

Approved by the Charlotte-
Mecklenburg Board of Education
April 14, 2009
Regular Board Meeting



Charlotte, North Carolina

April 15, 2008

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

The Charlotte-Mecklenburg Board of Education held a Regular Board Meeting on April 15, 2008. The meeting began at 4:36 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);
Tom Tate (District 4); and
Ken Gjertsen (District 6)

Absent: George Dunlap (District 3)

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; Tyler Ream, Chief of Staff; and Nancy Daughtridge, 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 purpose:

- **To consult with the Board's attorneys on matters covered by the attorney-client privilege including but not limited to two litigation matters involving Queens Grant Charter School and *Charlotte-Mecklenburg Board of Education v. Farrar*.**

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 5:36 p.m. to 5:48 p.m.

Chairperson White reconvened the Regular Board Meeting at 6:05 p.m. in Room 267 of the Government Center. CMS-TV Channel 3 televised the meeting.

Present: Joe White, 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; 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 6:05 p.m. Chairperson White welcomed everyone to the Board's first Regular monthly business meeting of the month. He said this meeting was originally scheduled for April 8th but that was the week of Spring break and the Board voted to delay this meeting until April 15th. The Meeting Chamber was not available for tonight's meeting and we are meeting in Room 267.

A. Pledge of Allegiance

Chairperson White introduced Christopher Sandidge, a seventh grade student at Randolph Middle School, to lead those present and in the viewing audience in the Pledge of Allegiance and to speak to the April character trait of "perseverance." Interesting facts about Christopher include he plays the trumpet in the school band; he is an outstanding student who enjoys Language Arts and Social Studies; and he is an avid reader who hopes to attend the University of Virginia's College of Architecture. Christopher is also busy outside the classroom. For the past three years, he has played basketball in a local recreation league. He is a member of University Park Boy Scout Troop 107. For the past two years, Christopher has volunteered at St. Paul Baptist Church's Room in the Inn program, which helps feed and house the homeless in Charlotte. Chairperson White introduced Christopher's parents, Joseph and Tonya Grimes, and Brenda Duff, Academic Facilitator at Randolph Middle School. Christopher invited everyone to stand and join him in reciting the Pledge of Allegiance. Christopher said "perseverance" is defined as a steady persistence in adhering to a course of action, belief, or a purpose. He said his parent's have instilled in him a spirit of perseverance by teaching him the importance of doing his personal best. By doing his personal best, he can never be defeated. He encouraged everyone to try and strive to do their best.

B. Adoption of Agenda

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

C. Public Hearing on proposed amendments to Policy BEDH, Public Participation in Board Meetings

Chairperson White said the agenda includes three Public Hearings on Board Policies. Chairperson White called upon Ms. Griffin, Chairperson of the Policy Committee, to open the Public Hearings.

Ms. Griffin moved that the Board open the Public Hearing on proposed Policy BEDH, Public Participation in Board Meetings, seconded by Mr. Tate, and the Board voted 9-0

in support of the motion.

There were no speakers to speak at the Public Hearing.

Ms. Griffin moved that the Board close the Public Hearing on proposed Policy BEDH, seconded by Mr. Tate, and the Board voted 9-0 in support of the motion.

D. Public Hearing on proposed amendments to Policy JICAA, School Uniforms

Ms. Griffin moved that the Board open the Public Hearing on proposed amendments to Policy JICAA, School Uniforms, seconded by Mr. Tate, and the Board voted 9-0 in support of the motion.

There were no speakers to speak at the Public Hearing.

Ms. Griffin moved that the Board close the Public Hearing on proposed amendments to Policy JICAA, seconded by Mr. Tate, and the Board voted 9-0 in support of the motion.

E. Public Hearing on proposed new Policy BA, Theory of Action, and accompanying Exhibit, BA-E1, Theory of Action for Change, and Exhibit BA-E2, CMS Board of Education Vision, Mission, and Core Beliefs and Commitments

Ms. Griffin moved that the Board open the Public Hearing on proposed new Policy BA, Theory of Action, and proposed accompanying Exhibit, BA-E1, Theory of Action for Change, and Exhibit BA-E2, CMS Board of Education Vision, Mission, and Core Beliefs and Commitments, seconded by Mr. Tate, and the Board voted 9-0 in support of the motion.

There were no speakers to speak at the Public Hearing.

Ms. Griffin moved that the Board close the Public Hearing on proposed new Policy BA and proposed accompanying Exhibits BA-E1 and BA-E2, seconded by Mr. Tate, and the Board voted 9-0 in support of the motion.

Chairperson White said these three items are also included on the agenda as Action Items for a Board vote.

II. REQUESTS FROM THE PUBLIC

Shirley Fulton is the co-chairperson of the Housing Charlotte 2007 Implementation Committee. The committee was organized to develop solutions identified from the Affordable Housing Forum which focused on financing, regulatory, and community. The outcome of the forum addressed the five priority solution areas of education, outreach, and advocacy; rental housing subsidy; acquisition strategy; dedicated funding source; and incentive-based inclusionary housing policies. Ms. Fulton said recommendations will be presented to local government, public, and other appropriate entities in September.

The following people discussed the importance of equity in the proposed 2009-2010 Board of Education Budget and support the League of Women Voters' Equity Call to Action Plan:

- Terri Taylor-Allen, chairperson of the Education Subcommittee of the Charlotte Mecklenburg Community Relations Committee (CRC).

- Elizabeth Lea
- Louise Woods, represented the League of Women Voters

Vincent Frisina represented Millions More Movement. He expressed concern regarding Personal Education Plans.

The following people discussed their concerns regarding the upcoming “Day of Silence:”

- Martin Davis
- Dr. Hans Plotseneder
- Dylan Carrasco-Songer

The following people discussed their support for the Magnet Program and the successes at Shamrock Gardens Elementary School:

- Garry Patterson, PTA president at Shamrock Gardens Elementary School
- Diana Pellegrino, 4th grade teacher at Shamrock Gardens Elementary School
- Pamela Grundy

III. CONSENT ITEMS

A. Recommend approval of minutes.

- December 11, 2007 Regular Board Meeting.
- March 5, 2008 Work Session.
- March 11, 2008 Closed Session.
- March 19, 2008 Work Session.

B. Construction Items.

1. Recommend approval of construction contract for the new Belmeade Middle School.
2. Recommend approval of construction contract for the new Ridge Road Middle School.
3. Recommend approval of construction contracts for supplemental work at various schools.
4. Recommend approval of design contract for Garinger High School.
5. Recommend approval of easement for the new Belmeade Elementary School.

C. Recommend approval of appointment of administrative personnel.

Transfers:

- *Angela P. Bozeman named principal at the School of Biotechnology, Health and Public Service at Olympic High School. Ms. Bozeman previously served as principal at J.T. Williams Middle School and assistant principal at Quail Hollow Middle School.*
- *Ronald S. Dixon named principal at J.T. Williams Middle School. Mr. Dixon previously served as Executive Director for the Central Learning Community, Assistant Superintendent of Middle School Curriculum and Instruction, and principal at Bradley Middle School.*
- *Billie J. Gentry named principal at Hickory Grove Elementary. Ms. Gentry previous served as principal at Mallard Creek Elementary School and assistant principal at Crown Point Elementary School.*

Appointments:

- *Brenda LaBorde named Student Process Director. Ms. LaBorde previously served*

as Instructional Technology Specialist.

