



Charlotte, North Carolina

October 27, 2009

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

The Charlotte-Mecklenburg Board of Education held a Regular Board Meeting on October 27, 2009. The meeting began at 5:45 p.m. and was held in CH-14 of the Government Center.

Present: Molly Griffin, Chairperson, District 5;  
Kaye McGarry, Vice-Chairperson, Member At-Large;  
Joe I. White, Jr., Member At-Large;  
Trent Merchant, Member At-Large;  
Larry Gauvreau (District 1);  
James Ross (District 3);  
Tom Tate (District 4); and  
Ken Gjertsen (District 6)

Absent: Kimberly Mitchell-Walker (District 2)

Also present at the request of the Board were Dr. Peter Gorman, Superintendent; André F. Mayes, Acting General Counsel/Deputy General Counsel; Hugh Hattabaugh, Chief Operating Officer; LaToya Walker, intern with the Urban Superintendents Program at Harvard Graduate School of Education; and Nancy Daughtridge, Clerk to the Board.

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

- **To consider student assignment matters that is privileged, confidential, and not a public record.**

**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 5:45 p.m. to 5:47 p.m.

Chairperson Griffin reconvened the Regular Board Meeting at 6:00 p.m. in the Meeting Chamber of the Government Center. CMS-TV Channel 3 televised the meeting.

Present: Molly Griffin, Chairperson, District 5;  
Kaye McGarry, Vice-Chairperson, Member At-Large;  
Joe I. White, Jr., Member At-Large;  
Trent Merchant, Member At-Large;  
Larry Gauvreau (District 1);  
James Ross (District 3);

Tom Tate (District 4); and  
Ken Gjertsen (District 6)

Absent: Kimberly Mitchell-Walker (District 2)

Also present at the request of the Board were Dr. Peter Gorman, Superintendent; André F. Mayes, Acting General Counsel/Deputy 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 Griffin called the meeting to order at 6:00 p.m. Chairperson Griffin welcomed everyone to the Board's second meeting of the month. She said this meeting is typically held in Room 267 but it is being held in the Meeting Chamber.

### A. Adoption of Agenda

Chairperson Griffin called for a motion to adopt the agenda as amended.

**Ms. McGarry moved that the Board adopt the agenda as presented, seconded by Mr. Merchant, and the Board voted 8-0 in support of the motion. Ms. Mitchell-Walker was absent.**

Chairperson Griffin noted that some Board members would be looking at their laptop computers to view the Board materials as the Board is slowly making a transition to an online paperless process.

### B. Community Report on Gang Prevention

Chairperson Griffin called upon Dr. Gorman to introduce the report. Dr. Gorman said the Gang Prevention Coalition would like to present a report to the Board. The presenters are Grayce Crockett, representing Area Mental Health; Reverend Frances Cook, Director of Charlotte-Mecklenburg Police Department's Gang of One Program; and Willie Ratchford, representing the Community Relations Committee. Dr. Gorman said the information they are sharing has also been presented to the Board of County Commissioners and City Council. Willie Ratchford said, on behalf of the Gang Prevention Coalition, we would like to thank the Board of Education for the opportunity to present information on the work of the Gang Prevention Coalition. The coalition has been in operation for approximately two years and is comprised of various community groups including Charlotte-Mecklenburg Schools. Barbara Pellin, Assistant Superintendent for Pre-K-12 Support Programs, and Ray Wilson, Gang Prevention Specialist, have worked closely with the coalition.

Reverend Frances Cook reviewed the following information:

- What Is a Gang?
  - North Carolina Street Gang Suppression Act as of December 1, 2008:  
Any ongoing organization, association, or group of three or more persons, whether formal or informal, that:
    1. Has one of its primary activities the commission of one or more felony offenses, or delinquent acts that would be felonies if committed by an adult;
    2. Has three or more members individually or collectively engaged in, or who have

- engaged in, criminal street gang activity; and
- 3. May have a common name, common identifying sign or symbol.
- Why do youth join gangs?
  - “Respect” or Self-identity.
  - Protection.
  - Peer intimidation or Bullying.
  - To replace a dysfunctional family.
  - Lack of Economic Opportunity.
  - Desire for Excitement, Machismo.
  - Lack of alternatives in and out of school.
  - Influence of Media.
  - Family member involvement.
  - Acceptance in Pop Culture.
- Bonding Factors:
  - Natural Family versus Gang Family provides many of the same items such as food, shelter, clothing, love, discipline, acceptance, security, sharing, and respect.
  - Gangs in addition may provide money, sex, drugs, power, and protection.
- Early Indicators of Gang Influence:
  - Poor performance in school.
  - Truancy.
  - Lack of hobbies or constructive activities.
  - Sudden personality or behavior changes.
  - Problems at home.
  - Drawing gang symbols and graffiti.
  - Experimentation with hand signs.
  - Group dress and attire.
  - Frequent run-ins with police.
  - Tattoos and/or branding.
- Charlotte-Mecklenburg Gangs:
  - Majority of members are between sixteen and twenty-one years of age.
  - Many are African-American and Hispanic but gangs also include White and Asian members.
  - Gang members are mobile and widely distributed throughout the County and commit a variety of crimes including armed robbery, break-ins, and auto thefts.
- Gangs, Membership, and Activity:

	2003	2008	% Increase
Number of Gangs	30	151	403%
Gang Members and Associates	606	1854	206%
Gang Related Weapon Assaults and Charges	71	174	145%
Gang Related Incidents/Crimes	499	1340	169%

Rev. Cook said gang members are throughout the county and we must work together to combat this new menace upon our society.

Ms. Crockett said Rev. Cook has clearly explained why the Gang Prevention Coalition was established. Gangs have been on an increase throughout Mecklenburg County and a group of

agencies joined forces to establish the Gang Prevention Coalition. Ms. Crockett reviewed the following information:

- Partnership with Gang of One and Gang Prevention Coalition history.
- Developed Shared Values.
- Developed Vision and Mission:
  - Vision: Mecklenburg County is a diverse community where the citizens work together to optimize all available resources to support the health, safety, and education of all residents.
  - Mission: To partner with the community to eliminate gangs through collaboration, training, and technical assistance.
- Partner Organizations:
  - Partnerships include a wide base of partner organizations.
  - Membership is an open organization and applications will be accepted from organizations and individuals.
- Gang Prevention Coalition Goals:
  - Develop and implement a comprehensive gang reduction model and Strategic Plan.
  - Hold monthly Gang Prevention Coalition meetings to begin implementation of the Strategic Plan.
  - Engage and inspire local residents, community groups, and agencies to participate in gang reduction activities.
  - Inform and update the community, elected officials, and service providers about gangs in Charlotte-Mecklenburg.
  - Gain the support and endorsement of local officials and decision makers regarding the Strategic Plan.
  - Develop financial support for gang reduction programs.
  - Implement best practice programs.
- Adopted Best Practice Comprehensive Gang Reduction Model, Office Juvenile Justice and Delinquency Prevention (OJJDP). This is a result of national research and it has been well documented that this model works. The components include the following:
  - Primary Prevention.
  - Secondary Prevention.
  - Intervention.
  - Suppression.
  - Re-Entry.
- Community Impact Project Grants.
- Community Impact Projects.
- Next Steps:
  - November 2009 and February 2010: Hold agency and community forums to educate potential partners about Gang of One, the Gang Prevention Coalition, and the Request for Proposal (RFP) process.
  - Spring 2010: Release RFP up to \$99,000 in conjunction with Gang of One.
  - Partner with the Juvenile Crime Prevention Council in order to leverage the existing dollars and to work in conjunction with groups already existing in the community to ensure the right areas and organizations are targeted.
  - Seek Additional funding sources for Community Impact Projects.

Ms. Crockett said it is exciting to have such a large group of organizations involved and

committed to working on a real and growing problem in our community.

Board members were invited to ask questions and make comments.

