



Charlotte, North Carolina

November 25, 2008

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

The Charlotte-Mecklenburg Board of Education held a Regular Board Meeting on November 25, 2008. The meeting began at 4:35 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);  
Trent Merchant, Member At-Large;  
Tom Tate (District 4); and  
Ken Gjertsen (District 6)

Absent: Kaye McGarry, Member At-Large;  
Larry Gauvreau (District 1);  
Vilma D. Leake (District 2); and  
Vacant Seat (District 3)

Also present at the request of the Board were Dr. Peter Gorman, Superintendent; Regina H. Bartholomew, General Counsel; Hugh Hattabaugh, Chief Operating Officer; Tyler Ream, Chief of Staff; and Nancy Daughtridge, Clerk to the Board.

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

- 1. To consult with the Board's attorneys on matters covered by the attorney-client privilege including but not limited to the following:**
  - a. Impending real estate transactions,**
  - b. Student issues, and**
  - c. Personnel matter of an administrative employee.**

**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 4:35 p.m. to 5:55 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 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);  
Tom Tate (District 4); and  
Ken Gjertsen (District 6)

Absent: Larry Gauvreau (District 1) and  
Vacant Seat (District 3)

Also present at the request of the Board were Dr. Peter Gorman, Superintendent; Regina H. Bartholomew, General Counsel; Hugh Hattabaugh, Chief Operating Officer; Members of Executive and Senior Staff; 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 second meeting of the month which would be held in a Work Session format.

Chairperson White recognized Ms. Leake who was elected to the Board of County Commissioners as the District 2 representative in the November election. He commended Ms. Leake for her service on the Board and commitment to children. He said this would be Ms. Leake's last Board meeting before she becomes a Board of County Commissioner. Chairperson White invited Ms. Leake to make comments. Ms. Leake said she is grateful for the opportunity to have served the community of Charlotte as a classroom teacher and Board member in District 2. She has worked diligently to promote change and a better education for students. She thanked District 2 for their support and votes for the past eleven years. She has represented her constituents and supported a quality education for all students as well as being fair, legal, and consistent. She has served to make change and to improve schools in her district. She has always been focused on providing a quality education for all children. She will continue to support the people of the district. Ms. Leake thanked CMS for the journey.

Chairperson White announced that on January 27<sup>th</sup> at 4:00 pm at the Education Center the Board will hold a reception to honor Vilma Leake and George Dunlap for their service to CMS.

### A. Adoption of Agenda

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

**Mr. Tate moved, seconded by Ms. Leake, that the Board amend the agenda to add a Report and Information Item regarding notice of amendment to Bylaw BDB, Board Officers, and the Board voted 4-3 in support of the motion. Chairperson White, Ms. Griffin, Ms. Leake, and Mr. Tate voted in support of the motion. Ms. McGarry, Mr. Merchant, and Mr. Gjertsen voted against the motion. Mr. Gauvreau was absent.**

**Ms. Griffin moved, seconded by Ms. Leake, that the Board adopt the agenda as amended, and the Board voted 7-0 in support of the motion. Mr. Gauvreau was absent.**

Chairperson White said Notice of Amendment to Bylaw BDB will be added to the agenda as Report Item IV. B.

Chairperson White recognized Boy Scout Troop 55, accompanied by Jamie Gebhart, from Myers Park Presbyterian Church. The Boy Scouts were attending the meeting to earn a Merit Badge for Citizenship in the Community.

## II. CONSENT ITEMS

A. Recommend approval of appointment of administrative personnel.

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

Ms. Leake pulled Consent Item A.

The Board discussed Consent Item A. Ms. Leake said she always pulls the personnel appointments. She expressed concern regarding taking quality personnel out of a school and placing them in administrative positions at other office locations because the district has an initiative to place quality personnel in the schools.

**Ms. Leake moved, seconded by Ms. Griffin, that the Board approve Consent Item A, and the Board voted 7-0 in support of the motion. Mr. Gauvreau was absent.**

Dr. Gorman's personnel appointment was as follows:

- Carol C. Owen named Executive Director of East Learning Community. Ms. Owen previously served as principal at Bradley Middle School from 2006 to present and principal at Mountain Island Elementary School from 2002 to 2006.