- *André F. Mayes named Associate General Counsel. Ms. Mayes has a Juris Doctorate from Wake Forest University and a Bachelor of Arts in Speech Communications from the University of North Carolina-Chapel Hill. Ms. Mayes previously served as Senior Attorney with Clark Hill, a law firm in Birmingham, Michigan and General Counsel and Director of Operations for the Dorchester County Board of Education in Cambridge, Maryland.*
- *Jacquelyn Touchton named principal at the new Bradley Elementary School scheduled to open in August. Ms. Touchton has a Master of Education in Education Leadership from Gardner-Webb University; a Bachelor of Science in K-6 Education from Brenau University; and a Specialist in Education in K-6 Education from California State University. Ms. Touchton previously served as principal at East Iredell Elementary School, Iredell-Statesville Schools, Statesville, North Carolina.*

- D. Recommend approval of licensed/non-licensed hires and promotions for February 2008.
- E. Recommend approval of supplementary funding request for *Greater Energy Together Physical Education Plan for Improvement (GET PEPI) Project.*
- F. Recommend approval of the supplementary funding request for *Charlotte-Mecklenburg Partnership for Safe Schools and Healthy Students.*
- G. Recommend approval of Primary Banking Relationship for the Charlotte-Mecklenburg Board of Education.
- H. Recommend approval of one Board meeting during month of July: July 22, 2008.
- I. Recommend approval of Non-Career Contract Election Report.
- J. Recommend approval of citizen appointment to the Bond Oversight Committee by the District Six Representative.

Mr. Gjertsen appointed David Knoble to the Bond Oversight Committee to fulfill an existing term ending September 30, 2009.

Ms. Griffin moved, seconded by Mr. Dunlap, that the Board adopt Consent Items A. through J., and a discussion followed.

Ms. Leake pulled B.1., B.2., B.3., B.4., B.5., C. and E.

Mr. Dunlap moved, seconded by Ms. Griffin, that the Board adopt Consent Items A. D., F., G., H., I., and J., and the Board voted 9-0 in support of the motion.

The Board discussed Consent Item B.1. Ms. Leake expressed concern that she had asked at a previous Board meeting that she be invited to attend meetings regarding bids on construction contracts so she could ensure fairness in the process and she had not been notified regarding a public bid held on March 18, 2008. Guy Chamberlain, Associate Superintendent for Auxiliary Services, said bid dates are published in the monthly reports and he would ensure Ms. Leake is notified in the future. Dr. Gorman said he would notify all Board members regarding the bid process. Ms. Leake believes it is important that Board members read the information and know who are building our schools. Ms. Leake asked clarifying questions regarding the number of schools each contractor had built for CMS and the cost of each site. Mr. Chamberlain responded.

Ms. Griffin moved that the Board adopt B.1., B.2., B.3., B.4., and B.5., seconded by Mr. Tate, and the Board voted 9-0 in support of the motion.

The Board discussed Consent Item C. Ms. Leake expressed concern that CMS is not preparing assistant principals to become principals. Chairperson White said this discussion was not a part of the agenda item and he asked Ms. Leake to address this separately. Ms. Leake said she would address this at a later time. Ms. Leake asked clarifying questions regarding the personnel changes at J. T. Williams Middle School and she commended Mr. Dixon for accepting the challenges at J. T. Williams Middle School. Ms. McGarry asked clarifying questions regarding the process for hiring family members of staff (Brenda LaBorde is the wife of a principal) and Dr. Gorman responded. Ms. Leake asked clarifying questions regarding the position of Student Process Director and Susan Johnson, Chief Information Officer, responded.

Ms. Griffin moved, seconded by Mr. Merchant, that the Board adopt Consent Item C., and the Board voted 9-0 in support of the motion.

The Board discussed Consent Item E. Ms. Leake asked clarifying questions regarding how the grant would impact the quality of physical activity for students. Debra Kaclik, Physical Education and Health Specialist, explained the purpose and the outcome of the proposed project.

Ms. Griffin moved that the Board adopt Consent Item E., seconded by Mr. Tate, and the Board voted 9-0 in support of the motion.

IV. ACTION ITEMS

A. Recommend approval of proposed amendments to Policy BEDH, Public Participation in Board Meetings

Chairperson White called upon Ms. Griffin, Chairperson of the Policy Committee, to present the recommendation. Ms. Griffin said before the Board for approval is amendments to Policy BEDH, Public Participation in Board Meetings. This comes to the Board as a recommendation from the Policy Committee. The amendment provides that all speakers addressing the Board will be allowed three minutes whether they are representing themselves or an organization. The proposed amendments have been before the Board for First Reading, posted on the CMS Website for public feedback, and the Board held a Public Hearing.

Mr. Dunlap moved that the Board approve proposed amendments to Policy BEDH, Public Participation in Board Meetings, seconded by Mr. Merchant, and the Board voted 9-0 in support of the motion.

B. Recommend approval of proposed amendments to Policy JICAA, School Uniforms

Chairperson White called upon Ms. Griffin, Chairperson of the Policy Committee, to present the recommendation. Ms. Griffin said before the Board for approval is proposed amendments to Policy JICAA, School Uniforms. This comes to the Board as a recommendation from the Policy Committee. The proposed amendments simplify the existing Uniform Policy and include the following:

- The policy will no longer require Board approval of school uniform plans.
- The Board will allow schools to implement uniform plans with the approval of the Superintendent.
- The Superintendent is directed to develop regulations that include details of the process by which schools shall develop uniform plans, guidelines for permissible types of uniforms, and the process by which such plans are to be approved by the Superintendent.

The proposed amendments have been before the Board for First Reading, posted on the CMS Website for public feedback, and the Board held a Public Hearing.

Mr. Dunlap moved that the Board approve proposed amendments to Policy JICAA, School Uniforms, seconded by Mr. Merchant, and the Board voted 9-0 in support of the motion.

C. Recommend approval of proposed new Policy BA, Theory of Action, and accompanying Exhibit, BA-E1, Theory of Action for Change, and Exhibit BA-E2, CMS Board of Education Vision, Mission, and Core Beliefs and Commitments

Chairperson White called upon Ms. Griffin, Chairperson to the Policy Committee, to present the recommendation. Ms. Griffin said before the Board for approval is proposed new Policy BA, Theory of Action, and accompanying Exhibit, BA-E1, Theory of Action for Improved Student Achievement: Managed Performance/Empowerment, and Exhibit BA-E2, CMS Board of Education Vision, Mission, and Core Beliefs and Commitments. The proposed new policy enacts the Board's Theory of Action into policy, thereby providing consistency for the district. The policy includes the Board will review and readopt the Theory of Action at least every three years with the first review in February 2009. The proposed amendments have been before the Board for First Reading, posted on the CMS Website for public feedback, and the Board held a Public Hearing.

Mr. Merchant moved that the Board approve proposed new Policy BA, Theory of Action, and accompanying Exhibit, BA-E1, Theory of Action for Improved Student Achievement: Managed Performance/Empowerment, and Exhibit BA-E2, CMS Board of Education Vision, Mission, and Core Beliefs and Commitments, seconded by Mr. Tate, and a discussion followed.

