

Approved by the Charlotte-
Mecklenburg Board of Education
March 10, 2009
Regular Board Meeting



Charlotte, North Carolina

March 25, 2008

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

The Charlotte-Mecklenburg Board of Education held a Regular Board Meeting on March 25, 2008. The meeting began at 4:39 p.m. and was held in Room 267 of the Government Center.

Present: Joe I. White, Jr., Chairperson, Member At-Large;
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; Regina H. Bartholomew, General Counsel; Maurice Green, Deputy Superintendent/Chief Operating Officer; and Nancy Daughtridge, Clerk to the Board.

Upon motion by Ms. Griffin, seconded by Mr. Gjertsen, 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 the attorney-client privilege including but not limited to (a) *Ross Minor, et. al. v. Charlotte-Mecklenburg Board of Education* and (b) *Leardini v. Charlotte-Mecklenburg Board of Education*;**
- **To consider a real estate matter; and**
- **To consider two personnel matters of administrative employees.**

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

The Board held a Closed Session meeting from 4:39 p.m. to 5:55 p.m. and recessed the Closed Session to conduct the Regular Board meeting.

Chairperson White reconvened the Regular Board Meeting at 6:06 p.m. in Room 267 of the Government Center. CMS-TV Channel 3 televised the meeting.

Present: Joe I. White, Jr., Chairperson, Member At-Large;
Molly Griffin, Vice-Chairperson, (District 5);

Kaye McGarry, Member At-Large;
Trent Merchant, Member At-Large;
Vilma D. Leake (District 2);
Larry Gauvreau (District 1);
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; Regina H. Bartholomew, General Counsel; Members of Executive and Senior Staffs; Judy Whittington, Manager of Board Services; and Nancy Daughtridge, Clerk to the Board.

I. CALL TO ORDER

Chairperson White called the meeting to order at 6:06 p.m. Chairperson White welcomed everyone to the Board's second meeting of the month which would be held in a Work Session format.

A. Adoption of Agenda

Ms. Griffin moved, seconded by Mr. Tate, that the Board adopt the agenda as presented, and a discussion followed.

Chairperson White reported that Dr. Gorman has requested that Consent Items II.A. and II.B.2. be pulled from the agenda because there are no personnel recommendations to present and there is an unresolved issue regarding the contract for the new elementary Youngblood Road/Steele Creek Road school. Chairperson White asked the Board to approve amending the agenda to add Consent Item II.D. (Recommend approval of acquisition of land for a new north elementary school and possible future middle school or high school on Stumptown Road) as a result of business in Closed Session.

Ms. Leake moved, seconded by Ms. Griffin, that the Board amend the agenda to add Consent Item II.D. (Recommend approval of acquisition of land for a new north elementary school and possible future middle school or high school on Stumptown Road), and the Board voted 9-0 in support of the motion.

Ms. Leake moved, seconded by Mr. Gjertsen, that the Board adopt the agenda as amended, and the Board voted 9-0 in support of the motion.

B. Public Hearing on proposed 2008-2009 Board of Education Budget

Ms. Griffin moved, seconded by Mr. Tate, that the Board open the Public Hearing on the 2008-2009 Board of Education Budget, and the Board voted 9-0 in support of the motion.

Lisa Fisher represented the CMS North Carolina Association for Teacher Assistants (NCATA). Ms. Fisher presented budget requests for teacher assistants for the Board's considerations that included bonus pay, recognition for those who have satisfied the requirements of *No Child Left Behind*, staff development, professional meeting day and

registration fee for attending NCATA state conference, summer supplement from local funds, summer jobs, and to be allowed to use at least five of their annual leave days for personal days because they no longer receive personal days.

Dale Johnson expressed concern regarding the inequities and shortage of art teacher allocations in middle school.

The following people discussed the importance of clean air; the harmful impact of diesel fuel emissions on students and air; and encouraged the Board to include funding to retrofit all school buses in the proposed budget:

- Eli Zerkle, 3rd grade student at Elizabeth Traditional Elementary School.
- June Blotnick, represented Carolinas Clear Air Coalition.
- Jackie Butch, registered nurse representing Community Care Partners, discussed the increasing number of asthma patients and the impact of pollutants on chronic diseases.

Carol Sawyer discussed the successes of Pinewood Elementary School and Winterfield Elementary School and she commended the quality teachers at those schools for contributing to those successes. She discussed the importance of placing quality teachers with the most challenged students and she encouraged the Board to enforce their policies on faculty standards.

Louise Woods represented the League of Women Voters. Ms. Woods discussed the importance of creating a budget that best serves all CMS students and ensuring that CMS educates and graduates all students in CMS. She reviewed the League of Women Voters' Call to Action Plan and encouraged the Board to provide funding for those initiatives.

Mary McCray represented Charlotte-Mecklenburg Association of Educators (CMAE). Ms. McCray encouraged the Board to support a local salary supplement for non-certified employees.

Mr. Merchant moved, seconded by Ms. Griffin, that the Board close the Public Hearing on the 2008-2009 Board of Education Budget, and the Board voted 9-0 in support of the motion.

Dr. Gorman welcomed Judith Whittington as the new Manager of Board Services to the dais. Ms. Whittington said she has had a long history with CMS and she is looking forward to working with the Board.

II. CONSENT ITEMS

- A. Recommend approval of appointment of administrative personnel.

Item deleted.

- B. Construction Items.

1. Recommend approval of site package contract for new elementary school E07-03 – N. Tryon/Pavilion/Salome Church Road.
2. Recommend approval of site package contract for new elementary school E07-06 – Youngblood Road/Steele Creek Road.

Item deleted.

