

Approved by the Charlotte-
Mecklenburg Board of Education
July 27, 2010
Regular Board Meeting



Charlotte, North Carolina

June 22, 2010

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

The Charlotte-Mecklenburg Board of Education held a Regular Board Meeting on June 22, 2010. The meeting began at 4:05 p.m. and was held in Room CH-14 of the Government Center.

Present: Eric C. Davis, Chairperson, (District 5);
Tom Tate, Vice-Chairperson, (District 4);
Kaye Bernard McGarry, Member At-Large;
Trent Merchant, Member At-Large;
Joe I. White, Jr., Member At-Large;
Rhonda Lennon (District 1);
Richard Allen McElrath, Sr. (District 2); and
Dr. Joyce Davis Waddell (District 3)

Absent: Timothy S. Morgan (District 6)

Also present at the request of the Board were Dr. Peter Gorman, Superintendent; André F. Mayes, Acting General Counsel/Deputy General Counsel; and Nancy Daughtridge, Clerk to the Board.

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

- **To consider student assignment matters that are privileged, confidential, and not a student record;**
- **To consider a personnel matter.**

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

The Board also held a Work Session meeting from 1:15 p.m. until 3:30 p.m. in Room 267 of the Government Center; a Closed Session meeting from 4:05 p.m. until 4:25 p.m. in Room CH-14 of the Government Center; and a Work Session meeting from 4:40 p.m. until 5:40 p.m. in Room 267 of the Government Center. The Board also held a Community Forum regarding The Case for Continuous Improvement: A Comprehensive Review of CMS in the Meeting Chamber of the Government Center from 6:00 p.m. until 8:00 p.m.

Chairperson Davis reconvened the Regular Board Meeting at 8:08 p.m. in the Meeting Chamber of the Government Center. CMS-TV Channel 3 televised the meeting.

Present: Eric C. Davis, Chairperson, (District 5);
Tom Tate, Vice-Chairperson, (District 4);
Trent Merchant, Member At-Large;
Kaye Bernard McGarry, Member At-Large;
Joe I. White, Jr., Member At-Large;
Rhonda Lennon (District 1);
Richard Allen McElrath, Sr. (District 2); and
Dr. Joyce Davis Waddell (District 3)

Absent: Timothy S. Morgan (District 6)

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 Davis called the meeting to order at 8:08 p.m. Chairperson Davis welcomed everyone to the Board's second meeting of the month which was held in the Meeting Chamber. Chairperson Davis reported that Tim Morgan would be absent but he would still be serving our community by taking a group of boy scouts on a ten-day hiking and camping trip in the mountains to teach them leadership skills. Chairperson Davis said CMS has just completed a successful year and he commended the staff and students who contributed to that success. He congratulated the 7,681 2010 Graduates of CMS which was the largest graduating class in the history of CMS. CMS held twenty-three graduations with over 84,400 guests attending those ceremonies at five locations (Central Piedmont Community Main Campus; The Blake Hotel; Time Warner Cable Arena; Ovens Auditorium; and Bojangles' Coliseum). Chairperson Davis commended Vicki Hamilton, Director of Athletes, and her staff for doing an excellent job in organizing the ceremonies and he congratulated the students and staffs who made this celebration possible. Chairperson Davis noted that this meeting was beginning at 8:00 p.m. because the Board had just finished conducting a Community Forum to discuss The Case for Continuous Improvement: A Comprehensive Review of CMS and he thanked all the meeting participants.

A. Adoption of Agenda

Chairperson Davis called for a motion to adopt the agenda.

Dr. Waddell moved, seconded by Ms. McGarry, that the Board adopt the agenda as presented, and a discussion followed.

Mr. Merchant asked the Board to add Action Item: III. C. (Recommend approval of appointment of Board General Counsel).

Chairperson Davis called for a vote to adopt the agenda as amended.

The Board voted 8-0 to adopt the agenda as amended. Mr. Morgan was absent.

B. Public Hearing on proposed amendments to Policy ADA, Equitable Educational Opportunities

Chairperson Davis said this item is the first of two Public Hearings on proposed amendments to Policy ADA, Equitable Educational Opportunities. The next Public Hearing, a Board discussion, and Board vote is scheduled for the July 27, 2010 Regular Board meeting. Four speakers discussed the importance of the equity policy, maintaining a citizens committee, and establishing baseline standards for every school.

