

**Minutes Approved**  
**10/12/1999**



Charlotte, North Carolina

September 14, 1999

**REGULAR MEETING OF THE  
CHARLOTTE-MECKLENBURG BOARD OF EDUCATION**

The Charlotte-Mecklenburg Board of Education held a Regular Meeting on September 14, 1999, beginning at 6:10 p.m. in the Board Room of the Education Center. Prior to the Regular Meeting, the Board held a Closed Session at 5:00 p.m. in Room 408 of the Education Center for real estate and litigation with the Board Attorney. Following the Regular Meeting, the Board held a second Closed Session to begin the annual evaluation of the Superintendent. The Closed Session was held in Room 408 of the Education Center.

**PRESENT:** Arthur Griffin, Jr., Chairperson;  
John W. Lassiter; Wilhelmenia Rembert;  
Vilma D. Leake; George Dunlap;  
Molly Griffin; Louise Woods; and Lindalyn  
Kakadelis

**ABSENT:** James H. Puckett was absent.

Also present at the request of the Board were Eric J. Smith, Superintendent; members of the Executive Staff; James L. Clark, Executive Director of Administration; and Carol K. Gerber, Clerk.

**CALL TO ORDER**

Chairperson Arthur Griffin, Jr. called the meeting to order and led members in the Pledge of Allegiance.

**CMS UNITED WAY CAMPAIGN KICKOFF**

Mr. Griffin called upon Vice Chairperson John Lassiter to kickoff the CMS United Way Campaign, which is the fifth largest employee campaign in the County. Mr. Lassiter introduced his Co-Chairpersons, Dr. Barbara Jenkins, Assistant Superintendent for Human Resources, and Vivian Williams, a retired CMS supervisor. Mr. Lassiter reported that in the first week of the United Way campaign, CMS had raised 58% of its goal with a \$205,000 total to date. Mr. Lassiter acknowledged the tremendous support from Superintendent Smith, who will invite employees contributing \$500 or more to a recognition breakfast when the CMS goal of \$360,000 has been reached.

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Also addressing the Board were Mary Mack, Chairman for the Mecklenburg County United Way Campaign, and Lorraine Vega, Chief Operating Officer for United Way. Ms. Mack cited the many recipients of United Way funds whose activities directly impact children, including Cities in Schools, the YMCAs, and the Urban League. She called attention to the effectiveness of the Big Brothers/Big Sisters programs in which 91% of the participants stay in school; 96% never become involved with juvenile justice; and the 41% for whom academic achievement rises. Ms. Vega thanked the School Board and the CMS employees for their support of United Way. Ms. Williams introduced nine girls from Chantilly Elementary School who presented a song by a kindergarten student, accompanied by cheerleading, for United Way spirit.

Mr. Lassiter announced that the Campaign Celebration would be held on October 18, from 3:30 to 4:30 at the Adams Mark Hotel.

### **RECOGNITION OF CMS FINANCE DEPARTMENT FOR WINNING THE GOVERNMENT FINANCE OFFICERS ASSOCIATION AWARD OF FINANCIAL REPORTING ACHIEVEMENT**

Mr. Lassiter, Chairman of the Board Committee on Finance and Facilities, recognized Janet Stoner and the Finance Department for receiving the Government Finance Officers Association Award of Financial Reporting Achievement, for the comprehensive annual financial report for the fiscal year ended June 30, 1998. Mr. Lassiter said that the Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

George Dunlap expressed his appreciation to Ms. Stoner and her department. He remarked that Board members were welcome to join him in a class on the budget that he will be taking at UNC-Charlotte. The Superintendent expressed his personal thanks to Ms. Stoner for her dedication to the Finance Department. Mr. Griffin commented that he and Ms. Stoner had been on the same team since 1988.

### **REPORT ON PARENT FOCUS GROUPS ON SCHOOL CHOICE**

Dr. Smith called upon Hayward Homsley, from the Student and Family Services Department, to give a preliminary report to the Board members about the Parent Focus Groups on School Choice. Mr. Homsley said that these fifteen focus groups, composed of parents throughout the county who had been selected by computer lottery, had been meeting throughout the summer. The groups are the beginning of a process to get input and feedback from parents and the community. With leadership from the Urban Institute at UNC-Charlotte, each focus group was asked the same question: *"If you have a choice of where to send your child to school, what will be important elements you think you'll consider as you make your school selection?"*

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Mr. Homsley said that two major common themes had come out of the meetings: location, proximity, neighborhood schools; and academics, curriculum, educational quality. Other common themes included equity, diversity, magnets and choice options, school safety; and parental involvement and services.

