

Approved by the Charlotte-
Mecklenburg Board of Education
July 11, 2006
Regular Board Meeting



Charlotte, North Carolina

May 9, 2006

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

The Charlotte-Mecklenburg Board of Education held a Regular Board Meeting on May 9, 2006. The meeting began at 4:36 p.m. and was held in Room CH-14 of the Government Center.

Present: Joe White, Chairperson;
Kit Cramer, Vice Chairperson;
Kaye McGarry, Member At-Large;
Larry Gauvreau (District 1);
Vilma D. Leake (District 2);
George Dunlap (District 3);
Tom Tate (District 4);
Molly Griffin (District 5); and
Ken Gjertsen (District 6)

Absent: There were no absences

Also present at the request of the Board were Maurice Green, General Counsel to the Board, and Nancy Daughtridge, Clerk to the Board.

Upon motion by Ms. Cramer, seconded by Ms. Griffin, the Board voted unanimously for approval to go into Closed Session for the following purposes:

- **To establish and instruct the Board's staff and negotiating agents concerning the position to be taken by or on behalf of the Board in negotiating the price and other material terms of contracts or proposed contracts for the acquisition of real estate property pursuant to Section 143-318.11(a)(3) of the North Carolina General Statutes.**
- **To consider personnel matters pursuant to Sections 115C-319 through 321 and 143-318.11(a)(1), (5), and (6) of the North Carolina General Statutes.**

Chairperson White 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: Joe White, Chairperson;
Kit Cramer, Vice Chairperson;
Kaye McGarry, Member At-Large;
Larry Gauvreau (District 1);
Vilma D. Leake (District 2);
George Dunlap (District 3);
Tom Tate (District 4);

Molly Griffin (District 5); and
Ken Gjertsen (District 6)

Absent: There were no absences

Also present at the request of the Board were Dr. Frances Haithcock, Superintendent; members of Executive and Senior Staffs; Maurice Green, General Counsel to the Board; and Nancy Daughtridge, Clerk to the Board.

I. CALL TO ORDER

Chairperson White called the meeting to order at 6:00 p.m. Chairperson White welcomed, Dr. Gorman, incoming Superintendent, and his family, wife Sue and daughter Katie, who were in the audience.

A. Pledge of Allegiance

Chairperson White introduced Corderius Allen, an eighth grade student at Alexander Graham Middle School, to lead those present and in the viewing audience in the pledge of allegiance and to read his speech, "My Future is Bright Because." Corderius is enrolled in the scholars program and excels in both music and drama. He plays the tuba and is a member of the AG band and pep band. Recently, Corderius was named to the District Honor Band in recognition of his exceptional musical ability. This spring, Corderius will perform the male lead in the Alexander Graham production of the musical, "Guys and Dolls." In February, Corderius participated in the Optimist Oratorical Contest. This competition gives students the opportunity to experience public speaking which is an essential skill necessary for success in life. For students that reach the District Level Competition, scholarships are awarded to top finishers. Students wrote and delivered speeches entitled, "My Future is Bright Because." Corderius won both the zone and club level competitions and competed at the Regional Optimist Oratorical Competition on April 26th. He won the regional competition and now moves on to the next level. Chairperson White introduced his mother, Cordelia Allen; his grandmother, Alma Allen; and his Language Arts teacher, Michelle Hickey. Corderius discussed the importance of believing in yourself and being optimistic and passionate in making important life decisions. He will be hopeful for the positive things that come his way.

B. Adoption of Agenda

Ms. Cramer moved that the Board adopt the agenda, seconded by Mr. Tate, and a discussion followed. Chairperson White said he had several changes to the agenda to accommodate the business of the meeting. He asked that Section V. be moved ahead of Section IV.

Ms. McGarry moved to amend the motion by moving Section V. ahead of Section IV., seconded by Ms. Leake, and the Board voted 9-0 to approve the amendment.

Chairperson White asked that the Board approve adding two items to the Consent Agenda. Consent Item III. O. (Recommend approval to extend the contract for Dr. Haithcock, Superintendent, until July 1, 2006).