- Mr. Dunlap said this Board meeting agenda includes a report on Freedom and Flexibility. He asked does the adoption of this policy as written include the information that will be presented in that report? Ms. Griffin said, no.
- Ms. Leake said the proposed Theory of Action Policy includes placing high quality staffing. The Board has had a policy that includes placing high quality staff in the schools and CMS has not adhered to that policy. The Superintendent has that authority and he is not implementing that process. She asked how will the Board hold the Superintendent accountable for enforcing this policy to ensure that every student has a high quality teacher in the classroom? Ms. Griffin said the Board has specific policies on effective educators and staff which is separate and a part from this policy and this question should be discussed with those policies. This policy acknowledges that the Board has previously adopted a Theory of Action and to put that into policy as opposed to readopting that policy tonight. Ms. Leake discussed the importance of placing highly

qualified teachers in the classroom a priority and holding the Board and Superintendent accountable for adhering to policy. Ms. Griffin said she understands Ms. Leake's concerns but that is not relevant to this policy. Ms. Leake said this is a policy and it is relevant.

- Mr. Gauvreau said he was opposed to the original adoption of the Theory of Action and he is opposed to this recommendation. He expressed concern that the Board has not done anything with the Theory of Action in two years and this policy is vague and incremental. This started out as a structure for change for the school system but that did not happen. He believes this is a questionable set of policy that will lead nowhere. This is a strong initiative but it lacks substance. He said the school system and the Board must direct CMS into much stronger actions.
- Ms. Griffin said this concept and policy has a lot of substance and since the Board hired Dr. Gorman he has strived to put the Board's Theory of Action into action. Theory of Action is the basis of Dr. Gorman's *Strategic Plan 2010* and the driving force between most of the actions that he and his senior staff take every day.
- Mr. Gauvreau expressed concern regarding decentralization and that there has been no change.
- Mr. Dunlap explained the history and transition of managed instruction, managed performance empowerment, and Theory of Action. This process will ultimately increase learning for students and provide flexibility.
- Mr. Gjertsen said he originally voted against the Theory of Action because it did not include a plan for implementation. It is now two years later and the Board is just now putting it into policy so his concerns were right. He is concerned that some Board members do not understand this concept and do not agree upon its wording. This is a noble effort but until the Board is committed to thoroughly understanding this theory and its purpose, adopting it as policy will mean very little. This is a step in the right direction and he looks forward to what the Board will do with autonomy. He expressed concern that the first step of autonomy was just a checklist of criteria for autonomy. Putting this into policy and developing a process are good efforts but the Board must also develop a process to review this every three years and to review it on a quarterly basis to understand what it means. He expressed concern that the document includes pieces that the Board does not agree upon.
- Mr. Tate said he frequently discusses the Board's Theory of Action and associated documents with the public and they do understand the concept. This policy is not about adopting the Theory of Action because the Board did that on February 14, 2006. The purpose of this policy is committing the Board to continually have a Theory of Action and every three years it will be reviewed by the Board to ensure it is meeting the needs of the school system. The policy includes two exhibits and exhibits are not policy but supporting documents. Mr. Tate said he still supports the Board's Theory of Action, Vision, Mission, and Core Beliefs and Commitments and believes they are valid documents. The adoption of this agenda item will enact the Board's Theory of Action into policy and provide consistency for the district. This is a step that could have taken place sooner but this has been a process that has been developed over time. In December 2006, the Superintendent used the Board's Theory of Action to develop his *Strategic Plan 2010*. The Board provided broad guidelines and the Superintendent developed those guidelines into action. The adoption of this agenda item confirms that

the Board wants to have a Theory of Action and it will be reviewed on a periodic basis.

- Ms. Leake said she previously discussed the importance of condensing this information into a one-page document that would be easy to understand and that has not happened. She expressed concern that the documents discuss providing quality staff and that is not happening in the schools. This will continually be an issue for her. She would like the Board's Theory of Action and associated documents posted in every school to ensure that each employee can read and follow the process.
- Mr. Merchant said the Board will implement standards by Board policy or by management directive. Adopting this policy and exhibits follows that process. The Board must find a balance between accountability and empowerment but sometimes the Board has not been able to agree upon that balance. He encouraged the Board to set policy by adopting this agenda item.
- Mr. Gauvreau asked clarifying questions regarding the purpose of this agenda item and Ms. Griffin responded. He expressed concern that this agenda item is unclear.
- Mr. Gjertsen expressed concern that the wording of this agenda item is unclear.
- Mr. Dunlap said he understood why the wording of this item was confusing and explained the purpose of the documents under this agenda item.

The Board voted 8-1 in support of the motion. Chairperson White, Ms. Griffin, Ms. McGarry, Mr. Merchant, Mr. Dunlap, Ms. Leake, Mr. Tate, and Mr. Gjertsen voted in support of the motion. Mr. Gauvreau voted against the motion.

D. Recommend approval of the Superintendent's proposed 2008-2009 Board of Education Budget Recommendations

Chairperson White called upon Dr. Gorman to introduce the recommendation. Dr. Gorman said the Board held a Budget Work Session on April 4th and the Board asked staff to provide modifications to the proposed budget. Staff has made three modifications to the budget regarding instructional supplies, service, and performance management. Dr. Gorman called upon Maurice Green, Deputy Superintendent/Chief Operating Officer, to present the recommendation. Mr. Green said Local Instructional Supplies of \$256,878.00 was recommended as a redirection from local to state dollars but the majority of the Board did not support that recommendation and this item has been added to the new proposed budget. To offset that item, two items have been adjusted. World Class Services of \$203,000.00 has been eliminated and Performance Management of \$499,255.00 has been reduced by \$53,609.00. The total revised proposed 2008-2009 Board of Education Budget is \$1,308,261,308.00.

Ms. Griffin moved that the Board approve the proposed 2008-2009 Board of Education Budget request of \$1,308,261,308.00, seconded by Mr. Merchant, and a Board discussion followed.

- Ms. Leake said she has struggled with the proposed budget regarding Program Expansions and New Initiatives. She has been a Board member for ten years and has always supported a budget for children. She expressed concern that the budget does not include enough initiatives to impact the achievement of children who need it the most. She previously asked for consideration regarding reducing the class size in some of the schools in the Achievement Zone but that did not happen. She also asked for a pilot program to reduce the class size for 6th grade students who have not mastered math and

that did not happen. This would help improve math scores for middle and high school students because those academic achievement results have not changed. She expressed concern that middle and high schools are inheriting students who are non-readers and unable to do math, and as a result the number of Focus schools are increasing. Ms. Leake encouraged the Board to support smaller class size for those students who are struggling academically. She is not sure she will support this budget recommendation.