The focus groups were held at Thomasboro Elementary School, Wilson Middle School, Davidson Town Hall, Sterling Elementary School, Dilworth Elementary School, Cornelius Elementary School, J.H. Gunn Elementary School, Elizabeth Lane Elementary School, Independence High School, McAlpine Elementary School, South Regional Library, Plaza Midwood Library, Merry Oaks Elementary School, Myers Park High School, and Elizabeth Traditional School.

Dr. Smith emphasized that the report was preliminary and that it was not intended to be a scientific study. The final report will be prepared by the Urban Institute and presented on September 28, 1999 to the Board of Education.

Louise Woods asked if the entire county had been represented in the focus groups. Mr. Homsley said that three or four zip codes had been used to select the representation for each focus group. Ms. Woods also wondered if the order of the criteria had been prioritized.

Vilma Leake expressed concern that inner-city parents were not well represented because schools located in the inner city are primarily magnet schools. She commented that she was glad that diversity was important to the parents.

Wilhelmenia Rembert asked what methodology had been used in choosing the zip codes.

Lindalyn Kakadelis commented that choosing participants by computer from various zip codes had involved new people in the focus groups. She expressed the hope that these new people would stay involved in the schools.

## **ACTION ITEMS**

### **APPROVAL OF ADMINISTRATIVE APPOINTMENT: ANNE BRINKLEY AS PRINCIPAL OF HIDDEN VALLEY ELEMENTARY SCHOOL**

**On motion by Mr. Dunlap, seconded by Ms. Woods, the Board voted unanimously to approve the appointment of Anne Brinkley as principal of Hidden Valley Elementary School, as recommended by the Superintendent.**

Ms. Brinkley, presently a North Carolina State Assistance Team Leader, has previously been a principal in Robeson County, North Carolina. She holds a Bachelor of Science Degree from Fayetteville State University, a Masters of Science in Principalship and Sociology from North Carolina Central University, and an Educational Specialty Degree from East Carolina University.

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## **APPROVAL OF BOARD APPOINTMENTS TO THE BOND OVERSIGHT COMMITTEE**

**On motion by Dr. Rembert, seconded by Mr. Dunlap, the Board voted unanimously to re-appoint the following persons to the Bond Oversight Committee: Ken Harris, Chairman of the Committee, to a one-year term as Chairman; Chip Boorman, serving as Vice Chairman, to a two-year term; Ed Kania to a one-year term; Ray Ardizzone to a one-year term; Sue Peck to a two-year term; Glenn Agnew to a two-year term; and Jerry Vaughan to a three-year term.**

**On motion by Dr. Leake, seconded by Dr. Rembert, the Board voted unanimously to appoint Sal Della Villa and Almeeta Rippy to three-year terms.**

Addressing the Board, Mr. Harris explained that the Bond Oversight Committee had been meeting monthly for two years. The committee members had requested the staggered terms in order to provide both continuity and effective turnover among the Committee members.

Dr. Leake asked for clarification of the Committee membership. Mr. Griffin explained that the Committee was a group of citizens who volunteer their time to oversee CMS capital expenditures funded by County Bonds, thereby providing public accountability.

Dr. Leake said that the Committee needs to have periodic reporting to the Board. Mr. Griffin said that the initial charge to the Committee included reporting on a quarterly basis. Mr. Lassiter said that the Bond Committee often reported to the Board Finance Committee.

Mr. Griffin then recognized departing members of the Committee: Robert G. Calton, III and Willie Little, a retired CMS assistant principal. Ms. Woods expressed the Board's appreciation of the retiring Committee members' time and efforts. Ms. Kakadelis asked the administration for a current list of members of the Bond Oversight Committee and their addresses and phone numbers.