3. Recommend approval of a Construction Manager at Risk contract for Idlewild Elementary School.
 4. Recommend approval of a Construction Manager at Risk contract for Long Creek Elementary School.
 5. Recommend approval of a Construction Manager at Risk contract for South Mecklenburg High School.
 6. Recommend approval of a Construction Manager at Risk contract for Harding University High School.
- C. Recommend approval of employment of a relative of a Board member or executive staff member in accordance with Board Policy GBEA (Conflict of Interest).

Recommend approval of employment of Diana Dunlap as Transitional Support Case Manager, Alternative Education. Ms. Dunlap is the spouse of George Dunlap, Board representative of District 3.

- D. Recommend approval of acquisition of land for a new north elementary school and possible future middle school or high school on Stumptown Road.

Recommend approval of acquisition of tax parcel number 009-091-09, approximately 73.14 acres, for a purchase price of \$6,750,000.00.

Ms. Griffin moved, seconded by Mr. Tate, that the Board adopt Consent Item A. through D., and a discussion followed.

Mr. Gauvreau pulled Consent Item C. and requested that it be voted upon separately.

The Board voted 9-0 to adopt Consent Items A., B., and D.

The Board discussed Consent Item C. Mr. Gauvreau expressed concern that employing a spouse of a Board member could be a conflict of interest and many other qualified candidates could fill this position. Ms. McGarry also believes this is a conflict of interest and the nepotism could be a potential problem. Dr. Gorman reviewed Policy GBEA which allows a family member of a Board member or executive staff to be employed by CMS with the stipulation that the recommendation be disclosed and approved by the Board in a duly called Open Session meeting. Dr. Gorman said it would be appropriate for Mr. Dunlap to recuse himself from voting on this item. Ms. Leake said this is not a conflict of interest because the Board has previously approved many family members of executive staff to be employed by CMS. She expressed concern regarding the inconsistency of Board members for approving family members for employment with CMS. She believes if a family member is the best candidate for the position and has the qualified skills they should be given the opportunity of employment. Mr. Gauvreau encouraged the Board to not approve this item because it would be the wrong Board action to take because this is a clear conflict of interest. Mr. Tate said this is following Board policy and the purpose of this policy is to disclose a potential conflict of interest and to allow a Board vote. The Board has determined in the past that this type of employment is not a conflict of interest. This recommendation would not be a conflict of interest because Mrs. Dunlap would not be working directly with the Board of Education and the Board is not responsible for hiring this type of staff member. Mr. Tate said there is not a strong enough reason to justify this as a conflict of interest and to not approve employment of this individual.

Ms. Leake moved, seconded by Ms. Griffin, that the Board adopt Consent Item C., and the Board voted 5-3 in support of the motion. Chairperson White, Ms. Griffin, Mr. Merchant, Ms. Leake, and Mr. Tate voted in support of the motion. Ms. McGarry, Mr. Gauvreau, and Mr. Gjertsen voted against the motion. Mr. Dunlap abstained.

III. ACTION ITEMS

A. Recommend approval of Ten-Year Facility Master Plan

Chairperson White called upon Dr. Gorman to present the recommendation. Dr. Gorman called upon Guy Chamberlain, Associate Superintendent for Auxiliary Services, and Mike Raible, Executive Director Facilities Planning and Real Estate, to present the recommendation. Mr. Raible said the Ten-Year Facility Master Plan which included a prioritized list of projects was presented to the Board at the February 12, 2008 Regular Board Meeting and the Board held a Public Hearing on the Ten-Year Facility Master Plan at the March 11, 2008 Regular Board meeting. The Ten-Year Plan addresses growth (needed classrooms, schools, support facilities, and land), deteriorating infrastructure (buildings, equipment, utilities and site work), and legal mandates and initiatives. The list of capital needs is based upon the assumptions of weighted staffing, projected enrollments, 100% utilization of facilities, and using the previous recommended formula to prioritize projects. The current list of 206 projects is based upon that calculation and prioritization. The list includes 59 new schools; 103 major renovations; site acquisitions for new schools; and 34 legal mandates and initiatives for a total cost of \$2.4 billion in current dollars.

Board members were invited to ask questions and make comments.

- Mr. Merchant expressed concern regarding the purpose of the Board approving this item because it is a working document that is in constant fluctuation for the Planning and Auxiliary Services departments and the numbers do not necessarily reflect the economic realities of 2008. He believes this process is unnecessarily politicizing a tool used by staff. He noted that the Board would politicize this document in the process of requesting Certificates of Participation (COPs) or a Bond package. Mr. Merchant asked Dr. Gorman to explain the rationale of approving this item because, at this point, he will abstain from voting on this item. Dr. Gorman said this is a planning document and its intention is not to create a document that will be used as a plan for a future Bond request. This is a planning tool for staff and staff needs direction from the Board on how they will conduct that planning. For example, this will provide staff direction on properties to pursue for acquisition. This document will change over time and staff will bring this document before the Board on an annual basis to review what is required going forward. Dr. Gorman said it would not be his intention to present a list to the Board that recommends a Bond program in the future that indicates a certain cut off dollar amount. This item will always require Board member input and feedback. Dr. Gorman said regarding costs of projects, staff was pleased with recent bids received on projects but most likely that will not be a permanent trend. Staff recently received a favorable bid for a school that was substantially less expensive than previous construction projects. Mr. Raible said this document is also a tool to provide staff site reservations for projected school locations. State law allows schools systems to reserve a site in a proposed subdivision of a certain jurisdiction. Notification of interest for a specific parcel will allow that jurisdiction the

ability to work with a developer to reserve that parcel for a school site. State law allows that to be incorporated and adopted into a long-range plan. In the absence of that, CMS would still work with that particular jurisdiction but could not enforce the state law to get an eighteen-month reservation on a specific site. Mr. Merchant expressed concern that the document included 206 projects and whether Board members were equipped to know whether new elementary school #26 should be built prior to new high school #10. Mr. Merchant said this document is built based upon an assessment of current situation, projection of growth, and a 32-point inspection of every facility. Mr. Raible said that is the process for renovation projects and that is completed on a periodic basis. It is time to recycle those inspections and prior to this list being revised staff will complete a facility assessment on those unrenovated schools.