## III. ACTION ITEMS

A. Recommend approval of adoption of proposed 2008-2009 CMS Goals and 2008-2009 Individual Goals of the Superintendent

Chairperson White called upon Dr. Gorman to present the recommendation. Dr. Gorman said this is the recommendation for his proposed 2008-2009 CMS Goals and 2008-2009 Individual Goals of the Superintendent. This item was discussed at a Board Work Session on October 31<sup>st</sup> at the Leadership Academy. Staff has followed through on the direction from Board to focus on a smaller subset of goals and to convert it to a growth factor. This information was sent to the Board last week. Dr. Gorman said, as the Board pleases, he would be glad to review the information or move to answering Board member questions. Chairperson White said most Board members have reviewed the information. Ms. Leake said she would like to discuss growth and the gap in reading and math. Chairperson White said with no objection from the Board, they would only address the items pulled by Ms. Leake. There was no objection from the Board members.

- Ms. Leake expressed concern that this is focused on the two given groups of Hispanic and African-American students. She is concerned that this does not review the growth of

other students in comparison with these two subgroups and it will not determine what the other groups have accomplished in the process of growth. Dr. Gorman said this is calculated by a comparison to all students. Ms. Leake expressed concern that the measuring process indicates the gap is closing or not closing and but there are still students who are not reading, writing, and doing arithmetic. She said test scores are not changing and the quality of staff is not being assigned to the schools on the west side, which is her district, to improve these scores. She asked what will determine there has been growth versus non-growth. Dr. Gorman said the two methods to review the gap are percent of proficient and growth. The request from the Board was to exclusively focus on growth but staff will continue to track the percent proficient. Dr. Gorman called upon Chris Cobitz, Director of Assessment, to review the difference in the measurements. Mr. Cobitz said usually the gap is measured through percent proficient. Over time, the proficiency rate for minority groups has slowly risen in comparison to the proficiency rate of the majority group or the average of all students in the district. Traditionally, CMS has measured the gap as the difference between the lowest achieving ethnic group and the highest achieving ethnic group. Over the years, the gap has sent a mixed message because the highest and lowest ethnic group has shifted from year-to-year and subject-to-subject depending on which group was the highest performing or lowest performing. Mr. Cobitz said a more accurate way to review the gap that more accurately reflects the issue is the average scale score. Mr. Cobitz discussed average scale score, proficiency, comparison of students, and gap measurements. Mr. Cobitz said this item is proposing to measure what schools are doing to close the gap and the measurement includes the average growth for all students in CMS. The target for the gap measure becomes to grow the traditionally low performing ethnic groups and socioeconomic groups at a faster rate. Ms. Leake expressed concern about the number of years it will take to close the gap and the non-progress of African-American students in reading, writing, and arithmetic. This has been a concern ever since she has been on the Board and it is a fact that we are not teaching students reading, writing, and arithmetic on the west side. She believes to close the gap drastic measures must be taken and she would like to know how much that will cost. She expressed concern that students in elementary and middle school are not learning to read and they are being promoted to high school. The high school principals and teachers are expected to teach non-readers and held accountable for their progress. She is concerned about holding high school principals and teachers accountable for what students should have learned in 3<sup>rd</sup> grade. Ms. Leake asked what will happen to make these results change? Dr. Gorman said the gap results for CMS mirror the state and the nation, and it has not closed in twenty years. Proficiency has increased and it has improved at a faster rate but the gap has not closed. He said CMS has implemented a variety of measures to improve student achievement the most hopeful is the Intensive Reading Program for K-3 that is focused on teaching students to read. Ms. Leake encouraged staff to report the progress of schools to the Board. Dr. Gorman said school progress data is presented in a variety of methods that include percent proficient in EOG scores for math and reading, and percent of growth for ABC scores. These results are usually available late summer and early fall. Ms. Leake wants to ensure Dr. Gorman is held accountable for the results. Chairperson White said next year, the results will be presented to the Board as part of Dr. Gorman's evaluation and, at that time, the Board will have to decide how they are used.