- Ms. McGarry said she served on a jury in 2003 and it was evident at that time that there were gangs in Mecklenburg County but it was not often mentioned in the public. Creating an awareness helps to provide opportunities to take action. Ms. McGarry asked how are gangs impacting CMS schools during the school day? Mr. Ratchford said they do not have specific information regarding CMS and the CMS Police Department could better answer that question. Dr. Gorman called upon Bud Cesena, Director of Law Enforcement, and Ray Wilson, Gang Prevention Specialist, to respond. Ms. McGarry said the report provides a good overview of the facts and gang activity in Charlotte-Mecklenburg County and she would like to know how that has affected the schools during the school day and how many students are involved in gang activity? Mr. Wilson said this is the third month of school and we do not have an actual number of students involved in gang activity. Staff continues to provide daily presentations to parents, neighborhoods, and community groups. Last year, staff provided over 150 presentations. There is not an increase in gang activity in our schools and that is contributed to the information distributed to students regarding consequences for gang activity and the recent laws that have been passed that can result in a felony conviction for recruiting or refusing to let someone leave a gang. Ms. McGarry asked is school staff provided training on gang awareness? Mr. Wilson said staff at every school (Pre-K, elementary, middle, and high school) is provided training and there are programs at twenty-three of the elementary schools. Initiatives include attacking truancy issues which is a pre-indicator of gang activity, working closely with Gang of One and the CMS Police Department, and the initiatives are showing progress. Ms. McGarry said in July the Board received a report regarding the implementation of an Alternative Learning Program for designated students removed from a regular school program due to felony or violent misdemeanor charges and/or convictions. Ms. McGarry asked what is the status of that process? Dr. Gorman said that is under the direction of Dr. Ralph Taylor, Executive Director of Alternative Education and Safe Schools, and he is not attending this meeting. Dr. Gorman said he would provide that information at a later time. Ms. McGarry said at that time the report indicated CMS had 175 felons in the school system and she would like to know if they are in an alternative setting or in a regular school setting. Mr. Cesena said staff has work extensively with the Charlotte-Mecklenburg Police Department (CMPD) throughout the summer and students have learned that the consequences of doing an activity on school property is more significant than in a neighborhood. Student activity that begins on school property often will end in the neighborhood. The CMS security and CMPD work in collaboration in the neighborhood as well. CMS security associates received gang and drug training this summer. Ms. McGarry expressed concern that due to budget restraints CMS reduced the number of security associates at schools and some schools only have two security associates which may not be enough for particular schools. Ms. McGarry asked how is CMS dealing with the reduction of security at schools that may need more security? Mr. Cesena said the department includes sixteen members of a Rapid Response Team and an additional three members assigned as Reserve Security and they are utilized in the schools that demonstrate a need. At this point, those staff members have been moved to the sites in which we believe there may be an issue. Mr. Cesena said with the additional training this summer staff has done a good job keeping the more significant issues under control.
- Mr. Tate thanked the Gang Prevention Coalition for the report. Mr. Tate commended Mr.

Wilson on his work with CMS. Mr. Tate said he is happy the mission is bold and strives to eliminate gangs. Mr. Tate asked how many people from CMS are involved with the Gang Prevention Coalition. Mr. Wilson said there are three members: Barbara Pellin, Assistant Superintendent for Pre-K-12 Support Programs; Ryan Reiter with the Alternative Education and Safe Schools Department; and himself. Mr. Tate said the report indicates there is gang activity throughout the County as well as clusters in certain areas. Mr. Tate asked are there factors that contribute to the location of the clusters? Rev. Cook said the clusters are located where they are because those are the areas that we are seeing growth in gang contact (voluntary contact) and incidences (an arrest). There is some clustering but it is still very broad based. In other areas of the country gang members live in dedicated areas and with the exception of Hidden Valley that is not the case in Charlotte. The clustering allows us to be strategic in planning where we advance our programs and suppression efforts. Mr. Tate asked are there causative factors in those specific areas? Rev. Cook said the causative factors involve the Comprehensive Gang Model and why young people join gangs. Some youth live in communities of higher risk, youth and families are challenged, and some neighborhoods or areas are ignored. Those are the areas where efforts need to be focused and this data helps us to begin that process. Mr. Tate asked clarifying question regarding the definition of high risk areas and Ms. Crockett responded. Mr. Tate asked is there more gang related activity at certain CMS schools? Mr. Cesena said there are a few schools that have a higher concentration of gang members than others and CMS provides a greater security focus at those schools. This year, our project is to focus on truancy in the elementary schools because that is where truancy issues begin. Mr. Tate asked what does the Gang Prevention Coalition want from the Board of Education? Ms. Crockett said at this particular time we want the Board to understand what the Gang Prevention Coalition is doing, be aware of our efforts in the community, and share the problems that we see in the community and the steps we are taking to correct them.

- Mr. Gauvreau said he does not buy into a Charlotte gang prevention program because gangs are everywhere, they are growing, they are in the schools, and the Board has done little to stop it. Mr. Gauvreau said in 2003 and 2004 he was criticized for using words such as “gangs and thuds.” Charlotte and CMS have finally admitted that there is a problem but CMS is still only talking about the problem. CMS should be expelling those students for their own safety, the safety of others, and the credibility of the school system. Expulsions in CMS have increased at a minimum and that is the one step that CMS can do to stop gangs in our schools. CMS should get those individuals away from our students. Mr. Gauvreau said he and the public want action and are not interested in these programs. There is a lot of work that needs to be done and CMS should be focused on expelling students involved in gangs.

## II. CONSENT ITEMS

- A. Recommend approval of licensed employees for career status due to rehire after reduction in force and return to work after leave of absence.

*Twenty-six licensed employees were recommended for career status.*

- B. Recommend approval of a conservation easement and a storm drainage easement to the City of Charlotte on Charlotte-Mecklenburg Board of Education property.

*The City of Charlotte requires a conservation easement of 52,700 square feet and a storm water drainage easement of 7,234 square feet to make improvements to storm drainage*

*facilities, including the right to constructing, installing, improving, operating, inspecting, repairing, and maintaining storm drainage facilities within the easement area, at Winterfield Elementary School, 3100 Winterfield Place, Parcel No. 131-071-02. The easement area is needed for the purpose of completing Edward's Branch Stream Restoration Phase II Project.*

Chairperson Griffin called for a motion to adopt the Consent Agenda.

**Mr. Tate moved, seconded by Ms. McGarry, that the Board adopt Consent Items A. through B., and the Board voted 8-0 in support of the motion. Ms. Mitchell-Walker was absent.**

### **III. ACTION ITEMS**

A. Recommend approval of cancellation of November 24, 2009 Regular Board meeting date

Chairperson Griffin said at the last Board meeting the Board discussed that canceling the November 24<sup>th</sup> Regular Board meeting may be advisable since it was the Tuesday before the Thanksgiving holiday and this year the holiday for students and staff included Wednesday, Thursday and Friday.

Chairperson Griffin called for a motion to cancel the November 24<sup>th</sup> Board meeting.