- Mr. Tate said this process is not an exact science but it is a good faith effort to clearly explain the facility needs in current dollars to the Board and the community. This document indicates it would cost \$2.4 billion in current dollars to renovate schools and build new schools and this amount could increase in the future based upon inflationary costs. CMS has huge needs and these costs are necessary for CMS to renovate and build schools in order for CMS to provide the best education possible. This is a good document because it represents the estimated real needs for school buildings and renovations over the next ten years as we understand it today. This document will continually be reevaluated and it will change. It is important for CMS to establish a ten-year plan that lists the backlog of renovations and the future facility needs and this document is the best way to summarize and prioritize those facility needs.
- Ms. Leake believes this is an important document because it has been a struggle to determine the priority of projects. It is important to keep this document in context because it represents the projects throughout the district in a concise format. She encouraged the Board to rely on this document as a process because it will help to provide excellent facilities for staff and students.

Mr. Dunlap moved, seconded by Ms. Leake, that the Board adopt the Ten-Year Facility Master Plan, and a discussion followed.

- Mr. Dunlap expressed concern regarding the comments on this matter because the Board will have to approve any project prior to it being started and the Board will have ample opportunity at that time to discuss each project. Mr. Raible made it clear as to why this item must be adopted by the Board at this time.
- Ms. McGarry said this item is normally voted upon prior to a Bond proposal which was a year ago. At that time it was separated into two Board votes and it was never voted upon. She believes this is a mute point and should not be voted upon at this time because several months have passed. She will not support this item because it does not include the next steps and it cannot be properly scrutinized.
- Mr. Gauvreau said the Board should thoroughly discuss a \$2.4 billion dollar plan. This item was not voted upon last year during the Bond proposal because it was being revised by staff and the Board and it made no sense. Mr. Gauvreau said the bigger issue and the reason he is opposed to this plan is because it has not been developed with any consolidation of under capacity schools and it continues to build at an expense point that that is unacceptable to him. This is an unsustainable model because the taxpayers cannot be taxed enough in ten or fifteen years to accomplish the plan. This is not a plan but a

tool that is used to spin the public using Board politics. Mr. Gauvreau will not support this item until he sees a plan that reasonably prices renovations and new construction and recognizes the millions of dollars in overcapacity existing in CMS. He expressed concern that the plan prioritizes Pre-K centers knowing that it is not producing results and that will be an expense to taxpayers. He encouraged the Board to build smaller schools and to stop building factory schools that combine high schools and elementary schools.

- Ms. Griffin said she will support the ten-year plan because that has been the process since she has been on the Board. The document is important because it provides a planning guideline for facility needs, the acquisition of land, and new schools. The plan will change because the needs of CMS are constantly changing and the upcoming Magnet Program review will influence this document. Ms. Griffin believes it is important to have a plan and this document is a good start to move forward. She also believes there is a need to consolidate some schools and staff is reviewing options for that process.
- Chairperson White said it is part of the responsibility of the Board to make a sincere effort to look into the future to understand the needs of the community. He thanked staff for their hard work in developing the document. He said everyone knows that this plan will change over time and it will become somewhat political when it does change. Chairperson White believes the Board would be neglecting its responsibilities if they did not have a plan in place that estimated the facility needs of CMS.

The Board voted 7-2 to adopt the Ten-Year Facility Master Plan. Chairperson White, Ms. Griffin, Mr. Merchant, Ms. Leake, Mr. Dunlap, Mr. Tate, and Mr. Gjertsen voted in support of the motion. Ms. McGarry and Mr. Gauvreau voted against the motion.

IV. REPORT/INFORMATION ITEMS

A. Report/Update on Magnet Programs

Chairperson White called upon Dr. Gorman to introduce the report. Dr. Gorman said the review of Magnet Programs will be presented in three parts. The first will be an update on Magnet Programs and he called upon Ann Clark, Associate Superintendent for Pre-K-12 Curriculum and Instruction, to present the information. Ms. Clark will be the lead on the process of completing a comprehensive review of Magnet Programs and she will work with a team of staff members. This presentation will be the beginning of the process and the results of this discussion will not develop a plan to address concerns, issues, or thoughts that Board members have regarding Magnet Programs. This process may take six to eight months and will involve a thorough review of the challenges and issues of all Magnet Programs. Ms. Clark introduced Robbie Kale, Director of Magnet Schools; Scott McCully, Executive Director of Student Placement Services; Jeff Linker, Assistant Director of Magnet Programs, and Tisha Greene, Executive Director for Associate Superintendent for Pre-K-12 Curriculum and Instruction, who will assist with the comprehensive review. Ms. Clark said this process began at the January 2008 Board Retreat when the Board touched the surface of the issues surrounding CMS Magnet Programs. This process will begin with an initial focus on a programmatic review as it relates to student achievement and that discussion may lead to the need to review transportation, facilities, pupil assignment, and lottery selection implications. Ms. Clark said staff would like the Board to provide direction on discussion and question items as well as a recommended timeline framework and meeting structure that the Board would like to use going forward. Ms. Clark said an initial starting point for the Board's

consideration would be to review the Guiding Principles that were approved by the Board at the March 22, 2005 Regular Board meeting. The Guiding Principles as they relate to the Magnet Programs are a subset of the comprehensive student assignment review previously conducted by the Board. The Guiding Principles approved at the March 22, 2005 meeting are as follows:

- Guiding Principle One:
 - Magnet Programs should be strengthened.
 - Magnet schools should offer academically distinct programs.
 - Ineffective Magnet Programs should be eliminated, and additional strong magnet programs should be considered.
 - Magnet schools should be strategically placed.
- Guiding Principle Two:
 - Magnet Programs should offer diverse learning environments.
- Guiding Principle Three:
 - Consideration will be given to establishing prerequisites and/or merit-based admission to some Magnet schools.
- Guiding Principle Four:
 - Consideration will be given to establishing Magnet Zones which will allow a student to choose a magnet outside of his/her zone.
- Guiding Principle Five:
 - The sibling guarantee should be maintained, except for programs with merit-based admission.