- Ms. McGarry said at the Work Session, the Board determined that the sixty-three items in

the Strategic Plan were too many goals to use to evaluate the Superintendent. The Board asked Dr. Gorman to develop a document that would condense the items to six or nine items. She thanked Dr. Gorman for doing what the Board asked him to do. She encouraged the Board to hold Dr. Gorman accountable for the results.

- Mr. Merchant recommended that the Board review the goals for the public. Dr. Gorman said the goals are focused on growth in reading, writing, and math; improving the achievement gap for African-American, Hispanic, and socioeconomic disadvantaged students; and improving the cohort graduation rate. Chairperson White reminded everyone that this item was on the agenda at the October 14<sup>th</sup> Regular Board meeting and this is a continuation of that process.
- Ms. Leake discussed her concerns regarding the calculation of the dropout and graduation rates, ensuring students graduate in four years; and reducing the dropout rate. Dr. Gorman and Mr. Cobitz reviewed the state and federal calculation for the graduation rate. Ms. Leake expressed concern that students continuing to another school system or getting a GED through Central Piedmont Community College are classified by the state and the federal government as “not graduate” and the school system is penalized because they are counted as a dropout even though they are continuing to another learning environment. Ms. Leake encouraged the Board to include this on the Board’s Legislative Agenda.

**Ms. Griffin moved, seconded by Ms. McGarry, that the Board approve the proposed 2008-2009 CMS Goals and 2008-2009 Individual Goals of the Superintendent, and the Board voted 7-0 in support of the motion. Mr. Gauvreau was absent.**

#### **IV. REPORT/INFOMRATION ITEMS**

A. Report/Update on proposed amendments to Policy IKF, Graduation Requirements, and its accompanying Exhibit IKF-E, CMS/North Carolina Course of Study Graduation Requirements

Chairperson White called upon Ms. Griffin to present the report. Ms. Griffin said at the November 12, 2008 Regular Board meeting, the Policy Committee presented for First Reading proposed amendments to Policy IKF, Graduation Requirements, and Exhibit IKF-E. The Policy Committee held two meetings in order for staff to explain the validity of the proposed recommended changes. The committee found the information helpful and asked that staff also present the details to the full Board. Dr. Gorman called upon Ann Clark, Associate Superintendent for Pre-K-12 Curriculum and Instruction, to present the recommendation. Dr. Gorman said attending the meeting tonight are several high school principals who are attending the meeting to show support for the recommendations. Dr. Gorman commended principals for their hard work and the time they spend supporting CMS outside of the regular school day. Ms. Clark said the information will be posted on the CMS Website and there will be a Board vote at the December 9, 2008 Regular Board meeting. The process began last spring and it included community forums in which the public was given the opportunity to provide feedback on the magnet program recommendations, graduation requirements, and high school schedules. Parents were very interested in having more flexibility for students. Staff’s recommendations are focused on the actual requirements around the schedule. This is the third year of the hybrid schedule and through the Strategic Plan 2010 several principals have been given more flexibility which allows more opportunity to tailor class schedules to meet the needs of students particularly regarding electives in Advanced Placement, IB Program, Foreign Languages, and Career and Technical Education Program. As a result of the process,

staff's recommendations are to keep the graduation requirements at twenty-eight or adjust them to twenty-six units or twenty-four units. Staff conducted a poll of the high school principals and the overwhelming majority was in support of adjusting the requirements to twenty-four units of credit. One principal supported adjusting the credits to twenty-six and one supported keeping them at twenty-eight. A poll was also conducted among executive staff and the majority supported adjusting graduation requirements to twenty-four units of credit. Staff's final recommendation to the Board is to adjust the high school graduation requirements to twenty-four units of credit for all students. Staff also gave the consideration to making this applicable to the current 9<sup>th</sup>, 10<sup>th</sup>, and 11<sup>th</sup> grade high school students but not graduating seniors. A poll among principals was conducted for this recommendation and the majority (except two principals) supported this option. Ms. Clark introduced Sarah Crower, Policy Administrator, and Ron Joyner, Coordinator for Program Development, to answer questions by Board members. The proposed amendments to Policy IKF and Exhibit IKF-E are as follows:

### **Policy IKF, Graduation Requirements**

- New Section I (page 1): Effective with students entering the 9<sup>th</sup> grade in the 2009-2010 school year
  - Change the number of credits required to graduate from high school in CMS from twenty-eight to twenty-four credits
  - Implement two courses of study rather than the current five
  - As required by State Board of Education policy, add a four-credit concentration and two additional electives in specified subject areas
- Renumber Section II (pages 2 and 3): specify which graduation standards are applicable to students entering 9<sup>th</sup> grade before the 2009-2010 school year and delete the simplified course of study charts for students entering high school prior to August 2004.
- Renumber Section III (page 4):
  - Limit the North Carolina Competency Test requirement to students entering high school from 1994 to 2005
  - Clarify the requirements of the Graduation Project
- Renumber Section III, D (page 5): Clarify the requirements for the High School Exit Standards
- Renumbered Section IV (pages 5 and 6): Add a provision awarding graduation credit for high school level math and second language courses taken in middle school (effective 2007-2008 school year).

### **Exhibit IKF-E, Course of Study Graduation Requirements**

Proposed amendments show in detail the course, credit, and proficiency graduation requirements effective with students entering the 9<sup>th</sup> grade in the 2009-2010 school year. These requirements incorporate the "Future Ready Core" adopted by the North Carolina Board of Education on September 11, 2008.

Chairperson White said the Board members have had several opportunities to discuss this matter. He invited Board members to pull items for further discussion rather than reviewing each item.

- Ms. Leake thanked staff for the informative presentation. She said twenty-four principals supported twenty-four units and one principal supported twenty-eight units. She

requested a list of the schools and the number of units of credit each supported. Ms. Clark will provide that information at a later time. Ms. Leake commended staff for conducting the Community Meetings and gathering the information. She also thanked parents for their participation in the meetings. She encouraged everyone to not view this as “dumbing down” the graduation requirements because reduced units do not mean reduced rigor. She expressed concern regarding the Board’s decision to eliminate the Open Magnet Program at West Charlotte High School, Piedmont Open Middle School, and Irwin Avenue Open Elementary School.

- Mr. Gjertsen asked will the policy recommendation that the Board will vote upon at the December 9<sup>th</sup> meeting include all students? Ms. Clark said the recommendation that staff brought forward at the November Board meeting was for the twenty-four units of credit with the incoming class of 2009. The Policy Committee requested this item presented to the Board with the thoughts that the Board would discuss any desired adjustments to the Superintendent’s recommendation prior to the final vote on December 9<sup>th</sup>. Staff’s recommendation is for the incoming class of 9<sup>th</sup> grade. Mr. Gjertsen expressed concern that some people view this as “dumbing down.” He asked what opportunities does this open for students? Ms. Clark said this was of keen interest to the Policy Committee. The advantages that have been echoed from the principals and parents are the opportunities for flexibility for students in their senior year. The recommendation creates opportunity to redefine the senior year. It is now possible for students to enter the 9<sup>th</sup> grade with three units of credit. The State Board of Education recently made changes in the areas of math and foreign languages which allows students to bring forward course work and credits that count towards graduation. This will redefine the senior year and students will have the flexibility to study abroad and to connect to higher education programs. Students will still have the opportunity take thirty-two courses and be a full-time student. Those students who are highly motivated to complete the IB Program, Advanced Placement Program, Career Technical Education Program, JROTC Program, or a specialized program may continue to follow that path and complete the thirty-two courses. Any recommendation for flexibility to the senior year comes with the need to closely examine the policy and regulations regarding a full day which is the current CMS requirement. There may be some need to adjust the current regulations to allow students the opportunity to attend school just to take the courses that are needed and then continue to an internship, apprenticeship, work, community college, and to continue to review opportunities to partner with other higher education institutions. Ms. Clark said the state graduation requirements include a Graduation Project and the flexibility in the senior year depends upon a student’s successful completion of that Graduation Project. That process now begins in 9<sup>th</sup> grade but previously it began in the junior year and was completed in the senior year. Mr. Gjertsen said this is not just dropping the number of electives because the elective that remains must be in a concentrated area which provides a focus on the interests of the students. Ms. Clark said, yes, that is correct. Jimmy Chancey, Director of Career and Technical Education, discussed the advantages the recommendation has for the students in general and the impact it will have on the College Experience Program partnership with Central Piedmont Community College. Students will have the opportunity to take college credit courses which will create a college transcript while earning high school credits for graduation. The flexibility in the senior year will also provide opportunities for students with work-based activities. Sponsoring employers have indicated they would prefer that students have the availability of arriving