## **APPROVAL OF REVISED POLICY GCBD: *PROFESSIONAL STAFF FRINGE BENEFITS TAX SHELTERED 403(b) PLANS*, REVISED POLICY GCBD: *SUPPORT STAFF FRINGE BENEFITS TAX SHELTERED 403(b) PLANS*, AND POLICY GCMD: *ASSIGNMENT OF NON-INSTRUCTION AND EXTRA CURRICULAR DUTIES***

On August 10, 1999, the Board had held a First Reading of Revised Policy GCBD: *Professional Staff Fringe Benefits Tax Sheltered 403(b) Plans*, Revised Policy GCBD: *Support Staff Fringe Benefits Tax Sheltered 403(b) Plans*, and Policy GCMD: *Assignment of Non-Instruction and Extra Curricular Duties*. The new policy and the two revised policies were made available to employees, staff, and the community, according to prescribed procedures.

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**On motion by Mr. Griffin, seconded by Ms. Kakadelis, the Board voted unanimously to approve Revised Policy GCBD: *Professional Staff Fringe Benefits Tax Sheltered 403(b) Plans*, Revised Policy GCBD: *Support Staff Fringe Benefits Tax Sheltered 403(b) Plans*, and Policy GCMD: *Assignment of Non-Instruction and Extra Curricular Duties***

***Professional Staff Fringe Benefits Tax Sheltered 403(b) Plans (Revised Policy GCBD)***

Pursuant to Internal Revenue Code Section 403(b) and North Carolina General Statute Section 115C-341, it shall be policy of the Board of Education to enter into salary reduction agreements with its employees who have a tax sheltered annuity contract and/or custodial account with 403(b) Service Providers.

Such Service Providers must, however, agree to the terms and conditions set forth in the regulations accompanying this policy with respect to purchases, sales, transfers, or other transactions related to the servicing of 403(b) annuity contracts and/or custodial accounts.

***Support Staff Fringe Benefits Tax Sheltered 403(b) Plans (Revised Policy GCBD)***

Pursuant to Internal Revenue Code Section 403(b) and North Carolina General Statute Section 115C-341, it shall be policy of the Board of Education to enter into salary reduction agreements with its employees who have a tax sheltered annuity contract and/or custodial account with 403(b) Service Providers.

Such Service Providers must, however, agree to the terms and conditions set forth in the regulations accompanying this policy with respect to purchases, sales, transfers, or other transactions related to the servicing of 403(b) annuity contracts and/or custodial accounts.

***Assignment of Non-Instruction and Extra Curricular Duties (Policy GCMD)***

The Board of Education seeks to create optimum working conditions for beginning teachers. In addition, it is acknowledged that a source of support for beginning teachers can be the experience and expertise of their colleagues. The purpose of this policy is to increase opportunities for beginning teachers to focus on their professional development by limiting the additional duties to which beginning teachers and highly experienced teachers as assigned.

Teachers with initial certification shall not be assigned extracurricular activities unless they request the assignments in writing, and other noninstructional duties assigned to these teachers should be minimized.

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Teachers with 27 or more years of experience also shall not be assigned extracurricular activities unless they request the assignments in writing. Other noninstructional duties assigned to these teachers should be minimized to provide opportunities to share their experience and expertise with new colleagues.

The noninstructional duties of all teachers are limited to the extent possible given federal, state and local laws, rules and policies, and should be distributed equitably among employees.

The Superintendent, upon informing the Board of Education, may temporarily suspend this policy within an individual school upon a finding that there is a compelling reason the policy should not be implemented.

#### **APPROVAL OF PURCHASE OF REAL PROPERTY FOR A NEW SCHOOL SITE AT NORTH TRYON STREET AND CRAIGHEAD ROAD.**

**On motion by Mr. Dunlap, seconded by Dr. Leake, the Board voted unanimously to exercise that certain option to purchase and approve that certain contract with Carolina Foods, Inc. for the purchase and sale of that approximately 17.33 acre tract of land located at North Tryon Street and Craighead Road, Mecklenburg County Tax Parcel No. 085-031-03, at a purchase price of \$59,500/acre, said contract providing for CMBE to have a 60-day "free-look" Feasibility Study Period. The cost will be \$59,500 per acre, plus due diligence costs.**

#### **CONSENT AGENDA**

**On motion by Mr. Lassiter, seconded by Mr. Dunlap, the Board voted unanimously to approve the items A through D on the Consent Agenda.**