Ms. Clark said Board members have received an information packet that includes a list of Magnet Programs and schools, student enrollments, Guiding Principles, 2008-2009 Lottery results, and Magnet school attendance by home school that will be used throughout this process. Board members may review that information and provide staff questions to be answered. Dr. Gorman said staff would like a list of topics that the Board would like to discuss and a guideline for a work plan. Board members asked clarifying questions and staff responded. Board member comments were as follows:

- Mr. Merchant asked if CMS had eliminated any ineffective Magnet Programs since March 2005? Ms. Kale said the information packet includes a list of the history of Magnet Programs with the year the program began and ended if applicable. There have been some programs planned for discussion but no action has been taken. CMS has eliminated four programs and added six programs since March 2005. Mr. Merchant asked if any Magnet Programs had been moved or strategically placed since March 2005. Ms. Kale said, no, but staff would like to discuss a process for strategically locating Magnet Programs. Mr. Merchant expressed concern about the number of Magnet Programs located in the Eastover Elementary School home zone. Mr. McCully said staff will address that and show how those programs impact Eastover Elementary School at an upcoming Work Session. Mr. Merchant said he would like information and locations regarding IB Programs and schools.
- Ms. McGarry asked clarifying questions regarding the elimination of the IB Program at Independence High School. Ms. Kale said that program was not eliminated but consolidated into the IB Program at East Mecklenburg High School. Ms. Kale will provide the Board with a list of Magnet Program activities that have occurred from 2002

to 2003 at an upcoming Work Session.

- Ms. Leake asked clarifying questions regarding who determines the strength or weakness of a Magnet Program, the elimination process, the evaluation process, and the status of the Open Program at West Charlotte High School. Ms. Leake expressed concern that CMS has not done anything in the past ten years to strengthen the Open Program at West Charlotte High School. Ms. Kale said that program is being evaluated by staff. Ms. Leake encouraged staff to strengthen the Open Program at West Charlotte High School because the weakness of that program is failing the students. Ms. Clark said at the appropriate time staff will provide the Board recommendations for program consolidation, elimination, or changes. This report was planned to be an introduction to the process, to share the Guiding Principles, and to get an initial reaction from the Board. Ms. Clark said based upon data and extensive evaluations that have been associated with the Magnet Grant over the last fifteen years staff has significant student achievement and enrollment data and will make recommendations to the Board at the appropriate time. Ms. Leake again expressed her concern regarding the Open Program at West Charlotte and she encouraged staff to impact that program to help it to be successful.
- Mr. Gauvreau expressed concern regarding the micro-level issue in the district. He has previously provided research that indicates too many Magnet Programs in a district the size of CMS will cause white flight and that has academically happened in CMS. He expressed concern that the Board is going to waste time in this process and not get to the real issues of operational, financial costs, the questionable educational value, and how it dovetails down to other key academic performance in the school district. He encouraged the Board to recognize that national research indicates CMS Magnet Programs are overbearing, over engineered, and they need to be dismantled in a fair manner. He encouraged the Board to review Magnet Programs deeper than just reviewing Board policy and history. Ms. Clark said the design of this meeting is to start at the micro-level and not target specific sites or programs. This process will ultimately lead to that discussion but in order to do that we are focusing on the Board's Guiding Principles to ensure they are the Guiding Principles that should frame this conversation and the Board has agreement that they are still applicable. Mr. Gauvreau said he would like to receive feedback from staff on the national research that he has provided regarding Magnet Programs. He encouraged the Board to make a declaration that they are going to improve the Magnet Programs by removing its waste.
- Mr. Tate would like information in addition to the Guiding Principles to ensure Magnet Programs are meeting expectations. He would like information on why CMS has Magnet Programs. He believes the strategy for having Magnet Programs has changed since the mid 1970s, the 1990s, and today and that includes the Magnet Programs and the placement of Magnet Programs. Magnet Programs were started and strategically located to fit a particular purpose at that time. When CMS implemented the Open and the Traditional programs they were just a different program and were not called Magnet Programs. Having a working purpose statement for why CMS wants to have these Magnet Programs would be helpful to him in evaluating the Board's Guiding Principles because he believes the Guiding Principles make good sense. He believes Magnet Programs are important but he would like to have a clear understanding as to why we want to have these types of programs at this time.
- Ms. Griffin is happy the Board is reviewing Magnet Programs because that is a step that has needed to take place for some time and CMS now has enough data to conduct a

thorough review. She encouraged the Board and staff to be bold and willing to make hard decisions on what is best for the overall school system. She still supports each of the Board's Guiding Principles but she may like to add an additional item. She recommended that the Board consider adding the format of the Learning Communities in the Magnet Programs because CMS has several different kinds of zones and that can be confusing to families. This process will include transportation and the Board must consider options for saving money and making transportation user friendly. The Board must also review the financial implications of Magnet Programs and decide whether the benefits from a Magnet Program or the Magnet Program as a whole are justified by the costs. She hopes this process will include the research on school choice and student achievement by Justine Hastings, professor from Yale.