- Ms. McGarry said we are in a recession and a \$1.3 billion budget must be taken seriously. The Board must ensure the taxpayers are getting value for their dollar. She expressed concern that CMS is not showing academic results and the proposed budget increases per pupil spending to \$8,992. Other states have a lower per pupil spending and they have achieved academic results. She encouraged the Board to reduce the operating budget and increase the funding for classrooms to follow the teachers and students. She expressed concern that the Central Office and the Learning Communities have increased personnel as opposed to shifting staff from the Central Office to the Learning Communities. She does not believe CMS has reorganized operations to affect more efficiency. Other areas of concern included the costs to implement the Anti-Bullying Policy and the high costs incurred by CMS for students to take AP and IB tests in which many students fail. She previously asked staff to prioritize spending and reduce the budget by 10% without impacting the classrooms. Harry Jones, County Manager, has also requested the impact of lower funding levels and she would like to see those revised numbers prior to voting on this proposed budget. She supports eliminating World Class Services and reducing the Public Relations Department while putting classroom supplies back in the budget because teachers should not have to pay for basic supplies for their classrooms. She expressed concern that the proposed budget does not show efficiencies in transportation.
- Mr. Gauvreau said he would not support the proposed budget. He would encourage the Board of County Commissioners to hold back funding because CMS must get its cost structure under control. He believes Dr. Gorman's responsibility is to reduce the cost of public education and the approximately \$10,000 (including capital funding) per pupil spending is too high. The country is in a recession and he encouraged the Board to restrain the out of control budget bureaucracy. He expressed concern that the budget has doubled since 1998 and Dr. Gorman has added \$170 million to the budget. In the last ten years, the student enrollment has increased 38% but the spending has increased at 2.5 times that amount and that overspending harms the public education program. In 1998 CMS has a total operating budget of \$612 million and this proposed budget is \$1.3 billion. He encouraged the Board to defund programmatically in areas; reduce the number of buses; trim down the student assignment policy; and trim back the large public relations engine. These reductions would save the taxpayers money and the funding should be redirected into the academic environment which would improve the quality of education in Mecklenburg County. He encouraged Dr. Gorman to cut the budget and request less funding from the Board of County Commissioners.
- Mr. Merchant expressed concern regarding the comments because this is a step in the process for budget approval between the Board, Board of County Commissioners, and the state. The Board governs by policy or by management directive. The Board asked Dr. Gorman to develop a proposed budget based upon Board input and the needs of the school system. This proposed budget is what he believes the school system needs in

order for him to perform the responsibilities that the Board has directed him to perform and to meet the criteria of the *Strategic Plan 2010* and Board policies. Mr. Merchant believes the proposed budget is in line with the priorities Strategic Plan and Board adopted polices. It may not be in line with priorities that may go along with personal ideologies or pet projects of individual Board members. The proposed budget is approximate to the requests of the county staff and the guidelines of the county's funding framework. Approval of this item is a part of the process and this may not be the final number. He will approve the proposed budget. Mr. Merchant said there may be potential savings in transportation but that will come only after the Board completes its review of Student Assignment and Magnet Programs which is scheduled soon. Mr. Merchant commended Dr. Gorman on the quality of staff and believes their talents justify their salaries. He encouraged the Board to work together as a Board because there are upcoming changes that will be dictated by the state and the county. He hopes the Legislature and the Board of County Commissioners will place programs regarding public education on a priority list.

- Mr. Dunlap said during the last budget process he asked the Superintendent if the Board adopt this budget would it provide him the necessary funds to increase student achievement to expectation and he answered yes. Mr. Dunlap later asked the Superintendent if he was successful and his response was no. Last year, Mr. Dunlap urged the Board to ask the Board of County Commissioners for what CMS needed. He expressed concern that the Board usually asks for what they believe they can get as opposed to asking for what they need. This process shortchanges the students. Several months ago he asked the Superintendent to have staff evaluate a multi-step equity funding and he has not received that report. Last year, he expressed concern regarding the reduced number of social workers in the district because they are the people who ensure that children who have issues have those issues addressed so that they can come to school ready to learn. He believes there should be more social workers in the district. He also believes there should be additional school nurses. He believes there are other important items that the district needs in order to best prepare students to receive the education that CMS offers but there is not funding to support those items. He will support this budget not because it is too much but because it is too little. This budget is allowing CMS to accept failure. Last year, we knew we did not have the necessary funds to accomplish what we wanted to accomplish and adopting this budget will again acknowledge that we will have the necessary funds to achieve our goals. He knows the community is hurting because of the tax rate and it is important to not add to that burden. He expressed concern that the community owes much in back taxes and that adds to the tax burden. He discussed the importance of funding education and adequately educating students because many of the students who are not adequately educated become a burden to society at a later time. He supports the initiatives of freedom and flexibility that allows principals to provide for smaller class sizes for those students have greater needs. He supports CMS paying for the IB and AP testing because it allows those students who cannot afford the cost of those tests to take rigorous classes. This allows all students to compete on an equal playing field.
- Mr. Gjertsen said he approved the budget last year because he was told it would provide results but CMS did not achieve results. Mr. Gjertsen said this budget is basically the same as last year and he does not believe it will achieve results because there is no

dramatic change. He expressed concern that approving this budget is again accepting failure and it is too high to accept mediocrity. Mr. Gjertsen will not support the budget request.

- Mr. Tate thanked the Board and staff for their hard work in developing the budget. He wished the Board could develop a budget request that provided all the educational needs of CMS. Unfortunately, the budget process results in CMS cutting many of the necessary educational items in order to reach a dollar amount that we believe the federal government, state, and county will provide. He would prefer that the Board submit a budget request that includes all the educational needs of CMS. He expressed concern that based upon educational research, CMS is not adequately funding Focus Schools at the recommended levels for free and reduced lunch students but there is not enough funding to meet those levels. He supports the budget as recommended. He is grateful it includes the increased budget for classroom supplies. He thanked Classroom Central and the community partners for their support in also helping to provide supplies for the classrooms. Mr. Tate would prefer more funding to provide additional social workers, especially in the elementary schools, because in reality CMS must face the challenges of providing extra services to those struggling families and it is difficult for a young student to learn if they are hungry or not healthy. He hopes before the next budget cycle, CMS can have a thorough evaluation of weighted-student staffing because he is concerned when a school with 80% plus free and reduced lunch students has to cut their teaching staff. He wished the budget funded more teachers and programs. Mr. Tate believes the budget provides the best option at this time and he encouraged the Board to support the budget.
- Ms. Griffin said she would support the proposed budget. She thanked Dr. Gorman and staff for doing an incredible job of developing and revising the budget based upon Board input and responding to the concerns of the Board members. This budget balances the needs of the school system with the reality of facing a difficult economy. The budget has laid the groundwork going forward for realizing additional savings with the upcoming review of Magnet Programs. She commended Dr. Gorman on his ability to decide what is needed to go forward and to implement the *Strategic Plan 2010*. The budget is focused on the critical issues, closing the achievement gap, and striving to reach all the students. Ms. Griffin said there is still more work to be accomplished and she believes CMS has made significant progress. This is not accepting failure but laying the groundwork for more significant improvement in the future.
- Chairperson White said the budget process has included several Work Sessions and opportunities for Board members to provide input and discuss their thoughts on the budget. The proposed budget developed by the Superintendent includes the items that the majority of the Board has supported. This budget is higher than ten years ago because CMS has 40,000 to 50,000 more students; twenty to thirty more schools; it costs twice as much to heat, cool, and operate schools, and all costs have dramatically increased. Chairperson White will support the budget. He thanked Dr. Gorman and staff for their hard work.