Ms. Griffin moved to amend the motion to add Consent Item III. O. (Recommend approval to extend the contract for Dr. Haithcock until July 1, 2006) to the agenda, seconded by Ms. Cramer, and the Board voted 9-0 to approve the amendment.

Chairperson White also added to the agenda Consent Item III. P. which is to authorize the approval of a contract to purchase road right-of-way needed for the new Bailey Road Middle School project from the owners of tax parcel number 007-531-15, such contract to provide for (i) a purchase price of \$7,500 and (ii) additional compensation for reimbursement of expenses for boarding of horses and possible tree damage and, from the owner of tax parcel number 005-331-04, such contract to provide for a purchase price of \$6,728.65.

Ms. McGarry moved to amend the motion to add Consent Item III. P. (Recommend approval of acquisition of land for road right-of-way for the new Bailey Road Middle School project) to the agenda, seconded by Ms. Cramer, and the Board voted 9-0 to approve the amendment.

Chairperson White said he would also like to add Action Item IV.E. (Recommend approval of employment contract for Dr. Peter Gorman).

Ms. Griffin moved to amend the motion to add Action Item IV.E. (Recommend approval of employment contract for Dr. Peter Gorman), seconded by Ms. Leake, the Board voted 9-0 to approve the amendment.

Ms. Leake moved to adopt the agenda as amended, seconded by Ms. Cramer, and the Board voted 9-0 to approve the agenda as amended.

II. REQUESTS FROM THE PUBLIC

The following speakers represented the Thornhill community and spoke to encourage the Board to include the neighborhood in the school boundary for the new Ardrey Kell High School:

- Rosemary DeGiovanna
- Renee Trei
- Pam Hunt
- Doris Mata
- Lisa Hornung
- Elizabeth Johnson
- Elaine Babcock

The following speakers represented the students at Clear Creek Elementary School and spoke to encourage the Board to approve on-site swing space during the renovation process:

- Teresa Dickinson
- Dee Duncan
- Troy and Olivia Williams
- Ashley Russell

The following speakers expressed concerns regarding the CMS Suspension Policy, the appeal process, and students not being allowed to attend school during the time of suspension:

- Tonya Hamer
- Blanche Penn who represented the Winners' Plus Agency

III. CONSENT ITEMS

- A. Recommend approval of minutes
 - April 20, 2006 Closed Session
 - February 28, 2006 Regular Board Meeting
 - February 14, 2006 Regular Board Meeting
- B. Construction Items
 - 1. Recommend approval of construction contracts for supplemental work at various
 - 2. schools
 - 3. Recommend approval for Charlotte-Mecklenburg Board of Education to lease space at Bond Street Warehouse, 1100 Bond Street, Charlotte, NC, from July 1, 2006 – June 29, 2009
 - 4. Recommend approval of swing space plan to move Clear Creek Elementary School to old Windsor Park facility from July 2006 – August 2008
- C. *Item Deleted*
- D. Recommend approval of appointment of administrative personnel
- E. Recommend approval of school uniforms for Joseph W. Grier Academy
- F. Recommend approval of change in date for second Board meeting in May
- G. Recommend approval of supplementary funding request from US Department of Education/Office of Safe and Drug Free Schools for *Culture of Excellence* for Character Education in elementary schools
- H. Recommend approval of supplementary funding request from Burroughs Wellcome Fund for *Phillip O. Berry Science Enrichment Program* for Phillip O. Berry Academy of Technology
- I. Recommend approval of supplementary funding request from US Department of Education/Office of Safety and Drug Free Schools/Carol M. White Physical Education Program for *Physical Education Primary Indicators (PEPI)* for physical education models throughout CMS
- J. Recommend approval of supplementary funding request from Burroughs Wellcome Fund for *Science Discovery Project* at James Martin Middle School
- K. Recommend approval of one-year extension for banking services with Wachovia Bank, NA
- L. Recommend approval of Financial Statements for March 2006
- M. Recommend approval of Budget Amendments for March 2006
- N. Recommend approval of Capital Project Ordinances for March 2006
- O. Recommend approval to extend Dr. Haithcock's contract to serve as Superintendent until July 1, 2006 instead of June 30, 2006
- P. Recommend approval of land acquisition for road right-of-way for the new Bailey Road Middle School project

Ms. Griffin moved to adopt the Consent Items A. through P., seconded by Ms. Cramer, and a discussion followed. Ms. McGarry asked to pull items B.2., B.3., and K. Ms. Leake asked to pull item O.

