization. Mr. Gauvreau said he has the 2003 version of this. He asked why were the fee and consultant charges not included this year which amounted to \$6 to \$7 million? Mr. Chamberlain said the reimbursable expenses were taken out because they are expenses that CMS would have incurred whether Bovis Lend Lease was the Program Manager or an in-house program. The chart reflects the costs directly allocated to Bovis Lend Lease. Mr. Gauvreau expressed concern that to dramatically improve Minority, Women, Small Business Enterprise (MWSBE) is a top accomplishment. This appears that tracking MWSBE numbers is more important than building schools at reduced costs and faster. He asked why are there so many MWSBE staff needed as this area appears to be bloated? Mr. Chamberlain said CMS has MWSBE staff because there is a Board policy that requires CMS to collect data and to do everything possible to obtain certain percentages in the use of MWSBE vendors. Mr. Gauvreau said Board policy does not say we must have two project MWSBE staff reporting to one individual (Chiquitha Lloyd). Mr. Chamberlain said Ms. Lloyd has a dual purpose position as she performs services for his department as well as Sheila Shirley, Chief Finance Officer, and the two other positions do not report to her. Mr. Gauvreau asked is the same MWSBE contract from 1998 still in effect? Mr. Chamberlain said after the Board adopted a new MWSBE policy, there was an administrative change order to the contract to reflect the existing Board policy. Mr. Gauvreau requested a copy of the revised contract. Mr. Dunlap said it is important for the community to understand who is included in the MWSBE group. A simple way to define this is it is everybody other than white males as it includes every ethnicity, gender, and small business enterprises of which some white males could own. Mr. Dunlap expressed concern that this area is being a focus because everybody can be a part of MWSBE. Dr. Gorman asked would the majority of the Board like for him to issue a RFG? Mr. Gauvreau, Ms. McGarry, and Mr. Merchant would like a RFQ issued. Chairperson White, Ms. Leake, Mr. Dunlap, Mr. Tate, and Ms. Griffin do not believe issuing an RFQ is necessary because the process is currently saving CMS money; the team has established solid relationships, experience, and quality; and the team and process are working well.

E. Report on methodology for future capital projects

Chairperson White called upon Dr. Gorman to present the report. Dr. Gorman called upon Guy Chamberlain, Associate Superintendent for Auxiliary Services, and Mike Raible, executive Director of Facilities Planning, to present the report. Mr. Chamberlain said in the past, resources were apportioned in a Bond referendum based upon the relative amounts in the capital needs assessment. This was considered a fair process and within each category there was an assessment model. For example, the Long-Range School Facilities Master Plan was used for new facilities and it listed the most urgent areas for new schools based upon growth. Mr. Chamberlain said a formula has been developed which takes into account a number of

factors to establish priority. Mr. Raible said in order to provide additional transparency to the capital budget process, staff has been asked to form the capital needs into one single prioritized list. Mr. Raible reviewed the method to sort the ten-year list. The criteria for completing capital projects and the established prioritization weights are as follows:

- Health and Safety (300).
- Legal Mandates (200).
- Continuity (200).
- Capacity.
 - Immediate (300).
 - Short term (200).
 - Long term (50).
- Lifecycle Replacements (200).
- Initiatives (200).

The list of capital needs were assembled, grouped by type, and prioritized within each category. The categories include plumbing replacement, roof replacement, new elementary schools, renovations, and initiatives. The project categories were listed in order of importance as follows:

1. New elementary school, middle school, high school, Land Acquisition, and Renovations.
2. Pre-K Centers.
3. Not used.
4. Not used.
5. Roofing and Instructional Technology.
6. Plumbing, HVAC, Electrical, Fire Alarms.
7. Paving and Site-work, Auditoriums, Surveillance Upgrades.
8. Indoor Air Quality/Asbestos Removal, Structural Evaluation and Repairs.
9. Sound Fields.
10. Expansion of Support Facilities and Site Acquisition for Support Facilities.
11. Performance Contracting.

Mr. Raible reviewed the calculation. The numerator is the sum of all the weighted criteria. The denominator is the product of the category number multiplied by the category priority for each project. The quotient is the priority score. The calculation is the total weighted criteria score divided by the category number multiplied by the project sequence number equal the priority score. All projects will be sorted in descending order by priority score. Mr. Raible said there are between 400 to 500 projects on the ten-year plan and the formula will be applied to all projects. The projects will be priority sorted into one list and a cost will be applied. This will provide a great decision-making tool because it will show each project in priority order with an affixed cost. A discussion with Board members followed. Ms. Griffin said she thought the purpose of the formula was to prioritize within a category so that with the new elementary schools it would also impact our decisions about the priority within a category. She asked will we continue to prioritize within categories in the same manner that was done previously? Mr. Raible said, yes. It is easy to prioritize within the category but it is not easy to combine them. Mr. Dunlap said he would like to see this in action before he approves it.