Ms. McGarry, Ms. Leake, Mr. Gauvreau, and Mr. Dunlap made additional comments regarding the proposed budget.

The Board voted 6-3 to approve the proposed 2008-2009 Board of Education Budget.

Chairperson White, Ms. Griffin, Mr. Merchant, Ms. Leake, Mr. Dunlap, and Mr. Tate voted in support of the motion. Ms. McGarry, Mr. Gauvreau, and Mr. Gjertsen voted against the motion.

- E. Recommend approval of Ms. McGarry's request to provide an excused absence to high school students who elect to be absent on "Day of Silence", April 25, 2008

Chairperson White called upon Ms. McGarry to present the recommendation.

Ms. McGarry moved that the Board approve an "excused absence" to high school students in those CMS schools that are observing a "Day of Silence" on April 25, 2008 or on other days during the 2007-2008 school year, seconded by Mr. Gauvreau, and a discussion followed.

- Ms. McGarry said the main points to support this motion are as follows:
 - The awareness of the homosexual advocacy agenda instilled by offering a national "Day of Silence" in our schools has jolted this community into the reality of the purpose of the "Day of Silence." It is billed as a nationwide push to promote the homosexual lifestyle in public schools.
 - This "Day of Silence," even though optional, interferes with the instruction in the classroom by granting students permission to remain silent throughout an entire school day.
 - An "excused absence" should be provided to those students who choose not to participate.

Ms. McGarry expressed concern that this political issue will be disruptive to the educational process in the classroom. She is concerned that this will set a precedent to allow other political, social agendas to disrupt the instruction in the classroom.

- Mr. Merchant asked Dr. Gorman does CMS have introverted (quiet) students? Dr. Gorman said, yes. Mr. Merchant asked do some classes require participation in the classroom as part of its grade? Dr. Gorman said, yes. Mr. Merchant asked what would happen to a student if they did not participate in class in which participation was required? Dr. Gorman said it could adversely affect their grade if they did not participate. Mr. Merchant asked would the students who did not participate in class be held accountable? Dr. Gorman said, yes, our expectation would be that students would participate in class. Mr. Merchant asked what is the number of referrals for disruptions caused in class by non-participation or silence? Dr. Gorman said he is not sure but he would guess it is very few.
- Mr. Gauvreau said he is glad this item is on the agenda but he would like to make a substitute motion. He said he asked Dr. Gorman last year to not allow a "Day of Silence" to happen in our schools but Dr. Gorman did not believe it was inappropriate. He expressed concern that the Superintendent would allow a pro-homosexual activist/national organization to influence the school system through special interests. This is wrong because the schools should focus on improving their academic programming and CMS should keep distractions away. Mr. Gauvreau expressed concerns because this is allowing the Gay Lesbian Education Network to influence our students and it could affect the outcome of students. Mr. Gauvreau said he would make a substitute motion.

Mr. Tate said a substitute motion should not be allowed because it is inappropriate to make a motion after speaking to the item. Mr. Gauvreau said he would make a substitute motion. Mr. Tate said it should be ruled out of order. Chairperson White said he would rule to accept the substitute motion.

Mr. Gauvreau made a substitute motion that the Board direct the Superintendent to disallow the activities associated with the “Day of Silence” within CMS schools, seconded by Ms. McGarry, and a discussion followed.

Dr. Gorman encouraged the Board to get legal advice regarding the legality of this request. Regina Bartholomew, General Counsel, reviewed litigation ruling by the United States Supreme Court that ruled the activities as contemplated by the “Day of Silence” are protected activities as political speeches or first amendment speeches and that is protected for our students. If the expression is not disruptive or interferes with the rights of other students then you cannot interfere with that particular expression. Undifferentiated fear or apprehension of disturbance is not enough to thwart a student’s rights or students’ rights to participate in the “Day of Silence.” Chairperson White ruled the Board had a motion on the floor and he allowed Board members to discuss the substitute motion.

- Ms. McGarry said she also consulted legal counsel and was informed the court ruling had nothing to do with “excused absences” or School Board motions and it does not require that schools endorse or sponsor the message of students by officially recognizing or sponsoring the “Day of Silence.”
- Mr. Gauvreau encouraged the Board to be concerned about allowing administration to conduct itself in the manner it chooses. This should be about a better educational environment. He expressed concern that this will impact some impressionable students with a pro-homosexual agenda. He encouraged Dr. Gorman and the Board to disallow this activity.
- Ms. Leake asked how will this day impact the classroom? Dr. Gorman said CMS does not sponsor the “Day of Silence” and individual students may choose to participate in that activity on their own. Staff has prepared for this day. Staff has reviewed with all principals the procedures for the day, the legal rights of students, and methods to handle discipline situations. Ms. Leake wants to ensure this will be a full instructional day. Dr. Gorman said it is scheduled as a full instructional day.
- Mr. Gauvreau discussed his views on why the Board should strongly oppose the “Day of Silence.”

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

The Board continued the discussion on the original motion.

- Ms. McGarry expressed concern that this event would disrupt the teaching process for the day in order to promote a highly controversial gay lesbian agenda and charging students who choose to not attend school on that day with an unauthorized absence is bullying by the school system. This event is driven by an outside agency using our

schools and children to their own advantage. She encouraged the Board to support an “excused absence” for those students who choose to not attend school that day to avoid the disruption of the process by those with private agendas.

- Mr. Gjertsen does not believe this event will be disruptive to education because the Superintendent has taken steps to ensure it will not be disruptive to the delivery of education. He is concerned that CMS has had to spend time and resources dealing with this event and he would not want to think of the resources required to deal with excused absences for those days. He is also concerned for those students who do not participate who may feel pressure to do so but those students can follow the Anti-Bullying process. He does not believe Ms. McGarry’s motion is a valid solution because it will not change the reality of what is happening.

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

F. Recommend approval of proposed 2008 Legislative Agenda

Chairperson White said this item was the approval of the Board’s proposed 2008 Legislative Agenda. The proposed Legislative Agenda includes fourteen items and the Board may pull or add items for a separate Board vote similar to the process for the Consent Agenda. The proposed 2008 Legislative Agenda is as follows:

2008 Proposed Legislative Agenda

1. Increase funding for teacher compensation.
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. Grant taxing authority to local school districts.
7. Revise the legislation pertaining to the public-private partnership to ensure a significant cost savings realization.
8. 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.
9. Allow local school districts to form a local Law Enforcement Agency with county wide jurisdiction.
10. 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.
11. 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 district professional development plans).

12. Amend current legislation to make it a criminal offense to falsify information on student registration forms.
13. Lift the charter school cap of 100.
14. Support House Bill 274, "Street Gang Prevention Act."

Ms. Leake moved that the Board approve the proposed 2008 Legislative Agenda consisting of fourteen items, seconded by Mr. Merchant, and a discussion followed.

Ms. Leake said she strongly supports Number 10 in which the funds to charter schools would not come through CMS. Chairperson White said that is a part of this but it also includes what part of what funds should charter schools qualify to receive? Ms. Leake asked for clarification regarding Number 13 because she is not in favor of increasing the cap on charter schools.