**Mr. Tate moved that the Board approve the cancellation of the November 24, 2009 Regular Board meeting, seconded by Mr. Merchant, and the Board voted 8-0 in support of the motion. Ms. Mitchell-Walker was absent.**

### **IV. REPORT/INFORMATION ITEMS**

A. Report on recommendations of overcrowding relief options for the 2010-2011 school year

Chairperson Griffin called upon Dr. Gorman to introduce the report on recommendations of overcrowding relief options for the 2010-2011 school year. Dr. Gorman called upon Scott McCully, Executive Director of Student Placement Services; Dennis LaCaria, Facilities Planning Specialist; Mike Raible, Executive Director for Planning and Project Management; and Ann Clark, Associate Superintendent for Pre-K-12 Curriculum and Instruction, to present the staff's recommendation regarding student assignment and answer Board member questions. Mr. McCully said after three Community meetings with approximately 800 parents and students in attendance, after numerous E-mails and phone calls, and after two prior Board updates, it is a pleasure to provide the recommendation regarding the boundary for Eastover Elementary School and Dilworth Elementary School. Eastover Elementary School is overcrowded and that is why we are presenting this recommendation. Eastover has a capacity of 573 students and the 20<sup>th</sup> day 2009-2010 enrollment is 589 students. While this does not sound extreme, the school does not have the ability to add mobiles to the site and the auditorium has been converted into additional classrooms. Growth will continue at Eastover. Eastover Elementary has experienced enrollment resurgence over the past few years. Earlier in the decade, Eastover struggled to maintain enrollment, designated a workplace transfer school in 2001, and placed on the available capacity list in years 2002 through 2005 in order to attract students. Eastover has a geographically large attendance area that includes Eastover, Myers Park, Dilworth, Elizabeth, and Midtown. There are three Magnet elementary schools

located within the Eastover attendance zone: Myers Park Traditional, Elizabeth Traditional, and Dilworth Visual and Performing Arts. A significant number of students (286) who live in the attendance boundary attend Magnet Programs. Since 2006, the kindergarten class has been the largest grade with 5th grade the smallest. For 2009-2010, the entry age for kindergarten was moved back from five years of age on or before October 16<sup>th</sup> to August 31<sup>st</sup>. Kindergarten class for 20<sup>th</sup> day 2009-2010 school year was 114 students.

- Eastover Enrollment History:
  - 2003-2004 = 392.
  - 2004-2005 = 411.
  - 2005-2006 = 395.
  - 2006-2007 = 448.
  - 2007-2008 = 521.
  - 2008-2009 = 563.
  - 2009-2010\* = 589 (\*20<sup>th</sup> day count).
- 20<sup>th</sup> Day 2009-2010 Enrollment:
  - All students in home school area = 848.
  - Total non-magnet assigned in = 81.
  - Total non-magnet assigned out = 40.
  - Total magnet students assigned out = 297.
  - EC self-contained assigned in = 2.
  - EC self-contained assigned out = 5.
  - Total attending = 589 (incl. EC self-contained).

To further compound overcrowding at Eastover, the space on-site to add mobile units is extremely limited. All instructional classrooms must be contained within the existing facility. To accommodate growth for 2009-2010 school year, the auditorium was temporarily converted to classrooms (though not counted as part of the core classroom capacity).

Mr. McCully said over the past several weeks staff has shared several options that include boundaries for other schools, facility move, and the creation of small attendance areas for the Magnets making them virtually partial-Magnets. As a result of the meetings and the public engagement, staff has developed three options to address the issue of overcrowding at Eastover Elementary School.

- Option A: Small attendance boundaries for Myers Park Traditional and Elizabeth Traditional changing them from full to partial magnets.
- Option B: Boundary change and facility move between Dilworth Arts and First Ward.
- Option C: Boundary change and facility move between Dilworth Arts and First Ward with boundary expanded into the Selwyn Elementary attendance area. Other ideas from the community and options were considered as well, including but not limited to a facility move of the Traditional Magnet Program to First Ward, making the Myers Park facility the attendance area school.

Mr. McCully said staff believes the best recommendation is a facility move between the Dilworth Arts Magnet and First Ward Elementary School. Mr. McCully reviewed the details of staff's recommendation.



Staff Recommendation: Facility Move Between Dilworth Arts Magnet and First Ward.

**Boundary Change:**

In conjunction with the boundary change between First Ward and Eastover described below, the recommendation moves the location of the Magnet Program, students and staff from Dilworth Arts to First Ward. The Dilworth facility becomes a new school that serves the attendance area, and First Ward serves as the Visual and Performing Arts Magnet. This recommendation will be effective for the 2010-2011 school year. This recommendation supports maintaining a strong magnet presence at the First Ward location and in the immediate community. This recommendation moves the location of the Magnet Program from Dilworth to First Ward. As a result of the Magnet review and Board approved plan, the Accelerated Learning Magnet Program will be eliminated from First Ward for the 2010-2011 school year. For the 20th day 2009-2010, there were 175 students (school total 376) from outside the attendance area enrolled in the Magnet Program. The Magnet Program represented 47% of the total enrollment for First Ward that will be eliminated in 2010-2011 school year. The Board previously directed staff to develop a Magnet Program for First Ward. The staff has been working with the school community to comply with this directive. Under this recommendation, the additional partial-Magnet Program will not be necessary.

**Attendance Area:**

The new Dilworth attendance zone splits the current Eastover zone geographically in half. The new combined zone includes the current First Ward zone inside the I-277 loop and an area in the current Eastover zone, along Kings Drive and Providence to approximately Chilton Place. An additional area currently zoned for Selwyn (Park Road, Hillside north to Princeton Avenue) is added to the new Dilworth attendance zone. The recommendation will reduce the number of students at Eastover from 589 to 438 students (projected 2010-2011 utilization of 76%) with 26% of these students eligible for free and reduced price lunch. The new Dilworth school will have a projected enrollment of 450 (81% utilization) with 28% of these students eligible for free and reduced priced lunch. First Ward, which will house the Visual and Performing Arts Program will have 533 students (91% utilization) with 66% of these students eligible for free and reduced priced lunch. Selwyn Elementary will experience a loss of 69 students (135% utilization not including the classrooms at old Selwyn) reducing the number of students to 703 with 19% of those students eligible for free and reduced priced lunch. In summary, the recommendation reduces enrollment at Eastover to ensure long-term sustainability, provides a new attendance zone for which the school site is located approximately in the zone mid-point, and achieves student assignment predictability. Mr. McCully reviewed maps that depicted the new Dilworth, Eastover, and Selwyn attendance zones.

Board members were invited to ask questions.

- Mr. Gjertsen asked Mr. McCully to explain the overcrowding conditions at Selwyn Elementary School because he has received numerous E-mails stating that Selwyn is not overcrowded. Mr. McCully said on the Selwyn site there is an older facility that is being currently used to house the additional students that cannot be housed in the new facility. The new facility has twenty-six classrooms and there are more students assigned to the school than the twenty-six classrooms will hold. The additional students are housed in the older building which does not meet the baseline standards for CMS facilities and is slated

for renovations when funds become available.

- Mr. Tate asked what is the purpose of renovating the older building if it will not be used to house students in the future? Mr. Raible said the current Selwyn facility does not meet the baseline standard for number of classrooms and should there be the need for additional classrooms in the future the logical location for them would be in the renovated older facility. An alternative to that would be to add on to the new facility or build an additional building. At this point, should additional classrooms be needed at the Selwyn campus it would be more economical to renovate the sixteen classrooms in the older building.
- Mr. Gauvreau said he would not support this recommendation. He expressed concern that this process has involved endless meetings, community input, adding Magnets, shifting boundaries, and creating confusion for the public to accommodate an overcrowding issue of approximately 100 students at Eastover. He said this could have been easily resolved by using Billingsville Elementary School which is a fairly new school less than ½ mile away with less than 500 students. He urged the Board to direct the Superintendent to table this recommendation and allow the next Board to make the boundary decisions. Mr. Gauvreau said this is not a crisis situation and the Board has allowed this to get out of hand.
- Mr. Ross expressed concern that student assignment is like a leaky boat and some people are throwing water in the boat and others are throwing water out of the boat. He said the Board's plan for student assignment has some problems but there is nothing in that plan that stops the staff from being creative, innovative, and proactive in student assignment. Mr. Ross believes staff has been bureaucratic in its approach. He expressed concern that this process has created the same concerns and community issues as the new Mint Hill high school process. He believes staff should go to community with an open mind and listen to their concerns and then develop recommendations rather than going to the community with three or four options. He also believes CMS should provide the public timely notification when making assignment and program decisions. He said some people have stated that they would make a sacrifice to attend Dilworth Elementary School as a home school but in the process this will destroy two good schools (Dilworth Visual Arts and First Ward) that are doing well. He expressed concern that this recommendation would tear out mirrors and stages at Dilworth and turn around and build mirrors and stages at First Ward.
- Ms. McGarry said she has been listening to the community via 1,500 E-mails, phone calls, and public speakers and she gets it. Abraham Lincoln's leadership style was based upon listening, paying attention, and establishing trust. Ms. McGarry visited First Ward last week and heard the voices of the students and staff of that school. These students were attentive and ready to learn. She understands what this decision will mean to these children and their families. This decision should be for the good of all students. Ms. McGarry urged the Board to not displace the students, teachers, and staff at First Ward and to act on their behalf. She said these students know what is going on and they are anxious about this recommendation. These students want to remain at First Ward because they feel supported by staff; some have attended the school since kindergarten and are not going to be grandfathered in; they are upset because they will not be able to attend school together; and some would not be able to go to after school if they move. This proposal buses kids past three schools to put them at Dilworth and splits the students at First Ward between Eastover and Dilworth. Ms. McGarry said this should be a Board responsibility and she expressed concern that the process has been painful and pitted neighbor against neighbor.
- Mr. Tate said this has been a frustrating process for the public, staff, and the Board. He thanked everyone for their hard work and efforts because it has involved tours, E-mails,