The Board voted 9-0 to approve Consent Items A. thru P. excluding B.2., B.3., K., and O.

Ms. McGarry asked for clarification on item B.2., a lease contract between the Board of Education and AMB Property, L.P. Guy Chamberlain, Associate Superintendent for Auxiliary Services, said the lease has two components. The warehouse operations component will be paid by operational funds and the other component to store furniture and other equipment that will go into new schools will be funded by Bond dollars. The total for the three years is approximately \$600,000. Ms. McGarry said is Bovis Lend Lease a part of this item? Mr.

Chamberlain said this is with CMS being paid for by Bond funds. Ms. McGarry asked does signing this lease tie CMS to the current construction management methods or will there still be that flexibility? Mr. Chamberlain said this has no influence on that relationship.

Ms. McGarry moved that the Board approve Consent Item B.2., seconded by Ms. Cramer, and the Board voted 9-0 to approve Consent Item B.2.

Ms. McGarry said regarding item B.3., she does not support the motion to approve swing space for Clear Creek Elementary School at the old Windsor Park facility. She would prefer the students remain at the existing location during the renovation process. She said the renovations are not a major scope of work and she has discussed the safety issue of construction people on the premises with Mr. Chamberlain. She feels comfortable with the safety precautions that CMS takes for every construction site. She said the school has parents, teachers, and students who want to partner with CMS to make something work. She believes this is workable and CMS must listen. This was a cost of \$1 million but now is \$400,000. She said cost is a prime consideration but other considerations must be reviewed as well. She believes there are more advantages to keeping the students on-site. Ms. McGarry encouraged the Board to approve on-site swing space. Ms. Leake visited Clear Creek Elementary School and met with the parents, teachers, and students. She has reviewed the scope of work and was disappointed that it was not adequate to meet the needs of the school. She expressed concerns about the renovations particularly the entrance, the outside, and the playground. Ms. Leake believes it is important to provide adequate renovations for this school. Mr. Chamberlain said he made it very clear at the last meeting that this project included a substantial scope of work. It is the exact scope of work that was advertised in the 2002 Bond Referendum. The work includes the completion of a new bus lot to include a canopy from the lot to the building; a new parking lot; acceleration and deceleration lanes on Albemarle Road; new playground equipment; public water and sewer connections; a building addition to include classrooms, computer lab, office, and conference room; a building addition to include a multi-purpose room and expanded cafeteria seating; the 1960 cafeteria building will be modified to provide two classrooms and a resource room; renovations to close the open plan; provide acoustical separation between all the classrooms; general interior finishes; and lighting and mechanical equipment improvements throughout the entire building. The entire building will be a construction zone and a connector between the two buildings will have to be built. The current plan will get the students back into the building by August 2007. There will still be some residual construction left but it should not interfere with conducting school. The students will be away from the school for one year. Mr. Chamberlain said if the students remain on-site, the renovations will take almost three years and the campus will be chaotic. Mr. Dunlap is pleased the Board members have taken an interest in this item. He believes it is important that they take an interest in the concerns of the other districts. The question is should the students be moved or should they stay? He said on-site swing space will cost approximately \$400,000 and this money can be provided from the contingency fund. This project was originally approved in 1995 for \$2 million and additional monies were approved in 2002. He said to understand the history of this project, this is an opportunity to right a wrong because had this project been completed in 1995 this would not be an issue today. If this project had been completed in 2002, this would not be an issue today. Mr. Dunlap said this is a request to approve \$400,000 to allow on-site swing space. He believes approving this will be an opportunity to restore trust in a community that has lost faith because the Board did not do what was promised. Mr. Dunlap encouraged the Board to approve on-site swing space. Ms. Cramer asked how many times has CMS used swing space for renovation purposes? Mr. Chamberlain replied fifteen times. Ms. Cramer asked regarding the parking concerns at the Windsor Park facility, how will CMS accommodate the parking needs? Mr. Chamberlain said Winterfield Elementary is occupying