Mr. Dunlap pulled Numbers 2, 12, and 13.

Ms. McGarry pulled Numbers 6, 10, and 11.

Ms. McGarry asked for clarification regarding Number 9. Dr. Gorman called upon Bud Cesena, Director of School Law Enforcement, to respond to Ms. McGarry's questions. Ms. McGarry asked would this item require funding? Mr. Cesena there will be no funding requirement other than the standard budget. This request will take CMS out of the hands of the Sheriff Department and Charlotte Mecklenburg Police Department and allows Dr. Gorman to be the oversight for the Police Department. CMS will follow the rules and regulations that they have followed and the CMS use of force policies will be stricter than the Charlotte Mecklenburg Police Department. This will provide county wide jurisdictional process for all CMS police officers. CMS has letters of support from the Chiefs of Police of Mecklenburg County law enforcement agencies and the Sheriff of Mecklenburg County. Ms. McGarry expressed concern that the police department has reports of incidents with loaded guns on school campus that the Board has not been made aware of. She asked would this item require that all incidents or violations be reported to the Board. Dr. Gorman said, no, Board members should contact him regarding this and not law enforcement. Ms. McGarry would like to know why there is a difference in the reporting policy.

Mr. Dunlap moved that the Board adopt the proposed 2008 Legislative Agenda excluding Numbers 2, 6, 10, 11, 12, and 13, seconded by Ms. Griffin, and a discussion followed.

- Mr. Gauvreau expressed concern that the proposed agenda does not include many educational or substantive items and its purpose is to ask for more money. He discussed his concerns regarding the Board's process for developing and adopting the Legislative Agenda. He will not support the majority of items because it is a weak agenda and not worthy of this Board's endorsement to be discussing.

The Board voted 7-2 to adopt the proposed 2008 Legislative Agenda excluding Numbers 2, 6, 10, 11, 12, and 13. 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.

The Board discussed Number 2.

- Mr. Dunlap said the Board originally discussed having a shorter Legislative Agenda but it now has been increased to fourteen items. He previously asked for clarification regarding Number 2 because some Board members have been concerned that we may be testing too much. This item asks the state to fund test coordinators and that goes against the interest in reducing testing. He said we are either testing too much or we are not. Dr. Ruth Perez, Chief Academic Officer, said the tests are not going away and every year they are increased especially at the secondary level. Successful completion of some of these tests is now a requirement for graduation and because of that students are given several opportunities to retake the test if they are not successful the first time. Someone at the school level must assume the responsibility of participating and training teachers and staff on how to administer the tests. This is a monumental responsibility that guidance counselors, literacy facilitators, and school personnel have had to assume in order to accomplish the required task. This results in those individuals having less time for their core responsibilities and serving students.
- Mr. Gjertsen expressed concern that the supporting information references “pure testing administrative functions that *do not* contribute to student achievement” because our core business should contribute to student achievement. He also expressed concern regarding the wording discrepancy between the titled item and the supporting information. The supporting information references a test coordinator for elementary and middle schools but the Legislative Agenda item references a test coordinator for middle and high school. He will not support this item because it is not clear. Dr. Perez said this is being requested for middle and high school students, and that is because there are numerous tests at those grade levels. Mr. Gjertsen expressed concern that approval of this item would advocate increasing staff to support testing. He encouraged the Board to make a statement that enough is enough? These tests are not adding value and teaching to the test is a problem in our school system and we must move away from that process. He encouraged the Board to not support increased testing and the increased testing burden.
- Ms. Leake expressed concern that the additional tests reduce the time that staff has to spend with students. She encouraged the Board to support this item because it is a waste of time and energy for those individuals. Ms. Leake asked how many tests are required by the state? Dr. Perez said she does not have the exact number and she would provide that information at a later time. Ms. Leake said this information would be helpful in deciding if there are too many state tests. She said the tests regarding *No Child Left Behind* legislation are federally mandated.

Mr. Dunlap moved, seconded by Ms. Leake, that the Board adopt Number 2, and the Board voted 5-4 in support of the motion. Chairperson White, Ms. Griffin, Ms. Leake, Mr. Dunlap, and Mr. Tate voted in support of the motion. Ms. McGarry, Mr. Merchant, Mr. Gauvreau, and Mr. Gjertsen voted against the motion.

Ms. Bartholomew will revise the language in the supporting documents.

The Board discussed Number 6.

- Ms. McGarry said ideally she supports taxing authority for local School Boards but with

the current School Board she would not support taxing authority because that would be scary for the citizens of Mecklenburg County.

Ms. Leake moved, seconded by Mr. Dunlap, that the Board adopt Number 6, and the Board voted 6-3 in support of the motion. Chairperson White, Mr. Gauvreau, Ms. Leake, Mr. Dunlap, Mr. Tate, and Mr. Gjertsen voted in support of the motion. Ms. Griffin, Ms. McGarry, and Mr. Merchant voted against the motion.

The Board discussed Number 10. Ms. Bartholomew said this item needs one clarification. The item should state the Board is seeking clarification from the General Assembly that would explain in greater detail what funding that a local school district must share with charter schools.

Ms. Leake moved, seconded by Mr. Dunlap, that the Board adopt Number 10, and a discussion followed.

- Ms. McGarry said she did not have comments at this time.
- Ms. Griffin wants to ensure the language is changed appropriately prior to the Board vote. Ms. Bartholomew said she would change the wording to read “Seek clarification from the General Assembly that would explain in greater detail what funding that a local school district must share with charter schools.” She would also change the supporting documentation.

The Board voted 7-2 to adopt Number 10. 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.

The Board discussed Number 11.

- Ms. McGarry said she would not support this item.

Ms. Leake moved, seconded by Mr. Merchant, that the Board adopt Number 11, and the Board voted 7-2 in support of the motion. 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.

The Board discussed Number 12.

- Mr. Dunlap expressed concern that this is stepping over the line because CMS would have limited authority to prosecute parents for falsify information.

Ms. Griffin moved that the Board adopt Number 12 in the Board’s 2008 Legislative Agenda, Mr. Gauvreau seconded the motion for discussion, and a discussion followed.

- Ms. Griffin said she would like for it to be clear that CMS will not condone the falsification of documents that are used as the basis of decisions for the school district. She does not believe it is acceptable to falsify student information. Approval of this item would be another tool used by CMS to make parents clearly understand that it is the wrong message to send to their children to falsify documents as this practice results in a real distraction and problem for the school district.