- Mr. Merchant thanked staff for their hard work. He is happy about the change in requirements. He does not believe this is about the credits. He expressed concern that the community equates credit with rigor because they are not interchangeable terms. Mr. Merchant believes many parents are interested in school schedules because parents and students have expressed concerns regarding the 4x4 Block scheduling. Ms. Clark said she anticipated that it would carry the community conversation at the meetings but that was not the case. Over the past three years, principals have received increasing decision-making flexibility at schoolhouse level to accommodate the needs of their students. Principals have provided more flexibility in offering courses to students in both the A/B-Day and the 4x4 scheduling. Ms. Clark believes parents are pleased that scheduling is not as restrictive. CMS must account for the movement of students from school to school and the core area courses have been protected to ensure consistency. If a school wished to move away from the 4x4 scheduling they would need to offer at least one section of the 4x4 so that an incoming student would have the ability to matriculate into that school without a disruption to his/her schedule. Mr. Merchant expressed concern regarding the Future Ready Core requirements because it does not require a foreign language. He believes it is intentionally decoupling high school graduation requirements with entrance exams for highly regarded state universities and colleges. Ms. Clark said this also generated much discussion at the State Board of Education level. Students still have the opportunity to take foreign language for one or more years. This is not eliminating foreign language as an opportunity for the student but only not making it a requirement. Parents expressed concern regarding this at the Community Meetings and understood that students may still take a foreign language. Mr. Merchant encouraged staff to provide students additional counseling to be proactive to ensure students understand the entrance requirements for colleges and universities. He also encouraged the principals to address security issues with students coming and going on campus. Ms. Clark said staff is reviewing policies and regulations regarding students on campus. CMS currently has a mid-year graduation and staff would anticipate the number of students graduating mid-year would increase. Once a student graduates they are no longer eligible to participate in any of the co-curricular opportunities at the school. They would be able to attend football games as a visitor but not as a student.
- Ms. Griffin said she was slow to accept the twenty-four credit recommendation because it was too much of a reduction from the potential thirty-two credits. She has changed her mind because she better understands the core unit concentration. She said the core unit concentration is a great opportunity for students because it will identify what makes sense for each student on an individual basis and make the senior year more meaningful. She loves the senior year options that include opportunity for students to study abroad and the internships. She said counseling will be an important key because this could be confusing to students. She encouraged staff to begin counseling early to ensure students know what these requirements really mean. She believes it would be a good idea to invest in additional software that is more user-friendly for students and parents that will provide them the opportunity to check on-line for their status of completing the requirements and meeting college requirements. She encouraged Dr. Gorman to include additional software in the budget for next year. She does not support the recommendation to allow current students to participate in these new graduation requirements. She believes it should be limited to incoming freshmen. She said current



students would not have the opportunity to have the core unit concentration or to take the new required electives and could not take the senior year options. This would be changing the rules midway through the game. She is influenced by what the principals have to say but she does not believe this should be applicable to all students.