- Pamela Grundy, represented Mecklenburg ACTS, and she presented recommendations to the proposed new policy which included that the Board reaffirm its commitment to equal opportunity for all students in clear terms; an effective equity policy must outline key standards which will be monitored and acted upon; and the policy should maintain the verbiage referencing schools with additional needs will require additional resources, baseline standards regarding technology and faculty, and to empower a group of citizens to conduct an independent examination of the educational opportunities available across the system (appointment of an Equity Committee).
- Carol Sawyer discussed the importance of equal educational opportunities in every school. The policy should explicitly set baseline standards in every school and the Board must review those standards to ensure equal opportunities for all schools.
- Rob Harrington, chairperson of the Equity Committee, presented the committee's concerns regarding the proposed policy amendments. The policy would move from a focus of baseline standards for resources at all schools to a focus on outcomes and these approaches are not mutually exclusive; the policy should look at both equity and outcomes; proposed outcomes are not sufficiently explicit or specific; the policy focuses on test scores which creates questions in offering programs at low performing schools in areas not subject to testing (Arts, music, and co-curricular courses); and the policy moves from the mandatory equity committee to one that would exist at the discretion of the Board. The Equity Committee would like to continue to work with the Board.
- Kojo Nantambu presented recommendations for the Board to consider and he encouraged the Board to not eliminate the Equity Committee because they provide oversight.

Chairperson Davis called the Public Hearing closed at 8:23 p.m.

II. CONSENT ITEMS

- A. Recommend approval of naming the Media Center at Rocky River High School the *Ed Sanders Media Center* in honor of Charlotte-Mecklenburg Schools' educator, Mr. Ed Sanders.

Ed Sanders began his career with Charlotte-Mecklenburg Schools in 1946. After serving in the Army Air Corps during World War II for four years, Mr. Sanders started as a history teacher at Central High School in Charlotte. In 1951, Mr. Sanders became the athletic director; two years later, he was promoted to assistant principal. In 1955, at the young age of 33, Mr. Sanders was promoted to principal, where he guided the successful merger of rival schools Tech High and his Central High. In 1957, three years after Brown v. Board of Education ruling, Mr. Sanders became a "hero during racial unrest of the 1950s" as he successfully and peacefully enrolled Charlotte's first black student, Gus Roberts, at Central High. When Central High closed in 1959, Mr. Sanders became the principal at the new Garinger High School. In 1970, Mr. Sanders was selected to serve as a CMS Associate Superintendent before resigning in 1978 to become superintendent of the Darlington, SC school system. A pioneer and "quiet hero," Mr. Sanders developed his legacy as a leader with the successful integration of our school system. He was recognized locally and nationally; world-renowned writer James Baldwin traveled to Charlotte to interview Mr. Sanders. He is loved and respected by many,

especially by his Central High Class of '55. Therefore, the school would like to honor Mr. Sanders by dedicating the Media Center to him, and naming it the Ed Sanders Media Center.

- B. Recommend approval of one citizen appointment to the Central Piedmont Community College Board of Trustees to serve a four year term effective July 1, 2010 through June 30, 2014.

The Board appointed Jane Cooper to serve for a second full term ending June 30, 2014. Ms. Cooper is currently serving in this capacity and the College Board of Trustees would like for her to continue to serve for a second full term. Ms. Cooper is eligible to serve another term.

- C. Recommend approval of construction contract for Morehead Elementary School.

The general construction contract for Morehead Elementary School was informally bid on Wednesday, June 9, 2010. Staff recommends the approval of the contract to the lowest responsive bidder, Soresen Gross, Inc., in the amount of \$384,500. The scope of the work for this project include renovation of six classrooms to provide science labs, art, music, and CTE classrooms as required to Support the Science, Technology, Engineering and Mathematics (STEM) curriculum.

- D. Real Estate items:

1. Recommend approval to exchange of certain property owned by Charlotte-Mecklenburg Board of Education (CMBE) for certain property owned by SMB Auburn, LLC (SMB).

The exchange involves the following:

- The property to be conveyed by CMBE the SMB is as follows: an approximately 1.795 acre portion of tax parcel no. 019-261-27. The value of this property is estimated to be \$25,299.25 (\$14,150 per acre based on tax value). Additionally CMBE will convey a temporary construction easement for certain erosion control basins.*
- The property to be conveyed by the SMB to CMBE is as follows: an approximately 2.226 acres portion of tax parcel nos. 019-261-01A and B. The value of this property is estimated to be \$30,231.30 (\$13,581 per acre based on tax value). Additionally, Developer will make certain road improvements to Fred Brown Road that benefits CMBE. Fiscal implications: The value of the property and other consideration to be received by the Board of Education exceeds the value of the property and other consideration to be conveyed by the Board Education.*

2. Recommend approval by the Charlotte-Mecklenburg Board of Education to continue leasing space at 4948 Airport Center Parkway.

The current lease for office space at 4948 Airport Center Parkway, Suite F for its Telecommunications Department has expired. CMBE now desires to enter into a new lease agreement for 12,106 sq. ft. The annual rent for the space is \$117,125.55 plus taxes, insurance and common area maintenance (TICAM). Fiscal Implications: Annual rent of \$117,125.55 plus taxes, insurance and common area maintenance (TICAM).