Community meetings, staff ideas, and community ideas. Mr. Tate said the recommendation includes good points but there are still too many questions that have been identified and not answered that cause him to not be ready to vote on this matter. The Board has two more weeks to work together as a Board prior to the vote. He said he would share his concerns. The Board decided approximately one year ago to close the First Ward Accelerated Learning Magnet Program and directed staff to develop another Magnet Program. He thought this meant that CMS would have an Arts Magnet Program at Dilworth and there would be a new Magnet Program at First Ward. He does not believe moving Dilworth follows the Board's direction. The Board said they wanted a new Magnet and not an existing Magnet moved. He believes there are positives to having the Arts Magnet Program at First Ward. He is unconvinced that CMS cannot take measures to allow the neighborhood students currently attending that school to remain at the school because many of them could walk to school. He is not convinced that this is the best recommendation and he is not ready to endorse it or throw it away. He believes there is some value in having a strong student body at the new neighborhood school in Dilworth because the school would be large enough with a good reputation from the beginning. He hopes the Board will continue to review the recommendation.

- Mr. Merchant said based upon the extremes of the comments, the public should have a better appreciation for the difficulty that Dr. Gorman and staff must face in developing these proposals. This is part of the reason that this process is messier than we would like for it to be. Two years ago, staff reported to the Board that there is a problem with Eastover Elementary School; action needs to be taken; it is going to get worse; and if action is not taken soon it will become a bigger problem. At that time, the Board chose to not take action because Eastover was a good school that was supported by the community and the Board did not want to disrupt the school environment. The Board is sensitive that change is disruptive and they do not want to move families. Now, the Board does not have the luxury of waiting because the school is overcrowded. Two years ago, the Board may have had more choices than now because schools in the surrounding area are full. He said this is a professional bureaucracy and it is the job of staff to manage the day to day operations and the affairs of the school system, and they do a very good job. Mr. Merchant wished there could be a more collaborative approach. He said the Board can change the Guiding Principles and change how we go out into the community but at the end of the day we will not reach a place in which members of the community volunteer to be reassigned to another school. The Board has not demonstrated as a Board that they can coalesce around ideas unless the staff proposes strong recommendations to help determine the will of the Board. This is a messy process and staff does a good job in developing a consensus. Mr. Merchant said we are not killing First Ward with this proposal because the Board did that one year ago when it eliminated the Magnet Program at that school. The program that First Ward has been developing has interesting components but an established program that has similarities would be better than inventing something new at that school. He is not sure a new program would attract the students that are needed at First Ward. He believes CMS needs another home school and that is outlined in this recommendation. This recommendation is not perfect and he understands the compelling arguments of the public. He said the recommendation includes many good points. The recommendation allows the students who live in the First Ward neighborhood to attend Eastover which is an outstanding school, Dilworth which will be a new home school and perhaps one of the top schools in the system, or to take advantage of the proximity zone and walk to school to attend an established

program. These options are better than what they have now. This recommendation creates home schools that are strong and balanced in a variety of ways including student achievement. This is not a perfect recommendation but it is a good recommendation. Student assignment is difficult because people do not live in concentric circles around the areas in which CMS builds schools and they have not moved in predictable patterns from neighborhood to neighborhood on an even and equal basis year after year. He hopes the public will make earnest comments this process is moved forward.

- Mr. White thanked staff for their good work, for listening to the public, and for developing a workable plan. He believes the recommendation may need a little more work. Mr. White said he does not want to create another Magnet Program. Magnets were designed to be a “carrot” to attract students and parents to a school with room and that particular school needed additional students. He cannot think of another Magnet that would be an attraction to pull people to a school. He believes it is wise to take a proven established Magnet and be able to move it and use it. Mr. White agreed with most of Mr. Merchant’s comments.
- Mr. Gjertsen said he has listened to the comments but he has not heard what else we could do. He encouraged those who do not support the recommendation to offer a better plan. He supports the recommendation and believes a lot of time, energy, and effort went into the development of the recommendation.
- Ms. McGarry said she attended meetings two years ago to discuss overcrowding issues at Eastover Elementary School. At that time, there were students at Eastover who lived in Dilworth that said they would attend Dilworth Elementary School if it was not a Magnet but the Board chose to do nothing. She is not opposed to making Dilworth a neighborhood school because that area does need another neighborhood school and that may create the least disruption. She is opposed to busing students, social engineering, and displacing the 200 students that are happy at First Ward to other schools. She asked the Board and staff to consider the option of allowing the 200 existing students at First Ward to remain at First Ward. Mr. McCully said adding that population to the current population scheduled to be relocated to that site would result in an overcapacity issue. Dr. Gorman said the proposed recommendation includes moving a Magnet Program to First Ward. Dr. Gorman asked Ms. McGarry would those students participate in the Magnet Program or would there be two schools at the site because this consideration could have an impact on the students in the Magnet Program. Ms. McGarry said she would suggest incorporating them in some manner into the Magnet Program. Dr. Gorman expressed concern that this could be a challenge because it would be one program at the school and not all the students may fit that program. Ms. McGarry expressed concern that the recommendation involves busing students from the top of the boundary to the bottom and vice versa because some of the students could walk to the school in their close proximity. Mr. McCully said that area was needed to provide relief to Eastover and an area of concern in the Community meetings was to provide substantial relief to Eastover in order for it to grow and prosper. Ms. McGarry expressed concern that the recommendation takes some students who are happy at Eastover out and brings other students into the school. Dr. Gorman said this is a result of attempting to make the capacities of two schools equal because the make up of communities are not in equal blocks and this is an attempt to balance the schools to create two schools similar in nature and high performance.
- Mr. Gauvreau encouraged the Board and staff to utilize Billingsville Elementary School to resolve the overcrowding issue because it is almost next to Eastover and students could walk to Billingsville. The school was built in a misprioritized fashion and it is only half filled.

Merry Oaks International Academy and Oakhurst Elementary School are also in close proximity and they are only half filled. He encouraged the Board to utilize those schools instead of creating all this hoopla. He asked the Board to direct staff to develop a plan that is principled, sensible, and with thought for the taxpayers of Mecklenburg County because the schools in this area are half empty.

- Chairperson Griffin said she does want the plan that the Board adopts to be principled, sensible, and even if it is not her first choice she wants the public to think that it makes sense. She is struggling with this decision because she is not sure this is the right plan, that the numbers work, and whether the maps make sense. She agreed with her colleagues and if she is not going to support this plan she does need a better plan. She has shared some options with the Board members but she has not received support. She will continue to review this matter and make suggestions so that the recommendation makes logical sense. She believes the Board has work to do and staff will be available to help to ensure the best plan is developed. Chairperson Griffin said she does not want the public to believe we have schools that are half empty. CMS does not have schools that are half empty because we intentionally have smaller a class size in the schools with a high poverty population and allowing for that causes the school capacity to decrease significantly. Chairperson Griffin said the Board has received many E-mails, letters, and phone calls from the public about this issue and we appreciate your comments and the passion you have for your children.