- Ms. McGarry thanked staff for their hard work. She expressed concern that this is “dumbing down” the requirements. She does recognize that the flexibility in redefining the senior year will benefit some students but she is concerned about the rest of the students. Students must be prepared to be productive members of society and to pursue educational or employment opportunities. This should be more than students just receiving a diploma. The Board’s Core Beliefs include all students must be prepared to be successful in institutions of higher learning or in the workforce without the need for remediation. She believes the high school diploma should be meaningful and reducing the number of credits to twenty-four will not positively impact some students. This recommendation may diminish the value of the high school diploma. She asked how does this recommendation align with the needs of the workforce and economic development for those students who need to continue to a workforce environment because not everyone needs to continue to a four year college? Ms. Clark said these students have the opportunity to take advantage of the flexibility in the senior year to continue to a workforce environment. Students still have the opportunity to take thirty-two courses and can design a rigorous program of study. Staff expects all diplomas to be meaningful and the flexibility of the recommendation meets the needs of all students. It is not the number of credits that equal rigor. It is the content of the courses that equal rigor. Ms. Clark said guidance counselors will play a key role in this transition to ensure students are receiving a meaningful high school experience. Ms. McGarry expressed concern that some students will pursue opportunities to move forward but some students will not. This will put additional burdens on counselors and some students may be overlooked. Ms. McGarry also expressed concern regarding no second language required to graduate because students benefit from taking a foreign language that include understanding English grammar. Ms. McGarry said this is not acceptable because she places a high priority on content and substance in a course.
- Ms. Leake asked for clarification on how this recommendation will impact the Vocational Programs at Phillip O. Berry Academy of Technology so that when students graduate they can get a job? She expressed concern that the recent Magnet Program recommendations included eliminating the French Program at Oaklawn Language Academy. Ms. Clark said Phillip O. Berry Academy of Technology has four academies that allow students to participate in the core credit concentration and be well prepared for the workforce, a two-year college, or a four-year college. Ms. Leake believes this is not “dumbing down” but “smartening up.”
- Chairperson White thanked staff for their hard work. He said the number of credits is not as important as what is happening while those students are earning those twenty-four or twenty-eight credits. He said offering twenty-eight credits will not guarantee rigor. Offering twenty-four credits does not mean graduation requirements are being “dumbed down” because it offers opportunities to do more. He will support this recommendation.
- Ms. Griffin encouraged Board members to share their thoughts on making this applicable to current students.

Dr. Gorman asked Board members if they had any further direction on implementing this for

all students.

- Chairperson White said he would like time to think about this recommendation and he appreciates the comments made by the principals because they know what is best for students.
- Mr. Tate is not in favor of this recommendation at this point. He believes beginning with the freshman class of 2009 is appropriate.
- Mr. Gjertsen asked could students be allowed to “opt in” to the new graduation requirements if they had the appropriate credits. He would prefer to have one plan. Dr. Gorman said it would be difficult to manage two different plans for students in the same graduating class. It would be easier to manage the “opt in” option with students from two different graduating classes.
- Mr. Tate expressed concern that implementing the new graduation requirements could result in some seniors not being able to graduate because they may not meet the core unit requirements. He believes it would be better to phase in the new graduation requirements.
- Mr. Merchant encouraged the Board to consider implementing the new graduation requirements for the current 9<sup>th</sup> graders. Ms. Clark said CMS would not be able to impose the four core concentration with the current 9<sup>th</sup> graders because of state requirements.
- Mr. Gjertsen encouraged the Board to allow all current students to “opt in” to the new plan because it could provide accelerated opportunities for students. Dr. Gorman said this would rely on their course selection process prior to the implementation of the new graduation requirements. Mr. Gjertsen believes there would be some students that would benefit and have the opportunity to graduate early.
- Ms. Griffin asked Dr. Gorman to make a recommendation regarding this consideration. Dr. Gorman said he would present a recommendation to the Board.

Dr. Gorman thanked principals and area superintendents for attending the meeting and he encouraged them to leave the meeting because they have had a long day.