3. Recommend approval of a certain right-of-way and temporary construction easements over a portion of Charlotte-Mecklenburg Board of Education (CMBE) property known as Mecklenburg County Tax Parcel No. 217-013-34 to Charlotte Holdings V, LLC.

Charlotte-Mecklenburg Board of Education is the owner of real property in Mecklenburg County, North Carolina known as Mecklenburg County Tax Parcel No. 217-013-34. Charlotte Holdings V, LLC ("CH") has requested that CMBE convey, and CMBE has agreed to convey to CH, certain right of way and temporary construction easements over a portion of Tax Parcel No. 217-013-34. The prior owner of the CH Property was Austin's Creek, LLC ("AC"). CMBE previously entered into a "Development Agreement Regarding School Sites and Adjoining Residential Property" ("Development Agreement") dated February 1, 2008. Sites were not developed by either party. Austin's Creek, LLC went into foreclosure and purported to assign its rights under the Development Agreement to Lender. CMBE and CH desire to terminate the Development Agreement. Charlotte Holdings V, LLC agrees to complete the Road and Utility Work no later

than one year after the Closing Date. Fiscal Implications: Charlotte Holdings V, LLC will pay \$10.00 for the easement area.

E. Recommend approval of appointment of administrative personnel and principal contract renewals.

Transfer:

- *Curtis Carroll named principal at Phillip O. Berry Academy of Technology. Mr. Carroll previously served as Area Superintendent for the Achievement Zone.*

Appointments:

- *Sharmel Denise Watts named Area Superintendent, Central Zone - Secondary. Ms. Watts previously served as principal at Bishop Spaugh Community Academy.*
- *Yvette Smith named Director, Secondary Education, Title I. Ms. Smith has a master of School Administration from Campbell University; Master of Education, Curriculum and Instruction from North Carolina Central University; and Bachelor of Arts, Elementary Education from North Carolina Central University. Ms. Smith previously served as Instructional Support Consultant, Student Achievement and School Accountability Programs in the Office of Elementary and Secondary Education, with the United States Department of Education in Washington D.C.*
- *Joshua Bishop named principal Cochrane Middle School. Mr. Bishop previously served as interim principal at Cochrane Middle School.*
- *Arlene Harris named principal at Billingsville Elementary School. Ms. Harris previously served as resident principal at Ashley Park Elementary School.*
- *Rashada Simmons-Tedder named as principal Leadership and Public Service at Garinger High School. Ms. Simmons-Tedder previously served as New Leaders for New Schools Resident Principal.*
- *John LeGrand named principal at Bain Elementary School. Mr. LeGrand previously served as assistant principal/interim principal at Bain Elementary School.*
- *Anne Elizabeth Thompson named principal at Whitewater Academy. Ms. Thompson previously served as dean of students at Alexander Graham Middle School.*
- *Paul Barnhardt named principal at Montclair Elementary School. Mr. Barnhardt previously served as interim principal at Montclair Elementary School.*
- *Janette McIver named principal at Bishop Spaugh Community Academy. Ms. McIver previously served as assistant principal at Bishop Spaugh Community Academy.*
- *Laura Rosenbach named principal at Bradley Middle School. Ms. Rosenbach previously served as assistant principal at Mallard Creek High School.*
- *Tisha Greene named principal at Hidden Valley Elementary School. Ms. Greene previously served as interim principal at First Ward Elementary School and Executive Coordinator in the Chief Academic Office/Curriculum and Instruction.*
- *Danielle Miller named principal at Elizabeth Lane Elementary School. Ms. Miller previously served as assistant principal at Smithfield Elementary School.*

Principal contract renewals:

- *Twenty-four principals were recommended for contract renewals for the 2010-2011 school year.*

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

Mr. White moved, seconded by Dr. Waddell, that the Board adopt Consent Items A.

through E., and the Board voted 8-0 to approve the motion. Mr. Morgan was absent.

The following announcements were made:

- Ms. McGarry congratulated Jane Cooper on her appointment to Central Piedmont Community College Board of Trustees.
- Mark Nixon, principal at Rocky River High School, thanked the Board for approving the name of the Media Center at the school as the *Ed Sanders Media Center*. Mr. Nixon recognized family and friends of Mr. Sanders who were instrumental in making the recommendation. The school will hold a dedication in honor of Mr. Sanders in mid-September.
- Dr. Gorman reviewed the above noted personnel appointments.
- Chairperson Davis congratulated the principals on their new roles. He noted that three of the principal appointments came through the CMS New Leaders for New Schools Program which shows that CMS has a talented team and is building bench strength in adding to that team.