Mr. McCully reviewed the recommendation for East Mecklenburg and Myers Park high schools.

At the August 11, 2009 Board of Education meeting, in conjunction with a motion for the approval of the new Mint Hill high school boundary, the Board voted to "...direct our staff to expand consideration of the boundaries for East Mecklenburg High School by looking at Myers Park High School boundaries and the feeder schools for both high schools in an effort to increase the number of students at East Mecklenburg and decrease the number at Myers Park, and that a recommendation come back to the Board for approval in time for the enrollment process for the 2010-2011 school year." There were three several options presented to the community and staff conducted three Community meetings in which there were approximately 1,000 participants. A lot of good information was received at those meetings along with E-mails and phone calls. The following were three distinct discussion options presented to the community (an earlier option previously presented is omitted based on Board feedback at September 22<sup>nd</sup> Board meeting) to address the Board's directive.

- Option 1: Modification of Myers Park IB Program sending part or all of the feeder area to East Mecklenburg High School or East Mecklenburg High School and Harding University High School.
- Option 2: Add a new STEM (Science, Technology, Engineering and Math) Magnet at East Mecklenburg with a south county feed, eliminating the south county feed to Harding University High School Math and Science Magnet Program.

#### Building Level Data for East Mecklenburg:

As part of the data table presented with the staff recommendation for the new Mint Hill high school and associated boundary changes, the projected enrollment for East Mecklenburg for the 2010-2011 school year is 1,428. This projection is based on a grade 9-12<sup>th</sup> grade (20<sup>th</sup> day 2008-2009) configuration without adjusting for rising seniors who may opt to remain for their

senior year (as adopted by Board). Students affected reside in the Piney Grove and Crown Point (West) elementary zone feeders that would be assigned to Butler High School. Based on the 20<sup>th</sup> day 2009-2010 data, there are currently 99 12<sup>th</sup> graders in the area who would go to Butler High School. Based on updated 20<sup>th</sup> day 2009 data for the adopted boundary 2010-2011, East Mecklenburg has 1,500 students. Transportation will be provided for rising seniors for 2010-2011 impacted by boundary changes that chose to remain at their current school. If all seniors remain at East Mecklenburg (with transportation), along with a growth projection of 22 students, 1,621 total students are projected for 2010-2011 school year at East Mecklenburg High School.

Mr. McCully presented staff's recommendation as follows:

Effective for the 2010-2011 school year, implement a STEM (Science, Technology, Engineering and Math) Program at East Mecklenburg High School as well as the feeder schools of McClintock Middle School and Rama Road Elementary School. Staff is not recommending this as a Magnet Program and it will serve the attendance area only. All of Rama Road and McClintock middle schools feed to East Mecklenburg and would serve as a feeder for the STEM Program as well. This initiative is driven by the need for students to develop mastery of science and math skills for 21<sup>st</sup> Century learning. This program will require offering of high-level math and science classes at East Mecklenburg. Though this program may not provide additional students from outside the attendance area for 2010-2011 school year, as the program grows, it is likely that area students currently choosing other school options will return to East Mecklenburg. A new Magnet (Math and Science) or the realignment of the International Baccalaureate (IB) Program from Myers Park is *not* proposed at this time. The Math and Science Magnet Program at Morehead Elementary School will be expanded to a K-8 program starting in the 2010-2011 school year. It is recommended that the additional Math and Science High School Magnet be delayed until the demand can be determined from the Morehead K-8 feed. An additional Math and Science High School Magnet may be needed at a later date. Also recommended is delaying changes to the Myers Park IB Program until a full IB Program review at all program locations is conducted.

Board members were invited to ask questions and make comments.

- Mr. White said he would not vote for anything that puts people at risk. He also has been frustrated by this matter. He was reluctant to consider this matter but now that it has been addressed it is unacceptable for him to vote to do nothing. He has rarely opposed the recommendation of staff and the three superintendents that have served with him. He believes CMS can do better than nothing. He said an important fact for him is a school with 3,000 students is too big and that puts a tremendous burden on the principal and the school. He asked why is Myers Park High School too large? The school is not too large because of the attendance lines. If you count the students that legally live within the boundary of Myers Park High School it is not too large. The Board and the administration have caused this school to be too big. The school has an attractive Magnet Program that siphons the academic elite from other schools and sends them to a school in which there is no room and those students are not needed for the school to be successful. He said this does not make sense and he urged the Board to address this issue because it is not fair to the students that belong at that school to have to deal with the overcrowded conditions. It is also not fair to the schools in which those students opted out. He expressed concern that some Board

members have stated that we cannot move those students because they will not go to another school. Mr. White said he would not be held hostage by students saying they will not go. If students choose to not move to the IB Program at East Mecklenburg it is because they chose the school and not the program. If it is truly the program, then that program and those students will be just as successful in one brick and mortar school in one part of town as another. To move this program will not hurt a single student. He would not recommend moving the program for the students that live in the Myers Park attendance zone and to only move the students that do not live in the zone. The school is overcrowded and too large, and those students will be successful regardless of the school they attend.

- Mr. Merchant said he agreed with most of Mr. White's comments. Mr. Merchant asked is additional funding needed to implement the STEM Program? Dr. Gorman clarified that the proposed recommendation is the STEM Program would only be for the students in the home zone and it would not be a Magnet Program. Ms. Clark said STEM Program discussions are underway at the three schools. Initially, the priority would be on teacher training and that funding already exists through current programs and opportunities to expand within the existing funding structure. In addition, there would be programming that would be unique to each grade level and that could involve clubs and electives that would be at no cost to the school. At the high school level, there could be a shift of the state funding from the Career and Technical Education Program to the STEM Program. The training would be the first step and that funding is within the existing professional development budget and the Title II funding to support the faculty at all three schools. Mr. Merchant said the public has expressed concern that a decline in enrollment would result in the loss of faculty. Mr. Merchant asked what is the projection for the number of faculty members that could be eliminated? Dr. Gorman said using the free and reduced lunch enrollment as of today as the multiplier for weighted student-staffing and the loss of students would result in the loss of sixteen teachers. Mr. Merchant said he appreciates the caution and the methodical approach that staff has used in recommending changes to the IB Program as we move from a partial program to a full IB Program but a fundamental issue is that there are 3,000 students at a school with a large IB Program that pulls many students from other attendance zones. He said at the end of the day and after a comprehensive review of the IB Program by staff the result most likely would still be a recommendation to split that program. Mr. Merchant believes it would be more logical to move forward with this now rather than drag it out for a year because it may help to keep some of the teachers at East Mecklenburg High School in place. He would support sending the students from the western portion of the County to Harding University High School and the students from the other side of the County to East Mecklenburg High School. Mr. Merchant said he assumes that staff has made its recommendation and he does not expect staff to make an alternate recommendation. He urged the Board to develop a strategy and to consider Mr. White's recommendation and his comments.
- Ms. McGarry said East Mecklenburg High School has one of the strongest faculties in CMS and she hopes that will be protected. The schools throughout the district experienced a loss of teachers but that was exaggerated at East Mecklenburg because of the Board's decision regarding the boundaries for the new Mint Hill high school. Ms. McGarry said she has heard from the people at East Mecklenburg that they have a trust concern that the new STEM Program would not be implemented with passion to become a strong program and create a change in culture. Ms. Clark said the Math and Science services, led by Dr. Cindy Moss, have demonstrated enthusiasm and passion for Math and Science as exhibited by the

reports presented by Dr. Moss at Board meetings. Dr. Moss has been actively involved with the Parent Leadership and administration at the three schools as well as the Learning Community team to discuss the implementation plan that includes flexibility should the Board choose to put a Magnet Program in place. The implementation plan would begin with faculty training and funding sources have been identified for that initiative. The program would also be supported by the strong Math and Science teams currently in place at those schools. Ms. McGarry said she would support this recommendation because the STEM Program would be backed with strong CMS staff. She believes the STEM Program would be an effective program that would provide good preparation for high school students to go on to college and/or life. Ms. McGarry wants to ensure that McClintock Middle School could be renovated with science labs, etc. in order to support a new STEM Program. Mr. Raible said renovations to accommodate the STEM Program can be easily incorporated into the design of McClintock Middle School.