B. Notice of amendment to Bylaw BDB, Board Officers

Chairperson White called upon Mr. Tate to present the information. Mr. Tate said this item is to provide the Board and the community notification of a request to amend Bylaw BDB, Board Officers. Mr. Tate reviewed the recommendation as follows:

In accordance with Charlotte-Mecklenburg Board of Education Bylaw BED, “Bylaws,” notice is hereby given of a proposed amendment to Bylaw BDB, “Board Officers,” such amendment, as properly noticed, to be considered at the next regularly scheduled meeting of the Board, December 9, 2008. The proposed amendment is to add the word “Ordinarily” before the first sentence in the first paragraph of the section entitled, “Board Officers,” and that a paragraph be added to that section which reads:

In the event that there are any Board members to be appointed at the time of the December meeting, the Board of Education shall elect a Chairperson and a Vice-Chairperson at a regular meeting of the Board following the appointment or appointments. The elected Chairperson and Vice-Chairperson shall assume

office immediately upon election. Each shall serve for a term of one year, or until a successor shall have been elected.

Mr. Tate said this amendment would take effect upon adoption. He believes the full Board of Education should be in place to elect the Chairperson and Vice-Chairperson so that no one in Mecklenburg County is disenfranchised in the process by not having full representation. He said he had hoped to amend the Bylaw temporarily but that is not allowed. He said this recommendation would allow the full Board to participate in the election of the Board Chairperson and Vice-Chairperson. Mr. Tate requested this to be an action item on the agenda for the December 9, 2008 Regular Board meeting.

Board members were invited to ask questions and make comments.

- Mr. Gjertsen expressed concern that it was not an issue to have a full Board present when making the important Magnet Program decisions. Mr. Gjertsen said this is focused on the election of a Chairperson and Vice-Chairperson and, in all due respect, that is one of the least important functions of the Board. He also expressed concern that the Board members were not provided a copy of the notice and therefore the notice is not adequate.
- Mr. Merchant asked if this is purposing a change in the Board's Bylaws? Mr. Tate said yes. Mr. Merchant agreed with Mr. Gjertsen in which there was not a concern that the Board did not have a full compliment in voting upon the Magnet Program recommendations. He said there have also been meetings when Board members were absent and important decisions were voted upon and continued its business. He said the reason Boards have Bylaws is so that they can continue to conduct their business through change and allow for absences. Mr. Merchant expressed concern that this may attempt to solve a short-term concern by some with a major action. He said changing the Bylaws is a major action that has long-term implications. Mr. Merchant said he values Mr. Tate's voice and commended him for consistently advocating for proper representation from all communities and equity. He expressed concern regarding changing the Bylaws and the transition of Board members. He encouraged the Board to operate under their existing rules and to move forward.
- Ms. Leake asked for clarification regarding the recommendation and Mr. Tate responded. Ms. Leake expressed concern that District 2 would not have participation in this process.
- Ms. McGarry encouraged the Board to obey their current Bylaws.
- Mr. Tate said this is an unusual year in which that the Board has lost two long standing Board members at this time of the year. Mr. Tate said he would not have purposed this amendment had there not been an attempt at the last Board meeting by some Board members to not elect to fill those vacancies until the election scheduled in November 2009. Mr. Tate wants to ensure the Board has a full compliment and every district is represented.
- Mr. Merchant said there was a motion at the last Board meeting to not fill the two vacant seats and it was clearly voted down by the majority of the Board. He expressed concern that this is retribution for a failed motion and this political maneuver is showing inefficiency of the Board. He encouraged the Board to not support this recommendation. Mr. Merchant asked what is the Board vote required to amend a Bylaw? Regina Bartholomew, General Counsel, said it would require a 2/3s vote of the total Board which would require support by six Board members. Mr. Merchant discussed his concerns

regarding this recommendation. He is opposed to rewriting rules for political purposes. He encouraged the Board to move forward and continue its good work.

- Ms. Leake expressed concern that this is hinging on her not being on the Board. She may consider delaying her installation to the Board of County Commissioners because she would like her district represented.

## **ADJOURNMENT**

**Mr. Merchant moved that the Board adjourn, and by consensus, the Board agreed to adjourn the Regular Board meeting.**

The Regular School Board Meeting adjourned at 8:00 p.m.

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Joe I. White, Jr., Chairperson

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Nancy Daughtride, Clerk to the Board