The following Consent Agenda items were approved:

#### **APPROVAL OF MINUTES**

**The following minutes of Board Meetings were approved:**

July 25, 1999	Closed Session (Panel for Student Exclusion Appeals)
August 5, 1999	Closed Session (Panel for Student Assignment Appeals)
August 11, 1999	Closed Session (Panel for Student Assignment Appeals)

#### **APPROVAL OF CONSTRUCTION CONTRACTS FOR DEVONSHIRE ELEMENTARY SCHOOL**

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The Board approved construction contracts to Sealand Contractors Corp, Gastonia Plumbing & Heating Co., Inc., P.C Godfrey, Inc. and Premium Electrical Contractors, Inc., the lowest bidders, for new construction and renovations at Devonshire Elementary School, totaling \$3,172,403. The Contracts will provide eight additional classrooms, a multi-purpose room, and a media center. In addition the contracts provide for renovations in existing classroom buildings, including bathroom upgrades, replacement of the mechanical system, an expansion to the dining area, kitchen renovations, and some general renovations.

<b><u>General:</u></b>	<b>Sealand Contractors Corp.</b>		
	Base Bid	\$1,823,000	
	Alternate #A1	4,600	
	Alternate #A2	<u>37,000</u>	
	<b>Recommended Award</b>		<b>\$1,864,600</b>
<b><u>Plumbing:</u></b>	<b>Gastonia Plumbing &amp; Heating Co., Inc.</b>		
	Base Bid	\$179,900	
	Alternate #P1	15,500	
	Alternate #P2	12,000	
	<b>Recommended Award</b>		<b>207,400</b>
<b><u>Mechanical</u></b>	<b>P.C Godfrey, Inc.,</b>		
	Base Bid	\$621,300	
	Alternate #M1	142,950	
			<b>764,250</b>
<b><u>Electrical</u></b>	<b>Premium Electrical Contractors, Inc.</b>		
	Base Bid	\$335,698	
	Alternate #E1	455	
	<b>Recommended Award</b>		<b><u>336,153</u></b>
	<b>TOTAL Recommended Award</b>		<b><u>\$3,172,403</u></b>

Alternate Summary

- A1: Add ceramic tile to wet walls
- A2: New Floor finishes
- P1: Add backflow preventer in existing line
- M1 Replace all existing unit ventilators and unit heaters in the existing building with new units
- E1: Wiring for unit ventilator and unit heater replacement

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**BUDGET**

Use of Funds

Recommended Award	\$3,172,403	
Designer's Fee	309,480	
Program Manager's Fee	251,131	
FF&E/Fees/Surveys/Utilities	<u>1,335,986</u>	
<b><u>TOTAL USE</u></b>		\$5,069,00

Source of Funds

1996 Bonds	\$5,069,000	
<b><u>TOTAL SOURCE</u></b>		<u>\$5,069,000</u>

**APPROVAL OF HVAC CONSTRUCTION CONTRACTS FOR NORTHRIDGE MIDDLE, SOUTH CHARLOTTE MIDDLE AND PROVIDENCE HIGH SCHOOLS**

The Board members discussed the prioritizing of construction contracts in general and questioned the approval of renovations at newer schools when renovations were still needed at older schools. Dr. Smith said that renovations were proceeding on a prioritized schedule.

Ms. Woods recalled that in the past, when Bovis Construction Management Services had done the prioritizing, some schools, where physical conditions made it difficult to learn, had been overlooked. Ms. Woods recalled specifically that Cotswold Elementary, Dilworth Elementary and Merry Oaks Elementary had had critical needs at the time. She remarked that Merry Oaks had been placed on a five-year list but later put on a list to be torn down.

Ms. Griffin agreed with Ms. Woods about the need to prioritize renovations, and Dr. Leake, also in agreement, mentioned Westerly Hills Elementary has having great renovation needs. Chairperson Griffin said that projects would be moved around.

Mr. Dunlap said that spending \$5 million at Devonshire Elementary does not bring it to standard. He said that the main points given for the construction contracts to be considered by the Board need to be expanded with specific details.

Ms. Kakadelis added that at J.H. Gunn the air conditioning keeps breaking down..