- Mr. Dunlap said this information supports what he thought was happening with the CMS Magnet Programs. The original purpose of Magnet Programs was voluntary desegregation and the purpose is no longer the reason Magnet Programs exist in CMS today. School systems that implemented Magnet Programs received federal funding and that funding is no longer available. Now, the community is footing the bill for what he calls "specialized education." He supports the concept of the Board's Guiding Principles because they fit the current philosophy of Magnet Programs. He expressed concern that the current Magnet Programs are designed to allow the students who are doing the best to get an even better opportunity to do better while those on the bottom remain on the bottom. Many students attending a good school have been allowed to choose an even better school through the Magnet Program process. Magnet Programs are no longer serving the purpose of its original design and, if that is the case, perhaps CMS should not have as many Magnet Schools. In reality, this is specialized learning in which students benefit and this is how it should be described by CMS. Utilizing these Guiding Principles, CMS invests money to provide specialized teaching in certain schools. He encouraged the Board to reconsider some Magnet Programs that worked well but were eliminated such as the Workplace Magnet which provided a convenience for parents and reduced transportation costs. He expressed concern that parents are influenced by perception in selecting schools for their children and many of the seats that should be filled with students from low performing schools are filled with students from high performing schools.

Ms. Clark invited Board members to continue the discussion on Guiding Principles. She said the second Guiding Principle responds to Mr. Tate and Mr. Dunlap's request to review the purpose of Magnet Programs. At the next Work Session, staff will present proposed language, history of the Federal Grant Program, and the purpose of those grants. At the appropriate time, the transportation team will be available for a focus session on transportation implications. She invited Board members to provide staff questions; future topics, and points of clarification that they would like for upcoming Work Sessions. Future topics will include full versus partial Magnet Programs; grade configuration; facilities and space; priorities; lottery choice and wait list; and other Magnet Options such as Year-Round School.

- Mr. Dunlap expressed concern that the second Guiding Principle (provide diverse learning environments) did not make a difference because it is based upon the lottery and the lottery does not include controls to indicate race or free and reduced lunch status.
- Mr. Merchant asked clarifying questions regarding the sibling guarantee and staff

responded. Mr. Dunlap expressed concern that the changes regarding the sibling guarantee has caused parents to have to divide their time between two schools. He is not sure he still supports this because it does not provide peer continuity. Ms. McGarry said regarding the sibling guarantee, parents should have choice to keep siblings together. Parents need more choices. CMS has too many magnets and the results are not justifying the cost for the programs. CMS currently has Magnet Programs for different reasons (including getting out of their home school) than their original purpose. She encouraged the Board to eliminate the programs that are not working; focus on teaching and learning; and address the transportation issues. She would like an analysis of the transportation costs associated with Magnet Programs.

- Chairperson White expressed concern regarding comments about failing Magnet Programs. If the public is applying to attend a Magnet School that program is not failing. Parents will not apply to a failing program. If the public is not asking for a program, that program should be eliminated. If the public is asking for a program, he is not sure he would vote to have it eliminated.
- Mr. Merchant encouraged the Board to focus on the purpose and the foundation of the curriculum of Magnet Programs. He expressed concern that some schools only exist as a public “country day” school. CMS has involved parents who want the best for their children but they are opting out of very good schools to go to great schools. He would like to know if there is a value in those schools versus their neighborhood school.
- Ms. Griffin asked clarifying questions regarding the Year-Round School concept and staff responded.
- Ms. McGarry is open to Year-Round Magnet Programs and she asked staff to provide more information on that option. Ms. Leake asked that the information also include the costs associated with a Year-Round Magnet.
- Mr. Merchant asked staff to review the practices of Magnet Programs that have worked or been successful such as Open Court Reading. He encouraged staff and the Board to leverage that successful knowledge across the district.
- Mr. Gauvreau encouraged the Board to make declarations as a step to action because eliminating Magnet Programs could result in massive cost reductions as well as improving the services and programming in our schools. He encouraged Dr. Gorman to develop a plan to reduce the Magnet Schools.
- Ms. Leake supports Magnet Programs because they provide the community some degree of diversity and that is important.

Dr. Gorman said this has been an overview of the format for the work plan for the Magnet Program review. He thanked the Board for their input. Future discussions will lead to specific examples and include philosophical pieces and in depth reviews. This process will include a series of meetings and a proposed recommendation will be developed over time.

B. Report/Update on CMS Graduation Requirements

Chairperson White called upon Dr. Gorman to introduce the report. Dr. Gorman called upon Ann Clark, Associate Superintendent for Pre-K-12 Curriculum and Instruction, to present the report. Dr. Gorman said the Board has also asked for a review of Graduation Requirements. Different Board members have presented different thoughts, ideas, and perceptions of the direction in which the review should follow. This report will provide a historical perspective of CMS Graduation Requirements; an analysis of statewide graduation requirements in North