He asked that the existing projects on the ten-year capital plan be prioritized based upon the new formula. He expressed concern that, based on this formula, building a new school may always have a high priority over renovating an existing school. He expressed concern about the fairness of the process. Mr. Merchant said the purpose of the matrix is to as non-politically as possible establish a capital priority list. He believes it would be valuable to have the formula applied to hypothetical situations to see how they would align on the list of priorities. Dr. Gorman said the intention was to develop an objective format and he has not prioritized the projects on purpose. He wanted the Board to review the formula and provide feedback which would give him a sense of a validity check. He knows when this formula is applied to a list of projects some people will question the validity of the process. The formula was an attempt to replace an imperfect, emotional process with an objective system using a blend of art and science. The plan is to provide a prioritized list to the Board by the end of November, hold six community meetings and receive feedback, meet with the Citizens' Capital Budget Advisory Committee on December 6 and receive feedback, receive feedback from the two committees related to standards, and discuss this formula with the public-private partnership group. In January, the results of the data gathering process will be presented to the Board. At that time, Dr. Gorman will ask the Board to provide direction for moving forward on developing the ten-year plan. Mr. Merchant asked would it be feasible and productive to have hypothetical scenarios as part of the objective analysis? Mr. Raible said staff can do this if the Board would like. To test the model, staff ranked several projects that were an obvious rank in order to see if the calculation also made them a priority project. Mr. Merchant said he would like to see that information in an explicit form before the Board immediately defaults to the emotional argument over new schools versus renovations. Dr. Gorman said he would provide the Board a test run if they so desired. Ms. McGarry said she thought prioritizing would just be common sense. She believes severe overcrowding should fall under the category of health and safety. She would like points allocated to the areas of the County that have been ignored over the last dozen years when CMS refused to build schools in certain parts of the County. This would depend on what is considered inner-city. She believes these areas demand some attention. Mr. Raible said the criteria they started with was far more extensive and included a regional component. The schools on the prioritization list are relative to capacity, not relative to area. He would believe the Board would want to help any school that is severely overcrowded regardless of its location. Ms. McGarry encouraged CMS to build the schools where the students live. Mr. Gauvreau said to build a prioritization scheme it must include factors that recognize the reality that there are schools in the inner-city that are close to brand new schools that are half empty and all this dovetails into baseline standards. He believes this will be useless if CMS does not get the baseline standards into a 2006 scheme as opposed to 1999 because the foundation for this will not make sense and the Bonds will not pass again. He said the prioritization list should reflect that many schools are needed in the northern area and some of the center-city schools that are under capacity should be closed. He does not believe lifecycle replacements and renovations should be completed in schools that are under capacity. Mr. Raible said the prioritization scheme does not include baseline standards. Mr. Gauvreau said changing the 1999 baseline standards must come first before creating a prioritization. Mr. Dunlap said this is a work in progress and it is important that CMS utilize a method that is consistent and that the community understands. This will help CMS receive buy-in from the community whether it is a new project or a renovation project. Ms. Leake said she wanted the public to know that all students in CMS have a seat, the inner-city schools are

not empty, and all students are being educated.

VI. REPORT FROM SUPERINTENDENT

Dr. Gorman said he will be presenting a Discipline Plan to the Board in the near future.

- Discipline Plan to include the following:
 - Ensure safe and orderly schools.
 - Ensure placement and educational options for students.
 - Tiered levels of options based on the seriousness of the infractions.
 - Staff training for school based administrators to ensure procedures are followed with fidelity, due process, and accurate reporting.
 - Communication with staff, parents and the community.
 - Safety functions are aligned.
 - Counseling.

Dr. Gorman said, in his opinion, the meeting tonight has had valuable discourse among the Board members, staff, and himself and it has given him insight to everyone's thinking. The passion that has been shared shows that each and everyone cares deeply about schools. He also shares that passion. Dr. Gorman said how we talk about issues can be almost as important as our actions. He would hate for the public to have received a message from this meeting that was not intended. The tenor of our discussions is an important element in building trust with the public and building trust is one of the most critical tasks we face. He encouraged everyone to continue to build trust inside and outside of CMS.

Mr. Dunlap said regarding the Discipline Plan, it is important that every student receive the same due process. He said previously students who were suspended for ten days did not receive an appeal before that ten-day process. If that is the case, that should be the case for every student. Dr. Gorman said that is a part of the plan. It is a due process with checks and balances, and ensuring fairness. Ms. Leake said she has advocated for years that CMS provide a site for students to attend school during the ten-day suspension. Dr. Gorman said staff is reviewing this option. Ms. Leake said she would like a report on ten-day suspensions that have been lifted by the school, the district, or the Superintendent by school, by race, by gender, and by grade. Dr. Gorman said Ms. Leake had already asked for this and he would be providing the information this week. Ms. Leake said she wanted this in the minutes because the general public has asked her for some of this information.

VII. REPORTS FROM BOARD MEMBERS

Vilma Leake thanked the students at Harding University High School and the community for their support to the family of a young man who was recently killed. She visited several schools and attended a math class at West Charlotte High School. She commended the staff of the Public Information Office for supporting the family of the mother who was recently killed near Providence High School. She recognized a group of senior citizens who watch the Board meetings.

Kaye McGarry thanked the parents for sharing their thoughts on the proposed boundaries and Harding University High School. She encouraged the Board to not ignore their requests for

neighborhood schools and stability in student assignment.

Joe White said Vicki Hamilton, Director of Athletics, was recovering very well from her recent surgery. He wished her a speedy recovery.

ADJOURNMENT

By consensus, the Board agreed to adjourn the meeting.

The Regular School Board Meeting adjourned at 11:37 p.m.

Chairperson, Joe. I. White, Jr.

Clerk to the Board, Nancy Daughtride