- Chairperson White said he would support this item because to not support this item would be condoning lying. This may not result in prosecuting many people but they will understand that it is the wrong thing to do.
- Ms. McGarry said CMS should focus on enforcing the current rules regarding this matter. She will not support this item.
- Mr. Gauvreau said this should not be on the list. He expressed concern that it is an offshoot of the Superintendent's interest in having press conferences on athletic eligibility. He believes CMS could better use their time in getting thugs out of the classroom. Lying is wrong but this is not appropriate for a Legislative Agenda.
- Mr. Gjertsen said it is a matter of making the punishment fit the crime. CMS should not abdicate its responsibility to deal with this to the state. CMS has mechanisms within the system that will manage this matter. CMS could make teams or students return to their home school, games could be forfeited, and students from other counties could pay tuition to attend CMS schools. Mr. Dunlap said CMS has the authority to enforce disciplinary actions for falsifying student information and this matter should be handled locally.
- Mr. Tate asked Dr. Gorman why is this item important to the school system? Dr. Gorman said this would provide another tool to hold parents accountable and enhance the sanctions that CMS currently has in place. Mr. Tate asked is there a sanction in place that would hold parents accountable if they lied to get their child in a particular school for any reason? Dr. Gorman said there is no action that can be taken against the parent at this time. If staff becomes aware of the falsification, the student will be returned to their home school and depending on the athletics at the home school the student may have ineligibility to participate or must meet certain criteria for athletic participation.
- Mr. Dunlap said a parent that knowingly falsifies student information to allow their child to attend a certain school is teaching their child that they are not a credible person and that parent suffers the same embarrassment as the student when the truth comes out. Their child will be returned to their home school and may forfeit their right to play sports. He encouraged CMS to enforce their own sanctions.

The Board voted 2-7 and the motion failed. Number 12 will not be added to the Board's 2008 Legislative Agenda. Chairperson White and Ms. Griffin voted in support of the motion. Ms. McGarry, Mr. Merchant, Mr. Gauvreau, Ms. Leake, Mr. Dunlap, Mr. Tate, and Mr. Gjertsen voted against the motion.

The Board discussed Number 13.

- Mr. Dunlap expressed concern regarding the wording of this item because in the past it has been included in the Board's Legislative Agenda as "Maintain the charter school cap of 100." He asked why was the wording changed? Dr. Gorman said it was at the request of a Board member. Mr. Dunlap said he would offer a motion to change the wording.

Mr. Dunlap moved that the wording of Number 13 be changed to read "Maintain the current cap on charter schools," seconded by Ms. Leake, and a discussion followed.

- Mr. Dunlap said he is not opposed to charter schools and believes that some charter schools do a great job. He said he has been consistently concerned that there are some areas that are negatively impacted by the number of charter schools located in their area. He expressed concern that some counties have a high number of charter schools and they

should be geographically equally distributed throughout the state.

- Ms. Leake said she has not been a supporter of charter schools because the state does not apply the same restraints to charter schools as they do to public schools. Charter schools are not held to the same quality of performance. She expressed concern that some charter schools are designed to make money off the backs of poor children and do not deliver adequate services. Ms. Leake will not support lifting the cap of charter schools.
- Ms. McGarry said charter schools provide parents another choice and parents need choices. When parents are happy with the schools their children attend, children will learn. The state will lift their charter if they do not perform. Charter schools are public schools. She would support lifting the charter school cap.
- Ms. Griffin said she generally supports the idea of charter schools because they can be used as innovative environments to pilot new services. When they are used for that purpose they are a good mechanism. She expressed concern that charter schools do not have to follow the same rules and standards that other public schools must follow. She would prefer instead of lifting the cap for charter schools, that when charter schools are successful those same rules can be applied to the rest of the public schools such as CMS. Until that happens, the Board should encourage maintaining a cap on charter schools. She would support lifting the cap when public school districts as a whole can utilize the benefits from the innovations of charter schools. She would not support lifting the charter school cap at this time.
- Mr. Merchant said he would not vote on this item. The Board of Education which deals with public schools has spent too much time talking about charter schools. The Board should focus more on what we have and he will not comment on this vote.

The Board 5-3-1 to support the motion (Number 13: Maintain the current cap on charter schools). Chairperson White, Ms. Griffin, Ms. Leake, Mr. Dunlap, and Mr. Tate voted in support of the motion. Ms. McGarry, Mr. Gauvreau, and Mr. Gjertsen voted against the motion. Mr. Merchant abstained.

The 2008 Legislative Agenda was approved with thirteen items.

- Number 2 was revised to include middle and high schools (eliminate elementary schools) in the supporting documents.
- Number 10 was revised to read “Seek clarification from the General Assembly that would explain in greater detail what funding that a local school district must share with charter schools.”
- Number 12 was omitted.
- Number 13 was revised to read “Maintain the current cap on charter schools.”

V. REPORTS/INFORMATION ITEMS

A. Report on Financial Statements for February 2008

Chairperson White called upon Dr. Gorman to present the report. Dr. Gorman said reports A., B., and C. are the monthly reports and they are as presented.

B. Report on Budget Amendments for February 2008

Presented with V.A.

C. Report on Capital Project Ordinances for February 2008

Presented with V.A.

D. Report on Freedom and Flexibility with Accountability Initiative

Chairperson White called upon Dr. Gorman to introduce the report. Dr. Gorman called upon Maurice Green, Deputy Superintendent/Chief Operating Officer, to present the report. Dr. Gorman said this information was reviewed with the principals today. This initiative will begin the implementation process of the Board's Reform Governance documents and Theory of Action. Staff has worked to operationalize that process by taking the strength of managed instruction and moving to a system based upon managed performance empowerment and building upon that foundation. This is a shift in the direction for CMS. Mr. Green presented information on the Freedom and Flexibility with Accountability initiative that included the history of the process; principal selection process; criteria to determine selection; the length of the flexibility; the criteria for losing flexibility; and budget and resources implications. It was determined that the freedom and flexibility would be given to the principal and not the school because principals are the key lever for change at the schoolhouse level. Principals can make the biggest difference in creating a climate of high expectations and success for all students as well as drive increases of student achievement on a school wide basis. The idea is all principals will receive freedom and flexibility with regards to particular items and selected principals would receive additional freedom and flexibility as part of a Phase 1 process. The initiative is focused on improving classroom instruction and student learning and gives principals more decision-making in managing their schools. The change will allow principals to tailor education and school management to meet the needs of the students of that particular school. As part of the plan, all CMS principals will be able to choose whether to use the district sponsored Behavior Management System or another approach. The principals at the Focus elementary schools will get additional freedom to manage class sizes to meet student needs in grades K-3 and will no longer be locked into a rigid 16:1 student-teacher ratio. Another forty-eight principals will be provided additional freedom and flexibility in managing teaching and learning at their schools. All schools will continue to follow the state-mandated curriculum as well as School Board policies and laws. The principals with freedom and flexibility must also adhere to the state's testing program and all elementary schools must use the district's reading program. The forty-eight principals chosen for Phase I of the new initiative were selected based on principal experience and students' academic growth during the last two years, when that data was available. Phase I includes a cross section of principals at twenty-six elementary schools, ten middle schools, twelve high schools, and fifteen Focus or high poverty schools. The principals selected represent each of the Learning Communities and eight Title 1 schools. The selected principals have earned academic flexibility for the 2008-2009 school year and if the principal is reassigned the freedom and flexibility designation will follow them to the new school.

Board members were invited to ask questions and make comments.

- Ms. Leake asked clarifying questions regarding the principal selection process and criteria. Mr. Green and Dr. Gorman responded. She expressed concern that the list only included one school in the west area (Harding University High School) and parents in that community have concerns regarding the quality of teachers at that school. She believes

there are other schools that could be on the list. She expressed concern that there are many assistant principals at these schools who have been in place for ten to fifteen years and they have not been promoted to a principal. She believes these individuals have helped to make the principals successful and they should be given the opportunity for advancement. She asked how will the freedom and flexibility impact assistant principals? Dr. Gorman said freedom and flexibility follows the principal and not the assistant principal or the teacher. It is the expectation that they will work with the staff at their sites to develop a plan. Ms. Leake believes it is important that staff have buy in and support the principals to make this process successful. Ms. Leake expressed concern that more schools in the west area were not included in the selection process because the principals at those schools are inexperienced and have not been in position for two or more years. This is a discredit to the students and families in that area.