- Mr. Tate said some of the community trust issues regarding the STEM Program involved whether it was going to be a Magnet Program that would draw students to school as opposed to a program for the students already attending the school. Mr. Tate said he would prefer a STEM Magnet Program because that would draw students regionally. He does not want to take students from any other Magnet Program such as Harding University High School which already has a successful Magnet Program. He believes that program should be continued. It would be better for East Mecklenburg to be able to foresee more students rather than just those that are already in the pipeline because the desire is to get more students at East Mecklenburg. The purpose of the amendment to the Board action in August was to relieve overcrowding at Myers Park and to find additional students for East Mecklenburg. He said this is difficult for him because the proposed recommendation does not satisfy that purpose. Mr. Tate would prefer a STEM Magnet and not a program. Mr. Tate said the recommendation does include that transportation would be provided for rising seniors and previously it was just transportation for those students going to Butler High School. He believes the Board would have to take action on that recommendation and he would support that because it may bring a good portion of those students back to East Mecklenburg. Mr. Tate said he has mixed feelings about whether programs or boundaries are the best method to increase populations. He believes boundaries should be the primary method of addressing populations at schools. He also has mixed feelings about moving the IB Program. He is happy there is Board support for moving the IB Program from Myers Park to East Mecklenburg and he hopes the Board will continue to consider this option. He also has concerns regarding the loss of teachers at East Mecklenburg High School and he realizes this number could fluctuate up or down depending on the free and reduce lunch multiplier for next year. Mr. Tate said East Mecklenburg has a history of losing students and rebuilding and losing students again because of the new high schools opening in the area. He expressed concern that there have been misperceptions about the schools that feed into East Mecklenburg. He commended the staff, parents, school partners, and students at McClintock Middle School for their successes and initiatives to develop strong community partners to support the school. McClintock is building and the STEM Program would be a positive addition for the staff, students, and the school. The STEM Program would also be a great addition at East Mecklenburg High School. He has been concerned that should East Mecklenburg become too small by losing too many of its quality teachers and high achieving students that fewer students may opt to return to the school. Mr. Tate said this can be avoided by implementing a STEM Magnet; providing transportation for seniors as well as



reviewing options for transportation for 9<sup>th</sup>, 10<sup>th</sup>, and 11<sup>th</sup> graders; hold teachers harmless especially for the STEM Program to ensure no loss of Math and Science teachers; provide the principal more authority in the elimination of teachers; and options to strengthen the AP Program. He urged the Board to take action to get more students at East Mecklenburg rather than fewer students in the next school year as opposed to years in the future.

- Mr. Gjertsen said Mr. White, Mr. Merchant, and Mr. Tate have already voiced his thoughts. He said we are in this situation because of the Board's decision related to the boundaries for the new Mint Hill high school. In creating those boundaries the Board made a decision to force poverty from Piney Grove into Butler High School and out of East Mecklenburg High School. It is difficult to move students that make up that group into another school but maintain the numbers at East Mecklenburg which is what the East Mecklenburg community is requesting. Mr. Gjertsen said doing nothing is not an option for the Board. Two years ago, it was difficult to staff math teachers at Harding University High School but that issue has been resolved. Mr. Gjertsen said that program is now successful and he does not believe the Board will disrupt that program. He would support a STEM Program at Harding University High School and East Mecklenburg High School. He expressed concern that the recommendation would make changes to the south County feed. He said the southern portion of the County should not be a resource for programs because they would like to have a dedicated STEM Program for that area. He appreciates the people from East Mecklenburg who encouraged the Board to not draw from the enrollment at Harding University High School. He expressed concern that East Mecklenburg at 1,400 students is too few but the recommendation wants to draw from a school that only has 1,100 students. Mr. Gjertsen said if the recommendation allows the seniors from Piney Grove and Crown Point to remain at the school, perhaps the Board should also consider grandfathering those students with transportation because this would help to keep the numbers up. He encouraged the Board to review the option of allowing the rising 10<sup>th</sup> and 11<sup>th</sup> graders the option to remain at East Mecklenburg. Mr. Gjertsen said he would support a partial realignment of the IB Program. He agreed with Mr. White's comments and would not be held hostage by students who say they would not move because he believes all students can get a good education at any one of the CMS high schools. He said if moving the IB Program because of overcrowding makes sense, than it makes sense, and the IB Program at East Mecklenburg would still be strong. Mr. Gjertsen said he is concerned about the loss of teachers at East Mecklenburg due to the declining enrollment and he would like to have the details of what would be cut or kept because the people at East Mecklenburg have a right to know. Dr. Gorman said that is difficult to determine until the scheduling process is complete because that will determine the number of students and the courses they sign up to take. Mr. Gjertsen believes tentative plans could be put in place for staffing. Dr. Gorman said scheduling begins in January and that begins the process that includes allowing teachers to apply for other positions.
- Mr. Gauvreau expressed concern regarding the recommendation. He said an enrollment of 1,400 students at East Mecklenburg High School is fine. He agreed with the previous amendment because Myers Park High School at 3,000 students is not favorable from a pragmatic facility planning and student assignment enrollment. He had hoped the Board and staff would have focused on that rather than wanting to implement more programs. He will not support this recommendation because it is not the right thing to do. He believes it would be more beneficial to realign (carve up) the irregular zone at Myers Park High School and that can surgically be accomplished as the Mint Hill fiasco is repaired. Mr. Gauvreau does not support implementing another program because that is not accomplishing the direction

of the Board.

- Mr. Ross attended a recent community event sponsored by Spellman and Morehouse Universities in Atlanta. He commended the students attending that event and he noted that the majority of the students from those universities were from Harding University High School. He would not support disrupting a school that is producing that caliber of student. He agreed with Mr. Tate's recommendations for East Mecklenburg High School and would like that to include expanding the Culinary and Automotive programs to students outside of the East Mecklenburg area. He recently visited East Mecklenburg High School and was impressed with the staff and facilities for those programs.
- Chairperson Griffin said she recently attended a forum at Harding University High School and she thanked the parents for attending that meeting. She heard their concerns loud and clear. She said East Mecklenburg parents have asked her if Harding University High School would continue to be an all County IB Program and whether it could serve as all County for both programs. Chairperson Griffin believes there could be enough demand in the County to support two STEM Magnets. The primary concern that she heard from the Harding families was that they wanted to be able to remain at Harding with transportation because CMS was already providing County-wide transportation for the IB Program. She does not want to draw students out of Harding University High School.

Mr. Gjertsen left the Regular Board meeting at 8:00 p.m.