the old Windsor Park site and he has not heard any complaints. The enrollment at Winterfield is approximately the same as Clear Creek. Mr. Chamberlain said Windsor Park is located in a neighborhood and there is street parking available. Ms. Cramer said these are important points to understand. It is also important to realize that on-site swing space will cost about \$400,000 and CMS does not have any additional dollars for growth and renovations at this time. Ms. Cramer expressed concerns about taking money from the contingency fund because the needs of CMS are extreme. Ms. Cramer said she can understand the desire of the parents to remain at the school but the off-site swing space will have the students back to the school in one year as opposed to a thirty-month construction project on-site. Mr. Chamberlain confirmed the plan will have the students back to the school in one year. Ms. Cramer said she has spoken with principals who have been concerned about having students on-site during the construction process. Mr. Dunlap said this is a valid concern and swing space has been used successfully. He said CMS has also used on-site swing space and it was successful. He said staff has informed the parents and staff what they could expect with on-site swing space and they fully understand the implications and support remaining on-site during the renovation process. Mr. Tate agrees with several of the statements made to support on-site swing space. He said this project will begin immediately and the students will be away from the school for one year as opposed to being in a construction zone for thirty months or more. He understands the concerns of the parents but believes it would be better to complete most of the project in one year with the students off campus. He said this is the same scope of work that was previously promised. The reason the dollar amount has changed was because CMS realized the project would not cost as much as originally projected. The renovations will meet baseline standards for a 600-student school and is the scope promised. Mr. Tate will support the off-site swing space. Ms. McGarry believes the parking at Windsor Park will be a problem because Clear Creek has a large parent involvement population. She said the scope of work does not demand the students to be off-site and it will not hinder what will happen in the classrooms.

Ms. Cramer moved that the Board approve Consent Item B.3. (The swing space plan to move Clear Creek Elementary School to the old Windsor Park facility), seconded by Mr. Tate, and the Board voted 5-4 to approve the motion. Chairperson White, Ms. Cramer, Mr. Tate, Ms. Griffin, and Mr. Gjertsen voted in favor of the motion. Ms. McGarry, Mr. Gauvreau, Ms. Leake, and Mr. Dunlap voted against the motion.

Chairperson White called for a five minute recess at 7:27 p.m. Chairperson White reconvened the Regular Board meeting at 7:32 p.m.

The Board discussed Consent Agenda item K. Ms. McGarry said CMS has been with Wachovia since October 2003. She asked what was the previous bank and how long had CMS banked with them? Shelia Shirley, Chief Finance Officer, said it was CCB and CMS banked with them for about twelve years. Ms. McGarry said the information indicates there are problems with Wachovia that are just being resolved. She asked what are those problems? Ms. Shirley said there are no problems. When a significant banking relationship is changed there are challenges that occur with changing the routing for direct deposits and other banking needs to ensure everything is working correctly. Ms. Shirley said we would not have recommended the extension of this contract for one year had we experienced significant problems. Ms. Leake said she would like to have copies of the contracts that CMS has made with other banks. Ms. Shirley said the contracts and Request for Proposals (RFPs) are large volumes and Ms. Leake may come to her office to view those. Ms. Leake would like to ensure that CMS is fair in this process and all banks have an opportunity to participate. She would like CMS to consider using Mechanics and Farmers Bank because they have never been used by CMS. She asked how much does it cost CMS to bank with Wachovia Bank and what does