- Mr. Dunlap expressed concern that freedom and flexibility requires decentralization. He is not sure why this is tied to decentralization because the Board may determine at some point in the future that is not the direction it wants to continue. Dr. Gorman reviewed the information in the Theory of Action which includes the structure of central office support must also be decentralized in order to be more responsive to the needs of principals, their schools, and the public. Dr. Gorman said that is one of the components under Managed Performance Empowerment and this is in alignment with following and implementing the Theory of Action plan. Mr. Dunlap believes the freedom and flexibility with accountability process should continue even if the Board should decide to not continue the direction of decentralization. Mr. Dunlap expressed concern that some of the principals at the higher performing schools were absent from the list. These schools include Villa Heights Academic Center, Highland Mill Montessori, Eastover Elementary School, and Elizabeth Traditional Elementary School. Mr. Dunlap believes the results of this initiative could be more significant if the principals at some of the consistently higher performing schools were also selected.
- Ms. Griffin is excited about this process and believes it will be very successful. She has questions but will ask staff those at a later time due to the late hour. She asked when will the next group of principals be announced? Mr. Green said the second group of principals will be identified in the winter in time to then allow those selected to put in plans for the next year. Mr. Green said this year the reading scores will not be available until mid October and following that staff will be in a position to begin the selection process for the next group. Ms. Griffin would like information regarding the new scores and the process for showing growth. Ms. Griffin asked clarifying questions regarding the role of the area superintendent in this process and Mr. Green responded. The area superintendents will oversee the freedom and flexibility and will be involved in the decision making process. The area superintendent may say no to a request of the principal.
- Mr. Tate said the Board's Policy AE, School Accountability System, includes rewards and sanctions for principals and schools. He believes this initiative is associated with that policy. He expressed concern that the Board delayed the implementation of that Accountability System because the Board needed to establish standards in order for the principals to receive freedom and flexibility. Dr. Gorman said part of this determination includes is freedom and flexibility the reward and the sanction? At this point, rewards and sanctions are not formally a part of the portion of the accountability system that has been put in place. Staff is in the process of developing that process. Mr. Tate expressed

concern that Policy AE outlines specific items that suggest we should have the published report card/progress reports established and that is not scheduled until much later. He is happy that aspects of the Theory of Action are being implemented but he is concerned that it may be premature. Mr. Tate asked clarity on the frequently asked questions regarding proficiency or percent on grade level. Mr. Green reviewed the tracking comparison for expected growth and actual growth. Mr. Tate wants to ensure the categories for principal selection represent objective criteria. Mr. Tate expressed concern that the terminology “fifteen principals lead Focus Schools” or high poverty schools may reflect a negative trend towards the purpose of Focus Schools.

- Mr. Gauvreau is not comfortable with this initiative. He expressed concern that the management team is not focusing on more dramatic strategies because there has not been enough thought put into this initiative and the results will be incremental at best. Dr. Gorman said this is a big change and he will be glad to meet with Mr. Gauvreau to discuss this initiative in more detail. This initiative will allow principals to implement measures that meet the needs of the students at their schools and this is what the principals have wanted at their schools. This involves an earn philosophy process but hopefully in the future all principals will be granted freedom and flexibility. Mr. Gauvreau believes there would be more dramatic change in student achievement if principals could add two hours to the school day. Dr. Gorman said that would not be allowed because there are no funds available to for that process to be implemented. Mr. Gauvreau expressed concern that this initiative does not really include freedom and what people really want is freedom from the bureaucracy.
- Ms. Leake said freedom comes with responsibility and she wants to ensure the students in these schools will be adequately educated. She said students transfer from school to school within the district and she wants to ensure the schools are able to provide continuity and consistency in their educational process. She hopes this initiative will not negatively impact the morale of the principals that did not receive freedom and flexibility. She again expressed concern regarding the inexperience of the principals in the west area of the district and their inability to participate in this initiative. She encouraged Dr. Gorman to put strong leadership with experience in all the schools.
- Mr. Merchant believes healthy competition is good and it is good to have goals. He does not believe principals should be concerned if they did not receive freedom and flexibility in Phase I because they can aspire to be included in the Phase II process. With freedom comes responsibilities and the principals on the list have demonstrated that they are responsible like many other principals who are not yet on the list. Mr. Merchant believes this is a great opportunity to leverage some of the strategies already in place along with freedom and flexibility. Mr. Merchant believes the criteria of the process will allow principals to be strategic in developing plans that will show improvement that will remain for the long term. He encouraged the Board to support this initiative and allow the process time to work. He commended Dr. Gorman and staff for their hard work in developing this initiative.
- Ms. McGarry is excited about the initiative. She believes it is important for principals to have autonomy to run their schools. She is disappointed that this initiative only includes forty-eight principals because CMS needs strong leaders in all the schools and this is indicating that we do not have effective leaders in the remaining schools. She has a sense of urgency that all principals receive freedom and flexibility in a timely manner. She

discussed the importance of not having principals in training at these schools because teachers need help and leaders in those positions to support them. She encouraged Dr. Gorman to train and hire strong leadership that includes retired military and CEOs.

VI. REPORT FROM SUPERINTENDENT

Dr. Gorman commended his staff. It is a pleasure to work with his team and he appreciates their hard work. It is now shortly after 11:00 p.m. and they will be back in meetings in less than eight hours. He believes his staff works hard to support students. Staff spent many hours reviewing the concept of freedom and flexibility.

VII. REPORTS FROM BOARD MEMBERS

Tom Tate congratulated Oakhurst Elementary School for being designated as a School of Excellence by the Magnet Schools Association. He commended the school staff for their hard work. He invited everyone to attend the school's celebration on April 25th. Oakhurst Elementary School was one of only two elementary schools in the state that received this designation. He also congratulated the staff at several CMS schools that received School of Distinction and they included Idlewild Elementary School, Northwest School of the Arts, Oaklawn Language Academy, and University Park Elementary School.

Kaye McGarry enjoyed participating in the cancer fund raiser at Cotswold Elementary School. She commended the principal, staff, and students for a successful event.

Vilma Leake offered condolences to the family and friends of the late Bishop Madison of the United House of Prayer. She commended the staff at David Cox Road Elementary School for its successful *Read In* event in honor of National Library Week. She also offered her condolences to the family and students at West Mecklenburg High School and commended staff in dealing with the recent loss of one of their students. She thanked Dr. Elva Cooper and Dr. Gorman for hosting a meeting with the parents at Harding University High School to address their concerns regarding the school.

ADJOURNMENT

Ms. Griffin moved adjournment, and by consensus, the Board agreed to adjourn the Regular Board meeting.

The Regular School Board Meeting adjourned at 11:15 p.m.

Joe I. White, Jr., Chairperson

Nancy Daughtridge, Clerk to the Board