B. Report/Update on North Carolina Legislative Agenda 2009

Chairperson Griffin called upon Dr. Gorman to introduce the report. Dr. Gorman introduced Peyton Maynard, CMS Legislative Lobbyist, and Joel Maynard, Director of Communications with G. Peyton Maynard & Associates, Inc, to present the information. Mr. Maynard said it is his privilege to represent the CMS Board and the administration before the North Carolina General Assembly. He thanked the Charlotte-Mecklenburg Legislative Delegation for their hard work and he commended them for being a strong, robust, and energetic delegation with a dedication to work to help the children, the people of Mecklenburg County, and the city Charlotte in Raleigh. He appreciates the work they have done on behalf of CMS. He also thanked Dr. Gorman for his efforts and being more personally involved in the Legislative process in Raleigh. Mr. Maynard said Dr. Gorman is widely considered in Raleigh to be one of the best and brightest leaders in North Carolina. Dr. Gorman has a great deal of respect from the members of the General Assembly and he has built upon that respect this year through his conversations with the delegation and representatives in Raleigh. Mr. Maynard also thanked the Board for their leadership and hard work in identifying and developing the items of importance to CMS. Mr. Maynard said this report includes a comprehensive summary that includes the key issues, legislation, and click to items for the bills that was created by André F. Mayes, Acting General Counsel/Deputy General Counsel and that report will be available on the CMS Website. Mr. Maynard congratulated Chief Bud Cesena, Director of School Law Enforcement. The Board delivered a clear message to request legislation to provide CMS the ability to create their own law enforcement agency and that legislation was adopted. Mr. Maynard said the Board's management and Mr. Cesena's management of the Law Enforcement Department was a contributing factor for that bill passing. The CSM Law Enforcement Department is managed in such a professional manner that other school districts can look to CMS as an example because CMS is only one of two school districts in North Carolina that has a legitimate police force. This is another example of

Charlotte-Mecklenburg Schools breaking new ground for other school districts throughout the country. The Board also identified Budget Flexibility as an important Legislative Agenda item. This included the ability for the CMS administration to manage their budget in difficult budgetary times. The Board was consistent in delivering this message to the delegation and legislation was passed that addressed this issue. Another priority item for the Board was Dropout Prevention/Graduation Rate. The Legislators elected to stay with the present course of grants to Local Education Agencies (maximum of \$150,000) because this is a tough economic budget year and it would be better to not push new items that could be costly. Mr. Maynard said there is more work to do as we are only halfway through the legislative process. Mr. Maynard provided the Board with an update on other priority items discussed that included the following:

- Dropout Prevention: The Legislators approved an appropriation for an additional \$13 million in the Dropout Prevention Grant and that funding included a small increase to Community in Schools.
- Sales Tax Exemption: A high priority for the Board was to restore the sales tax exemption. This legislation was introduced but not considered because they are discussing options for removing other tax exemptions for hospitals, universities, and counties. This will be an idea that will continue to be discussed in the future.
- Governmental Immunity: Legislation considered in Senate but did not pass.
- Grant School Boards Taxing Authority: Legislation discussed but not introduced.
- Counting students who graduate from a community college in the CMS graduation rates: Legislation introduced. Legislators asked by Department of Public Instruction for time to develop an administrative solution. \$
- \$4 billion shortfall in North Carolina revenue: This has been a serious challenge. It was anticipated that economic conditions were going to be bad in January and that has played out. We struggled to protect what we could in education, healthcare, and critical services in the state of North Carolina. Mr. Maynard said his company provides CMS an update every time there is a house or senate change or a new recommendations as well as a weekly update which has been helpful to Dr. Gorman and Sheila Shirley in being able to manage the CMS budget in a timely manner.
- Furlough Authority for Local School Districts: Provision included in budget.
- State Employees Healthcare changes: Short term changes adopted by the Legislature. Long term solutions will be studied between sessions. Serious changes relative to the State Employee Health Plan and Benefits.
- Retired Teachers Return to Work: Budget provision not extended this year and a part of the budget reduction.
- Healthy Youth Act: The proposal changes the format and structure for the Healthy Living curriculum. There was a major change in the Healthy Living curriculum and the way those courses are taught (whether voluntary or elective). Lawyers were involved in the deposition and writing of that bill to ensure there were no upsetting changes to the curriculum. CMS requested a modification to the legislation and the legislation was adopted.
- Public Private Partnership (PPP): The proposal would modify and restructure the PPP statutes and that legislation did not pass.
- School Bus Tort Claims Act: The proposal would transfer liability for school bus tort claims to Local Education Agency (LEA) and that legislation did not pass.

- Pre-K Building Standards: The proposal would allow LEAs flexibility in the construction standards for Pre-K classrooms and that legislation passed.
- Personal Education Plans (PEP): The proposal would require the development of PEPs for students who are not performing within acceptable ranges and that legislation passed.

Mr. Maynard said he hopes to meet with the Board again shortly after the first of the year to regroup on these issues, assess the Board's posture, and get direction for next fall. The General Assembly will reconvene in May. The budget forecasts are not good but we are hopeful that the economy will improve and we will not have to face the same challenges that we faced this year.

Board members were invited to ask questions and make comments.

- Ms. McGarry asked clarifying questions regarding the changes to the Healthy Youth Act. Mr. Maynard said the major change is not in the curriculum but whether a student opted in or out of the curriculum and the need for parental consent in order to opt in for certain portions of the curriculum which reversed the system currently in place at CMS. Dr. Gorman clarified that staff supported parental consent to opt out and not opt in. Ms. McGarry expressed concern that parents may not be aware of the changes and may not get notification because students may not bring home the necessary paperwork. Ms. McGarry asked was the controversial issue regarding the sex education curriculum? Dr. Gorman said, yes. Ms. McGarry asked clarifying questions regarding the sex education curriculum at the high school level and below high school. Dr. Gorman said he could not provide the specifics to that question and he would have staff meet with Ms. McGarry to review the curriculum. Dr. Gorman said the bill does not make changes to the curriculum but only the procedures for opting out. Dr. Gorman encouraged parents to contact their school's principal to get information on the process.
- Mr. White thanked Peyton Maynard for his hard work in representing the Board and CMS. Mr. White said he has attended meetings in Raleigh representing CMS and the North Carolina School Boards Association over the past six years. He understands that this is a difficult task and it is beneficial to CMS to have someone who can navigate the Raleigh political arena. Mr. Maynard is respected, knows who to talk to regarding particular issues, and provides the Board and CMS excellent direction.
- Mr. Ross said he is on the Board's Legislative Committee. He thanked Mr. Maynard for the update and Ms. Mayes for the comprehensive summary, and the Mecklenburg Delegation for their work with CMS and their service to the community.
- Mr. Merchant asked in moving forward what is the status of having workable legislation regarding Public-Private Partnerships that provides real alternatives? Mr. Maynard said he believes there is good Public-Private Partnership legislation in place and he provided the Board clarifying information regarding the legislation. Mr. Maynard said he would be glad to discuss this with the Board to add measures to make the current legislation more effective. Dr. Gorman said staff does have specific ideas that include adding efficiencies to the bidding process. Mr. Merchant said he would like to have discussions to add efficiencies so that developers would not have to go through the same public bidding process.
- Chairperson Griffin said she has reviewed the budget forecasts for this year and next year and they do not look good. Chairperson Griffin said the forecasts would not have a legislative impact at this stage and there may be reductions that would need to be managed as we did this year. Chairperson Griffin asked are there projections whether the budget

forecast for next year would have a serious impact on the two year budget that was adopted? Mr. Maynard said the information he received indicated a \$45 million shortfall behind the first quarter forecast and some of those loses will be rolled over into the third and fourth quarter for this year. At this point, it is not anticipated that the economic environment will improve and we have our fingers crossed that it will not get a lot worse. Unemployment is rising and that is not good. Mr. Maynard will forward that report to the Board. Mr. Maynard said through the expertise of Dr. Gorman and Ms. Shirley they were aware of the upcoming shortfalls and were prepared to manage the changes. Mr. Maynard thanked the outgoing Board members for their service to CMS and their direction over the years that he has worked with the Board.