CMS gain by depositing our funds with them? She is also concerned about the number of branches close to schools where people can actually utilize that bank and the CMS guidelines for using those banks. Ms. Shirley said the CMS fees for banking services under the current contract last year were about \$70,000. CMS does not actually pay those fees because CMS entered into a contract whereby we have an earnings credit and, based on our deposit balance, we earn enough interest to offset those fees. In addition, on any surplus balance we earn interest at a competitive rate. Ms. Leake asked is the fee process with Wachovia competitive with other banks? Ms. Shirley said yes and they recently offered CMS a more competitive interest rate. Ms. Leake asked how else does the system benefit by doing business with Wachovia? Ms. Shirley said CMS went through a competitive, open, and extensive process when Wachovia was selected two years ago. All the banks in the area were invited to participate and respond to the RFP. The Board selected Wachovia to be the primary banking relationship in October 2003. Ms. Shirley said schools have the option to select a bank that is in proximity of their school. Ms. Leake said this does not answer her question of how the system gains by using Wachovia bank and she will discuss this with Ms. Shirley at a later time. Mr. Dunlap said one of the reasons Wachovia was chosen was because of the many partnerships CMS has with Wachovia. Wachovia has been very supportive in providing volunteers and other financial commitments to CMS. Mr. Dunlap said based on the competitive process and the information provided in the RFPs, the Board chose Wachovia. Ms. Leake wants to ensure the process was fair and equitable to all the banks in the area.

Ms. Cramer moved that the Board approve Consent Item K., seconded by Ms. Griffin, and the Board voted 7-2 to approve the motion. Chairperson White, Ms. Cramer, Ms. McGarry, Mr. Gauvreau, Mr. Dunlap, Mr. Tate, and Ms. Griffin voted in favor of the motion. Ms. Leake and Mr. Gjertsen voted against the motion.

Ms. Leake said although she supports the extension of Dr. Haithcock's contract to provide supervision on July 1, 2006, she would like Dr. Cheryl Atkinson, Associate Superintendent for School Administration, to be allowed to fulfill some of the responsibilities of Superintendent for that day.

Ms. Cramer moved that the Board approve Consent Item O., seconded by Ms. Griffin, the Board voted 9-0 to approve the motion.

Chairperson White said the Board members have agreed that if they have questions or concerns regarding the items on the Consent Agenda they would meet with the Superintendent or appropriate staff members prior to the meeting to discuss the item. He asked Board members to let him know in advance of the scheduled meeting if they had Consent Items to be pulled.

V. REPORTS / INFORMATION ITEMS

A. Report on proposed boundaries for the new Mallard Creek High School

Chairperson White called upon Dr. Haithcock to introduce the report. Dr. Haithcock called upon Dr. Susan Agruso, Assistant Superintendent for Assessment, Planning, and Technical Support, to present the boundaries for the new Mallard Creek High School. Dr. Agruso said the proposed boundaries will take effect fall 2007. Staff has been determining boundaries since the fall and conducted several community meetings. CMS started a process about two years ago to have community involvement in the decisions of the boundaries that included establishing committees to help determine those boundaries. The process was refined for the new Mallard

Creek High School to include more open meetings. Parents have been notified through the school, boundaries have been posted on the website, media published the boundaries, and there has been active involvement by all participants at those meetings to ensure that anyone who wanted could make recommendations for the boundaries. Seven models have been posted on the website for feedback. Two models were selected and the model being presented in this report is staff's recommendation. Dr. Agruso said this is an informational presentation, a Public Hearing is scheduled for the June 13, 2006 Regular Board meeting, and the Board vote is scheduled for the June 27, 2006 Regular Board meeting. Dr. Agruso said the proposed boundaries are listed on the CMS website. Dr. Agruso reviewed the proposed boundaries and the impact they will have on the surrounding schools. Ms. McGarry expressed concern about the two-lane traffic and congestion that will be created on Johnston Oehler Road when the new school opens. Dr. Agruso said Guy Chamberlain, Associate Superintendent for Auxiliary Services, is discussing the road issue with the Department of Transportation and he can provide those details to Ms. McGarry at a later time.