Carolina; and a comparison of North Carolina Graduation Requirements and CMS Graduation Requirements. Ms. Clark introduced Karen Thomas, Director of School Counseling Services, and Sarah Crowder, attorney at law and Policy Administrator, who will be available to answer Board member questions. Ms Clark reviewed the Board materials and she noted that they will be used throughout the graduation review process. The materials included the 2008-2009 High School Planning Guide; CMS Graduation Requirements, comparison of CMS Graduation Requirements to the state of North Carolina; comparison of CMS to other public and private schools in the area; and a summary of the courses of study available to students. Ms. Clark said the intention of this conversation is to get feedback from the Board regarding questions and issues that they would like to focus on for further discussions. Ms. Crowder said up to the Graduating Class of 2004, CMS required twenty units for students to graduate from high school and that had been the requirement since 1991. Over time, the requirements changed slightly in the academic areas but CMS maintained the twenty unit graduation requirement. The state of North Carolina also required twenty units to graduate from high school. Since the 1970s, the state has had a policy in place that allows local districts to exceed the state minimum requirements. On April 11, 2000, the Board approved changing the local graduation requirement to twenty-eight units of credit to graduate from high school. The state in April 1999 changed the way it required students to graduate but maintained the twenty unit requirement. The state implemented four courses of study and every local public school district in North Carolina was required to implement that requirement. CMS implemented the four courses of study in April 2000 effective for students entering 9th grade in August 2000 graduating four years later. Ms. Clark said the twenty-eight unit graduation requirement by CMS is the high bar standard among the other school districts in North Carolina. Other school districts are reviewing implementing different choices for students while maintaining a high bar for those students wanting that opportunity. The choices could include flexibility for students to combine course work with a job internship or a virtual high school experience with taking courses on campus or off campus. Ms. Clark said the North Carolina Board of Education recently approved that the graduating Class of 2013 be required to have twenty-one units of credit to graduate from high school. The state is eliminating the different courses of study and implementing the future ready core and the occupational course of study for students with severe disabilities. The future ready core requires four units of math for every student, does not include a foreign language or course of study, and adds a four unit concentration.

Board members were invited to ask questions and make comments.

- Mr. Tate expressed concern regarding the future ready core language. Ms. Clark said it ties into their 21st Century focus and the purpose statement that the North Carolina Board of Education has embraced. Ms. Crowder said North Carolina Board of Education states the future ready core course of study will prepare all students for careers and college learning in the 21st Century.
- Chairperson White expressed concern that the state is eliminating the foreign language requirement. Ms. Crowder said the state does not require a foreign language at this point for any student except in the college university prep course of study where they require two units of credit. Chairperson White does not support that requirement.
- Ms. Leake wants to ensure there are occupational or technical training options for students who do not plan to go to college. She wants to ensure those students graduate from high school prepared to go into the workforce. Ms. Crowder said the future ready

core includes six electives and two are required to be a combination of Career Technical Educational courses or Arts Education or Second Language. Ms. Leake expressed concern that students who do not plan to go to college are required by CMS to have twenty-eight units of credit and the state only requires twenty-one.

- Mr. Merchant expressed concern that this talks about standards but it really is required numbers of credits. This is a fallacy because LEAs and state boards want more rigor but they only have control of numbers of courses that must be taken. He said activity does not necessarily equal rigor. In reality, this is only requiring more criteria. He expressed concern regarding the imbalance of the requirements. He is not sure that CMS requiring seven more credits is any better than other school districts. He believes this may be condemning some students who may have had a bad start or who do not plan go to college. He expressed concern that some students who have twenty credits may choose to drop out because it is too much for them to get the additional eight credits to graduate by CMS standards. It is unfair that this same student may only need one more credit to graduate by state standards. He asked the Board why they believe twenty-eight credits is the answer? He would support lowering the CMS graduation requirement.
- Mr. Dunlap has looked forward to this discussion for a long time. He agreed with the comments made by Mr. Merchant. He expressed concern that CMS students must have twenty-eight credits to be equally as good as students in other school districts or private schools who graduate with twenty-one credits. He does not believe the CMS students are any more prepared for college than those students. CMS has institutionalized more courses equate to more rigor but that is not the case. He would prefer increasing rigor by making individual courses more challenging. He would like justification why CMS continues to require more credits than other school districts and the state. He said it is important to understand reducing credits will not “dumb down” the curriculum. He said for students to earn an additional seven credits takes approximately one year, CMS could reduce costs by allowing those students to graduate early.
- Ms. Griffin cautioned the Board to not jump to reducing the number of credits required but it may be logical to reduce them some. At the time the credits were changed CMS still had seven period days instead of the Block schedule. Students could have taken twenty-eight classes and only needed twenty to graduate. A student could fail eight classes and still graduate but that is not okay. And, it is not okay to have a chance to take thirty-two classes but only need twenty-one to graduate because that would allow someone to fail thirteen classes. Perhaps, the Board should consider restructuring the course of the day in order to have the option to take fewer classes. She encouraged the Board to proceed with caution because before the credits were increased there were many students after they finished their junior year that only had senior English or math to take to graduate. Ms. Griffin encouraged that this be academically driven. She asked Dr. Gorman and staff to provide guidance and a recommendation on what is really required. She said you can not translate twenty-one credits from a school such as Country Day to twenty-one credits from CMS because their structure is entirely different. Ms. Griffin wants the CMS students to graduate prepared to go to college, to go into the military, to go into the workforce, or whatever they choose to do.
- Mr. Gjertsen expressed concern regarding the mixed Board decisions to follow what the state recommends or not follow what the state recommends. The additional credits result in six more electives and he does not believe CMS is putting rigor into those six

electives. He believes CMS would be better served by restructuring the day by spending more time in the course of the day in the core classes. A complaint of the 4x4 Block schedule is that students actually spend less time in the course. The number one item for success in a class is the amount of time you spend with a teacher in an educational setting engaged in the process of education. He does not see much benefit from the six electives but that does not mean that a student who is motivated cannot take those electives. He encouraged the Board to think about a special diploma for those star students who wanted to take the extra courses. He believes the increase in graduation requirements is short changing the majority of the population. He thinks it would be better to have the CMS graduation requirements more in line with the state requirements if CMS could say they made the core courses more rigorous.