### C. Management Oversight Report on Finance

Chairperson Griffin called upon Dr. Gorman to introduce the report. Dr. Gorman called upon Sheila Shirley, Chief Financial Officer, to present the Management Oversight Report on Finance. Sheila Shirley said this report will be an overview of the Finance operations and the performance results as a part of the Management Oversight for the Finance Division. Ms. Shirley highlighted the following information:

- Finance Division:
  - Comprised of three main areas: Financial Services, Budget Development and Management Services, and Procurement Services.
- Six key business operations handled on a day-to-day basis:
  - Budget Development and Management creates a fiscally sound budget aligned to the priorities and managed to that budget throughout the year.
  - Accounts Payable: Facilitates payment of vendors.
  - Payroll: Facilitates payment of employees.
  - Procurement Services: Facilitates purchases for the districts and leverage buying power through competitive bidding and negotiations.
  - Accounting and audit functions: Maintain all accounting records, ensure and account for procedures of staff, cash and capital asset management, debt management, risk management, and internal and external audit functions.
  - Financial Reporting and Monitoring.
- Overview of district finances:
  - In 2008-2009 school year issued 30,000 purchase orders, processed 25,000 P-card transactions, processed 79,000 invoices, issued 45,000 accounts payable checks, issued 354,000 paychecks to employees, issued 26,000 W-2 forms, and performed 182 audits with the Internal Audit Team of schools and departments
  - The 2009-2010 Operating Budget is \$1.14 billion.
    - Revenue Sources: State provides 56% of the funding, County provides 28% of the funding, and Federal/Special Programs provide 14% of the funding.
    - 84% of the total funding is budgeted in salaries and benefits.
- Revenue Trends (shift of revenue stream):
  - State and County funding is decreasing as a percentage of the total in the last decade.
    - State declined from 62% to 56%.
    - County declined from 32% to 28%
  - Federal funding has increased from 4.5% to 14.6% over the last decade and this is concerning for two reasons.

- Federal funding is typically targeted for specific populations and is the most restricted funding source used by CMS.
- This year, the significant increase in Federal funding was related to the AARA funding and that funding will be depleted in two year.
- Financial Systems Integrity:
  - Eight Major Categories of Best Practices in Financial Management.
    - Financial Management.
    - Cash Management.
    - Capital Asset Management.
    - Debt Management.
    - Risk Management.
    - External and Internal Auditing.
    - Procurement.
    - Internal Controls.
  - Twenty Three Best Practices Evaluated.
  - Internal Controls.
- Governance and Authoritative Guidance:
  - Federal.
  - State.
  - Local.
  - Authoritative Accounting Guidance.
- Finance Division Budget 2009-2010 school year: \$6.9 million (Salaries, benefits, purchased services, Materials and supplies).
- 2009-2010 Goals:
  - Deliver world class customer service.
  - Provide financial leadership and support activities.
  - Implement continuous improvement process (CIP) initiatives.
  - Improve interdepartmental relationships and communication.
  - Develop future leaders and enhance staff performance.
  - Establish high expectations for personal accountability.
- 2008-2009 Initiatives:
  - Lawson Human Resource/Payroll system implementation.
  - Direct Deposit.
  - Payroll Customer Service Plan.
  - Fund Reversion Management.
  - 2009-2010 Budget Process.
  - Procurement Card Program.
  - Remote Deposit.
  - Audit Consistency.
- Performance Results:
  - Principal Survey Results:
    - The Department received the following rankings: Responsiveness 90.9%, Accurate Information 87.2%, Courteous Service 83.3%, Promptly Providing Answers 87.1%, and Assistance in Resolving Problems 90.9%.
    - Staff will focus on Courteous Service to get a better understanding regarding the 83.3% ranking.
  - Efficiency and Effectiveness Benchmarks.

- Effective year end “close-out” of all state allotments.
- Executed a successful budget development process for 2009-2010 Operating Budget.
- Successfully implemented the fully integrated Lawson Human Resources/Payroll System in March 2009.
- Implemented a new P-card platform.
- Received Excellence in Financial Reports awards (Government Finance Office Association (GFOA) and Association of School Business Officials (ASBO)).
- Next Steps:
  - Customer Service: Continuation of improvement focused on Training, Tracking and Follow up.
  - Continuous Improvement Initiatives:
    - Complete direct deposit conversion.
    - Identify efficiencies and enhance controls on payroll processes.
    - Utilize “auto-email” and “auto-fax” applications.
    - Improve contract management process.
    - Submit operating budget document for award.
  - Budget Management:
    - Develop budgetary plan to effectively address funding cliff.
    - Incorporate ERS data to drive strategic use of resources in support of *Strategic Plan 2014*.
  - Leadership and Staff Development.
    - Increase bench strength.
    - Promote personal accountability.

Ms. Shirley commended the leadership team of the Finance Department for their hard work and being instrumental in ensuring the financial management for CMS is top notch.

Board members were invited to ask questions and make comments.

- Mr. Ross asked are PTA budgets reviewed by the Finance Department? Ms. Shirley said the PTA budgets are separate legal entities and are not under the management of the Finance Department. Mr. Ross expressed concern that CMS staff or principals are not responsible for PTA budgets. Dr. Gorman said the individual PTAs are chartered separately and they vote and decide what to do with those dollars. There is PTA budget training and PTA accounting processes in place but that is not a district function. Mr. Ross said the PTAs operate in the CMS schools and CMS should ensure accurate accounting because should funds be misappropriated that reflects negatively on CMS. Dr. Gorman reviewed measures that are in place noting that CMS must be cautious on how they provide support because it may be viewed that CMS operates the PTAs. The is a matter of establishing a proper arms length relationship yet one which encourages accountability and transparency.
- Mr. Tate commended Ms. Shirley and her team for their hard work and help to the Board. Mr. Tate said he is currently the Chairperson of the Policy Committee and he asked Ms. Shirley to advise the Policy Committee should any of the Board policies need to be updated or amended to accommodate changes in local, state, and federal guidelines.
- Mr. Merchant said the items that he noticed were the slightly lower than desired ranking on Courteous Service, the need for slightly more manual checks issued than desired as a result of department error, and the need to develop bench strength. Mr. Merchant asked how many positions were not filled or cut in the Finance Department as a result budget reductions?

Ms. Shirley said there were a net of three positions and there were others positions held due to the budget freeze. Mr. Merchant said it would seem difficult when the indicators suggest that we already have a very efficient operation and the work load is higher than normal especially in a year like this that resulted in a high stress level. Mr. Merchant said it would be a mute point to say the department is understaffed because there is no more funding available. Mr. Merchant asked clarifying questions regarding the plans for developing bench strength and improving customer service. Ms. Shirley said there are strategies in place; staff is working with each individual team member to review their needs for improvement to be able to do their job smarter and faster; and focusing on developing leaders and bench strength to help staff to feel they have a pathway. Mr. Merchant suggested that CMS provide training to all CMS staff outside of the Finance Department to review the typical finance or payroll questions. Ms. Shirley said all financial secretaries in the schools and department secretaries receive training on an annual basis and questions that typically arise are reviewed. The areas of the Finance Department are organized into groups. There is a team of staff that works specifically with schools and they answer the questions that may arise. There is also a team of staff that works with particular vendors and they respond to those types of questions. There is also a team of staff that works with specific payrolls. Mr. Merchant suggested that with the new Board members joining the Board and the upcoming budget for next year it would be a good idea for the January Board Retreat to have a review of the budget process and the funding sources in a slightly advanced format so that all Board members will have the same level of knowledge. Dr. Gorman said there will be a new Board Member Orientation and Ms. Shirley will provide the basic information. The agenda for that meeting will be discussed in the near future but the topics for that meeting are adding up and an in-depth budget review may need to be a stand alone meeting. Mr. Merchant believes it would be a helpful teambuilding exercise and an education building exercise to have a Board meeting to discuss the budget process.

- Ms. McGarry commended Ms. Shirley and her expert team on providing information in a forthcoming and transparent manner.
- Chairperson Griffin thanked Dr. Gorman for the format of the report. She believes the new format is working well giving the lengthy report format that was used previously. Dr. Gorman said all of the new format presentations are on the CMS Website and everyone can review the Management Oversight reports. The goal is to have a library of subjects and reports. When the Board is provided an updated report on a topic, the new report will replace the old report.

## **ADJOURNMENT**

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

The Regular School Board Meeting adjourned at 9:05 p.m.

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Molly B. Griffin, Chairperson

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Nancy Daughtridge, Clerk to the Board