III. ACTION ITEMS

- A. Recommend approval of the non-renewal of contracts for other probationary employees being recommended for non-renewal in accordance with the Board approved reduction in force criteria

Chairperson Davis called upon Dr. Gorman to present the recommendation. Dr. Gorman said this item will complete the process previously brought to the Board on June 8, 2010 regarding the reduction in force. This recommendation will be for the teachers who requested information or a hearing and who were not voted upon at the June 8th meeting. According to North Carolina General Statutes Section 115C-325(m), any probationary teacher whose contract is not going to be renewed for the next school year who requested information or a hearing, must be given notice of such non-renewal by July 1 of the preceding school year, unless that date is extended upon the written consent of the Superintendent and teacher. The law directs that the Superintendent make the recommendation for non-renewal to the Board of Education. The law also states that, when a teacher has been employed by a school system for four (4) consecutive years, or the teacher has been employed for one (1) year and had career status in another North Carolina public school system prior to coming to this school system, the Board shall vote upon whether the teacher should be granted career status (commonly referred to as "tenure") and shall give written notice of the decision by the same date described above.

Mr. Tate moved to approve the Superintendent's recommendation, pursuant to and in accordance with the supporting grounds in the Board Record and the applicable reduction in force criteria approved by the Board on March 23, 2010, as amended on May 10, 2010, to non-renew the contracts of those persons on the Combined List of Certified Probationary Employees Recommended For Non-Renewal of Their Contracts Pursuant to Board Policy and the Board approved criteria for the reduction in force and to deny career status to those non-career employees on the list who are eligible for career status, seconded by Mr. Merchant, and the Board voted 7-1 in support of the motion. Board members Davis, Tate, Merchant, White, Lennon, McElrath, and Waddell voted in support of the motion. Ms. McGarry voted against the motion. Mr. Morgan was absent.

B. Recommend approval to charge a fee to participate in the Interscholastic Athletic Program

Chairperson Davis called upon Dr. Gorman to present the recommendation. Dr. Gorman said this is a recommendation that must come before the Board to grant staff the authority to move forward in the process of charging a fee to participate in the Interscholastic Athletic Program. In order to facilitate funding of the Interscholastic Athletic Program at the middle school level in CMS, staff is recommending the following fee schedule: 1.) Middle school students will be charged a fee of \$50 for each interscholastic sports team on which they participate. 2.) High school students will be charged a fee of \$100 for each interscholastic sports team on which they participate. This recommendation also includes a Scholarship Program and an initiative to gather donations to augment the costs and CMS has already received several generous donations.

Chairperson Davis called for a motion to approve the Superintendent's recommendation.

Mr. White moved, seconded by Ms. Lennon, that the Board approve the Superintendent's recommendation to charge a fee to participate in the Interscholastic Athletic Program: middle school students will be charged a fee of \$50 for each interscholastic sports team on which they participate and high school students will be charged a fee of \$100 for each interscholastic sports team on which they participate, and the Board voted 8-0 in support of the motion. Mr. Morgan was absent.

C. Recommend approval of appointment of Board's General Counsel

Chairperson Davis called upon Mr. Merchant, Chairperson of the General Counsel Search Committee, to present the recommendation.

Mr. Merchant moved that the Board appoint George E. Battle, III as the Board's new General Counsel, seconded by Dr. Waddell, and a discussion followed.

Mr. Merchant said the Board recently conducted an extensive search for a new permanent general counsel for the Board. The search committee also included Kaye McGarry, Richard McElrath, and Tim Morgan. The committee worked well together, represented diverse views, and conducted a thorough search. A number of applications were received through an active process and several rounds of interviews were conducted. The recommendation of Mr. Battle is presented with a unanimous recommendation of the Search Committee. Mr. Battle is currently the associate general counsel with the Carolinas Healthcare system where he serves as lead counsel to Cleveland County Healthcare System. He is active in his church, active in the Bar, and has been married for a number of years with a young daughter. He is a graduate of West Charlotte High School where he was the Student Body President, graduate of University of North Carolina where he was the Student Body President; and a graduate of University of North Carolina Law. The Board is very excited about having the opportunity for him to join CMS.

The Board voted 8-0 in support of appointing George E. Battle as the Board's General Counsel. Mr. Morgan was absent.

IV. REPORT/INFORMATION ITEMS

A. Report on Budget Amendments for May 2010 and June 2010

Chairperson Davis called upon Dr. Gorman to introduce the report. Dr. Gorman said these are

the monthly reports and they are as presented.

ADJOURNMENT

Chairperson Davis called for a motion to adjourn the meeting.

Dr. Waddell moved that the Board adjourn the Regular Board meeting, and by consensus, the Board agreed to adjourn the meeting.

The Regular School Board Meeting adjourned at 8:37 p.m.

Eric Davis, Chairperson

Nancy Daughtridge, Clerk to the Board