Ms. Clark said Ms. Griffin is correct and one of the driving forces of the original decision was that there were many seniors who only needed to take a required math or English in their senior year but another Board policy requires students to take a full schedule. At the time CMS was adding AVID and increasing the number of AP course offerings this was one of a number of initiatives design to raise the bar for students. She agreed that credit and rigor cannot be combined. She encouraged the Board to also review local promotion requirements as a part of this review. She believes there is an opportunity to review what the local promotion requirements do in terms of the number of credits required for a student to advance from one grade level to the next. Regarding the thought that twenty-eight credits can be overwhelming and may promote students to drop out, 57% of the students in North Carolina drop out in the 9th and 10th grade which is prior to them reaching the state graduation requirements. She believes there needs to be an examination of the transcripts of the students who drop out and a review of their credits.

- Ms. McGarry believes twenty credits is too low and is the minimum requirement. What is important is the purpose of educating students. The purpose of educating students is to prepare them for the next environment whether that is to attend a type of college or go into the workforce. North Carolina research indicates that students need two years beyond high school in order to be successful and productive citizens. Rigor is important and CMS should review changing the types of courses being offered. She would not support redesign to reduce dropout rates. She encouraged the Board to consider twenty-four to twenty-eight credits and to use a different set of credits for students going to college versus a two-year college or into the workforce. She is opposed to the elimination of a foreign language.
- Mr. Gauvreau said twenty-eight credits is not a bad thing and he understands why it was changed. He expressed concern that graduation requirements have been diluted down to non-academic programs. He encouraged the Board to keep the academic focus as opposed to a migration to arts and school to work initiatives. He said maintaining twenty-eight credits will serve students better and keep the standard levels higher. He asked Dr. Gorman what is the right course for CMS? Dr. Gorman believes CMS needs two course paths for individuals. One path for students who prefer to go the shorter path as other school districts have offered for those who have made a decision to not go to college. Currently, CMS does not have a twenty credit path but that would suit some students better for what they are going to do following high school. Other students have easily accomplished the twenty-eight credits. He would like CMS to offer an option.

- Mr. Tate discussed the importance of parental involvement in their children's education and expressed concern regarding the students who get lost in the cracks. At this point, he is not sure what number of credits is best and he looks forward to the continued discussion. Mr. Tate asked clarifying questions regarding a CMS diploma and a GED diploma and staff responded.
- Mr. Merchant talked about the importance of establishing standards and a degree of rigor for a course and valid testing requirements and assessments. He encouraged staff to review measurements that make more sense and scheduling opportunities. He expressed concern that research indicates the attention span of a sixteen-year old is between sixteen to eighteen minutes but CMS has a Block schedule in which students are in class for 1½ hours. He supports electives and noted that research suggests students who participated in Fine Arts electives score higher on SATs.
- Ms. Griffin encouraged staff to review expanding partnerships with CPCC as a result of what the Board should decide to do regarding this matter. She expressed concern regarding the potential of two different diplomas (one with twenty-one and one with twenty-eight) because this may result with a student graduating at age sixteen believing he is finished with his education. It would be an expectation that students would finish high school but then would continue to a higher form of education or vocational training. This could open up a host of opportunities for CMS.
- Ms. Leake asked for an evaluation of the Early College Program and expressed concern that students must leave CMS campuses to participate in that program. She also expressed concern regarding the structure of middle school and the potential to not impact students to be prepared to enter high school. She encouraged CMS to implement Vocational Training Programs to prepare students to get a job after high school and be successful citizens.
- Chairperson White said what is more important than the number of credits to graduate is doing what is best for the students. This may be an opportunity for freedom and flexibility to allow students to decide whether they want a minimum of twenty-one or a maximum credit of twenty-eight. This would provide them two tracks. He does not believe there have been many students who have dropped out with twenty-one credits. He believes the majority of students who leave a public school end up on the streets or become latch key students. He believes not providing students electives is denying many students an opportunity to expand themselves because otherwise they could not afford to be exposed to those activities. He expressed concern that fewer credits may hinder the learning style of some students; students without a full-schedule may get into trouble; and the other potential unintended consequences. He said it is important to serve all students and the motivation should not be about saving money.

Mr. Gauvreau left the Regular Board meeting at 9:15 p.m.

C. Report on Proposed 2008 Legislative Agenda

Chairperson White called upon Dr. Gorman to represent the report. Dr. Gorman called upon Regina H. Bartholomew, General Counsel, and Peyton Maynard, CMS Legislative Lobbyist, to review the proposed 2008 Legislative Agenda. Ms. Bartholomew reviewed the proposed 2008 Legislative Agenda.

1. Increase funding for teacher compensation to conform with that of the national average

- pay for teachers.
2. Provide funding for a Test Coordinator at all middle and high schools to contribute significantly to positive student achievement and career development, as well as the development of positive and safe learning climates in school.
 3. Enhance student counseling services by providing funding for more school social workers and school counselors.
 4. Restore the sales tax refund that the state redirected from public schools for 2007-2008, change that refund to an exemption, and ensure that local sales taxes are not redirected from public schools.
 5. Ensure that lottery proceeds earmarked for local school districts do not supplant funds currently and traditionally appropriated to those districts.
 6. Revise the legislation pertaining to the public-private partnership to ensure a significant cost savings realization.
 7. Increase funding of the disadvantaged Student Supplemental Fund Program, which addresses the needs of at-risk children (including low-performing students, exceptional children, English as Second Language students, low-income students) statewide.
 8. Allow local school districts to form a local Law Enforcement Agency with county-wide jurisdiction.
 9. Clarify legislation pertaining to charter school appropriations to provide a direct funding mechanism from the county, as opposed to the local school districts, to each charter school.
 10. Provide local school districts with more calendar flexibility (e.g., revisit the requirements for the school calendar with the intent to provide time for the implementation of the district professional development plans).
 11. Amend current legislation to make it a criminal offense to falsify information on Student Registration Forms.