In specific discussion about the HVAC renovation contracts before them, Greg Clemmer, Associate Superintendent for Operations, said that the temperature in the computer lab at South Charlotte Middle rises to 100 degrees Fahrenheit. Dr. Leake commented that the original contractor should have known that those classrooms needed more ventilation. Mr. Clemmer said that the number of computers in the room had grown over the years. Dr. Rembert expressed the fear that by adding technology and HVAC renovations at certain schools, while others have none, the Board would be creating greater inequities.



Ms. Woods said that while Garinger High and Ransom Middle did not have enough computers, Northridge Middle had some that were un-used.

Dr. Smith agreed that these are real issues and that he would bring a report to the Board. He said that the school system is moving towards a ratio of eight students to one computer. He added that schools that are more than three years old do not have adequate technical facilities.

**The Board approved construction contracts to P.C Godfrey, Inc., the lowest bidder, for certain HVAC renovations at Northridge Middle School (\$58,500), South Charlotte Middle School (\$58,600), and Providence High School (\$122,620) for a total of \$239,720.** The Contracts will provide additional cooling in the computer labs located in the main buildings at Northridge Middle and South Charlotte Middle Schools and in Rooms 100, 200, and 400 at Providence High School. Source of funding is Capital Replacement.

#### **APPROVAL OF REQUESTS FOR STUDENT REASSIGNMENT AND RELEASE OF STUDENTS TO OTHER SCHOOL DISTRICTS**

**The Board approved 84 requests for student reassignment (Category I), denied nine requests for transfer (Category II).** (There had been no requests for Category III, release of CMS students to other school districts in North Carolina.) Based on the Court Ruling of September 10, 1999, the staff had reviewed the list of transfer requests and made appropriate adjustments.

#### **ADVANCE APPROVAL OF POSSIBLE EXPENSES FOR BOARD MEMBER(S) TO ATTEND THE 43<sup>RD</sup> ANNUAL FALL CONFERENCE OF THE COUNCIL OF THE GREAT CITY SCHOOLS**

**The Board gave advance approval to possible expenditures by Board member(s) to attend the 43<sup>rd</sup> Annual Fall Conference of the Council of the Great City Schools, to be held October 13-17, 1999, in Dayton, Ohio, in accordance with Board Policy BID: *Reimbursements for Expenses*.** The theme of the Conference, hosted by Dayton Public Schools, will be "Celebrating Urban Education: Investing in Success."

#### **REPORT FROM THE BOARD MEMBERS**

##### **Special Board Meeting Called for September 21, 1999**

Mr. Griffin called a Special Board Meeting for September 21, 1999, beginning at 6 p.m. in the Board Room of the Education Center.

##### **Ms. Kakadelis: Draft of Language Arts Standard for State Board of Education**

Ms. Kakadelis called the attention of Board members to a draft of new State standards for Language Arts. It is on the Internet for citizens to read before it goes to the State Board of

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Education for adoption. She said the North Carolina Department of Public Instruction would hold a Public Hearing on October 7, 1999, in Charlotte on the Language Arts standards.

**Ms. Kakadelis: Board Curriculum Committee Meeting, Penmanship, and "Meet at the Flagpole" Day**

Ms. Kakadelis announced a meeting of the Board Curriculum Committee on September 23, 1999. She reported that she had had phone calls about penmanship and asked if there were State standards for penmanship. She informed the Board that the annual "Meet at the Flagpole Day," for students who wish to pray together, would be held September 15, 1999, at 7 a.m.

Ms. Griffin had no report.

**Ms. Woods: Board Policy Committee**

Ms. Woods said that the Board Policy Committee was scheduled to meet on September 21, 1999. She asked Board members to bring up critical areas of concern but suggested that the Committee might not need to meet on that date, in view of the scheduling of the Special Board meeting at 6 p.m.

**Ms. Woods: Home Visitation Committee**

Ms. Woods reported the findings of a Home Visitation Committee, on which Ms. Griffin also served. She said that K-3 home visits are being made by the classroom teachers and that the committee recommended that home visits also be made for students in grades 4-12. Ms. Woods had also attended a meeting of teachers of four-year olds, who were happily excited about the home visits they had made.

**Dr. Rembert: Women's Equality Day Awards**

Dr. Rembert recognized members of the CMS family who had won Women's Equality Day Awards: Leslie Winner, General Counsel and Carlenia Ivory, Coordinator of Double Oaks Community Center. Dr. Rembert said that she had visited Double Oaks for its back-to-school rally.

**Mr. Griffin: Board Support for CMS Employees**

Mr. Griffin, commenting on the Court Ruling delivered on September 10, 1999, assured the school family that all nine Board members were focusing their energies on teachers, support staff, cafeteria workers and bus drivers so that students will have a good year and that each and every child is reaching towards his/her full potential.

### **Mr. Griffin: Clarification of Newspaper Reporting on AP Exams**

Clarifying the newspaper reporting on Advanced Placement (AP) exams, Mr. Griffin said that 941 more students this year than last year had successfully completed the exams [with a score of 3, 4 or 5].

### **Mr. Lassiter: Praise for Playground Equipment Report**

Mr. Lassiter called attention to the copies Board members had received of the complete Report on Playground Equipment. He said that it is the Board's job to decide what ought to be there. He suggested that a playground review committee be formed to focus on this element of equity. Mr. Clemmer responded that such a committee was already being formed, thanks to Jeff Booker, Assistant Superintendent for Building Services. Ms. Woods commented that funds from the County Parks and Recreation Department could be part of the solution for playground equipment.

### **Mr. Dunlap: Thanks to Business Community for Supporting Public Education**

Mr. Dunlap thanked the business community for offering special times when a percentage of their sales goes to the schools. He encouraged Board members and the public to watch for these special opportunities that give supplementary dollars to the schools.

### **Dr. Leake: Football Game Well Attended**

Dr. Leake said that the stands at Memorial Stadium were full last Friday night when West Charlotte played Carver High School from Winston-Salem.

### **Dr. Leake: National Board Certified Teachers**

Concerning National Board Certified Teachers, Dr. Leake thanked Beverly Moore, Assistant Superintendent for Quality Instruction, for a report. She commented that there were no National Board Certified Teachers at Thomasboro Elementary and wondered why not and where they were. She said that they are supposed to be in the classroom at least a half day. She asked which funds paid the substitutes for the National Board Certified Teachers who were present at Vance High School the day that Secretary of Education Richard Riley and Governor James Hunt visited CMS.

### **Dr. Leake: Assignment to Management Schools**

Dr. Leake also requested information about students who, having been sent to the Management School never went there, but somehow went back to their original schools.

## REPORT FROM THE SUPERINTENDENT

There was no report from the Superintendent at this time.

## REQUESTS FROM THE PUBLIC

The following persons addressed the Board:

**Gila McIntyre Muhammad**, a parent at Kennedy Middle School, asked the Board amend and the language of the rules governing behavior at bus stops. She reported an incident where the bus driver left off two students at a stop other than their regular one, and the students accosted her daughter after the bus left the stop.

**Deshaunna Singleton**, chairman of the School Leadership at Hidden Valley Elementary, spoke against Federal Court Order handed down on September 10, 1999. She said that the decision will hurt integration efforts and that parents want the best possible education for their children.

**Fred Marsh**, a concerned citizen, praised CMS for the job it is doing educating children but felt that the Board ought to consider costs to the taxpayers in the next student assignment plan.

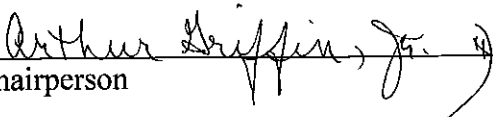
**Jennifer Johnston**, a concern citizen who is a member of the Swann Fellowship, said that people ought to consider the entire City of Charlotte and Mecklenburg County as their neighborhood.

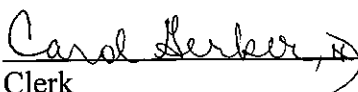
## VOTE TO GO INTO CLOSED SESSION

At 8:20 p.m., on motion by Mr. Dunlap, seconded by Ms. Woods, the Board voted unanimously to go into Closed Session, in accordance with North Carolina General Statute § 143-318.11(a)(3)(6) for the purpose of evaluating the Superintendent. Mr. Griffin invited the public to contribute their personal comments to him in evaluation of the Superintendent.

## ADJOURNMENT

The Regular Meeting of the Board of Education was adjourned at 8:30 p.m.

  
Chairperson

  
Clerk

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