Ms. Bartholomew said a Board vote to adopt the 2008 Legislative Agenda is on the agenda for the April 15, 2008 Regular Board meeting. The proposed agenda gives the Board flexibility and resources needed to help continue to move CMS forward academically and financially. The Board asked clarifying questions and discussed adding, deleting, or changing items on the proposed agenda.

Board comments included the following:

- Mr. Merchant expressed concern regarding Number 11 and he wished there was another way than charging families with a misdemeanor offense. Dr. Gorman said the rules are to tell the truth and parents are not telling the truth for athletic eligibility and academic reasons. Staff is seeking consequences for not being honest.
- Ms. Griffin expressed concern that the agenda is too long for a short session. She encouraged the Board to consider a shorter list that included new items or items that have likelihood for passing. The Board should provide clear direction on how they stand on these items without making them a priority. Dr. Gorman said Mr. Maynard can provide specific insight on the items that are most likely to pass.
- Mr. Dunlap asked Mr. Maynard to share his thoughts. Mr. Maynard said he has spoken with several legislators and they are interested in making this session as short as possible. This will be budget adjustment phase and they hope to have that budget completed by June 30, 2008. Mr. Maynard said it is important to include the items that

are on the agenda but do not expect that each one will pass before the end of the session. Some of these need further conversation and we need to be preparing the ground work for the next long session. This session will be a great opportunity to talk to the legislators about the top priority items. The police force issue will require additional discussion and it is important to continue to focus on the public-private partnership. Mr. Maynard commended Guy Chamberlain, Associate Superintendent for Auxiliary Services, for his innovative steps to pursue this initiative. He encouraged the Board to focus on the top priorities this session such as compensation.

- Ms. McGarry said this agenda is too long and should be prioritized. She expressed concern that the agenda did not include lifting the charter school cap because that would provide parents more choices. She is also concerned that the agenda does not include gang legislation because with loaded guns and assaults on teachers that issue has not gone away. Gangs are a problem. This was an item on the agenda last year and it did not pass. Mr. Maynard said this is Senator's Graham's bill and it is still alive and under discussion. This is a real piece of legislation and this bill was given a tremendous amount of time in the Judiciary Committee. The Gang Legislation includes the potential to involve minors and when minors are involved in the penal system and the judicial system it becomes a very complicated issue. Ms. McGarry encouraged the Board to add this to the agenda.
- Mr. Tate expressed concern that this agenda eliminated five important items that were included in last year's agenda. The items were developing alternative funding sources for school construction; performance-pay; rules for retiring teachers returning to work; granting taxing authority to school boards, and additional school nurses. Mr. Maynard reviewed action regarding the items Mr. Tate addressed. Last year, Legislation passed that provided Charlotte-Mecklenburg the authority to have a performance-pay system (Federal Grant) and that was the first of its kind; aspects of the public-private partnership were fine tuned (buildings were taxed exempted); and there were more school nurses last year and there will be more this year. Taxing Authority has been a very difficult issue in this legislature. There has been a bill in the legislature that passed the House but did not pass the Senate. This bill is still alive and encouraged the Board to show their support. Ms. Bartholomew said she would amend the agenda to add this item for the Board's consideration. Mr. Tate said this should be a short list. He asked what items are the most important to keep? Dr. Gorman said from a staff standpoint the Board should keep Number 8.
- Chairperson White encouraged the Board, if they support it, to include Taxing Authority on the agenda because it will be discussed. The Board should always support paying teachers more (Number 1). He encouraged the Board to select four or five top priorities as key initiatives and then list the remaining items. The Board should start talking about the items this year that they want on the list next year.
- Mr. Dunlap supports listing all the items. He also expressed concern regarding Number 11 because the court system is already bogged down and this item has limited consequences. A better alternative would be to inform them that they have been caught lying and will be returned to their home school to include without the opportunity to play sports if it regards athletic eligibility.
- Ms. Leake asked clarifying questions regarding funding for disadvantage students and at-risk students. Mr. Peyton responded. She wants to ensure this funding is being spent appropriately to educate students. Ms. Leake requested the government

definition and the CMS definition of disadvantage students and at-risk students.

Chairperson White said Ms. Bartholomew will revise the Legislative Agenda based upon the Board discussion. At the April 15th Regular Board meeting, the Board will vote on each agenda item to determine the final 2008 Legislative Agenda. Dr. Gorman said the revised agenda will include these eleven items, taxing authority, charter school cap, and Gang Legislation. Board members made closing comments regarding agenda items and prioritization of items.

Chairperson White said the Board would now recess the Regular Board meeting to reconvene the previous Closed Session meeting and the meeting will remain in Room 267. The Board will reconvene the March 25, 2008 Regular Board meeting following the close of business in Closed Session and, at that time, the Board will take any necessary Board action and adjourn the Regular Board meeting. Chairperson White asked staff to stop recording the meeting and he invited everyone to leave Room 267 except Board members, Dr. Gorman, and Regina Bartholomew.

The Board recessed the March 25, 2008 Regular Board meeting at 9:55 p.m.

The Board held a Closed Session meeting from 10:00 p.m. to 11:40 p.m. in Room 267.

The Board reconvened the March 25, 2008 Regular Board meeting at 11:40 p.m. in Room 267 of the Government Center. All Board members were present except Larry Gauvreau. Also present were Dr. Peter Gorman, Superintendent, and Regina H. Bartholomew, General Counsel. Ms. Griffin served as Clerk to the Board. The Board did not have business that required action in Open Session and adjourned the meeting.

ADJOURNMENT

By consensus, the Board agreed to adjourn the Regular Board meeting.

The Regular School Board Meeting adjourned at 11:40 p.m.

Joe I. White, Jr., Chairperson

Nancy Daughtridge, Clerk to the Board