Mr. Dunlap congratulated Dr. Agruso on her appointment as superintendent for a school district in New York. Dr. Agruso said she appreciated the opportunity to work with CMS. She said working with CMS has been a great learning experience that has made her stronger and she truly loves CMS. Ms. Leake, Chairperson White, and Dr. Haithcock thanked Dr. Agruso for doing an excellent job for CMS and offered her their congratulations and well wishes for her future endeavors.

IV. ACTION ITEMS

A. Recommend approval of one appointment to the Education Budget Advisory Committee

Chairperson White said Ms. Betty Hunter has resigned her position on the Education Budget Advisory Committee because of work constraints. He invited Board members to make nominations to fulfill her remaining term until 9/30/07.

Ms. McGarry nominated Barry Newton.

Mr. Dunlap nominated Sam Spencer.

Ms. Cramer moved that the nominations be closed, and it was seconded by Ms. Griffin, and the Board voted 9-0 to approve the motion.

Ms. McGarry spoke on behalf of Mr. Newton. She believes his educational background, employment history, and skill sets will greatly enhance the committee's work. She said he has a strong interest in education and he will make sound recommendations on how CMS dollars will be used. Mr. Gjertsen said he would also support Mr. Newton because he has banking experience, he understands the CMS system, and believes he will do a good job. Mr. Dunlap spoke on behalf of Mr. Spencer. He said Mr. Spencer has an interest in this community because he has sought public office before and he has demonstrated an interest in young people. He encouraged the Board to support Mr. Spencer. Chairperson White said he knows Mr. Spencer very well as a result of him seeking political office. He is a very impressive young man and has emphasized an interest in working with the Charlotte-Mecklenburg Board of Education. Chairperson White will support Mr. Spencer. Ms. Griffin thanked both gentlemen for applying for appointment to the committee and said they both are qualified. She encouraged the public to watch for postings for committee openings because CMS has several opportunities to volunteer for service. Ms. Griffin said although both nominations are qualified, she would support Mr. Newton because he has experience that would be very valuable at this

particular point for CMS.

Mr. Newton received seven votes. Ms. Cramer, Ms. McGarry, Mr. Gauvreau, Ms. Leake, Mr. Tate, Ms. Griffin, and Mr. Gjertsen voted in favor of Mr. Newton.

Mr. Spencer received two votes. Chairperson White and Mr. Dunlap voted in favor of Mr. Spencer.

Mr. Newton was appointed to the Education Budget Advisory Committee.

B. Recommend approval of student assignment boundary change

Chairperson White called upon Mr. Gjertsen to present the recommendation. Mr. Gjertsen said when he presented this item to the Board previously he was told the timing was not right. He hopes with the impending boundaries for the new Mallard Creek High School, the timing will be right. He expressed concern that the longest distance to travel for the proposed boundaries for the new Mallard Creek High School and Vance High School is less than four and a half miles whereas the Thornhill families must travel nine miles and students must catch a 5:20 a.m. bus. He said it makes common sense to allow this area to attend the new Ardrey Kell High School. Mr. Gjertsen said CMS has a due process for establishing the boundaries that should include parental involvement. The parents of this area believe they were not provided due process which was a right and an opportunity to be heard. That is why they have been coming to speak to the Board every month since that time. Mr. Gjertsen encouraged the Board to support the motion to change the northern boundary for the new Ardrey Kell High School to I-485, as opposed to Ballantyne Commons Parkway, which would allow the Thornhill neighborhood to attend the new Ardrey Kell High School.

Mr. Gjertsen moved that the Board approve changing the northern boundary for the new Ardrey Kell High School to I-485, seconded by Ms. McGarry, and a discussion followed. Mr. Dunlap said he has spoken to and voted against this item several times. He does not support the motion for several reasons. This item is not timely because the Board is not voting on the boundaries for the new Mallard Creek High School. He does not believe the additional time to travel five miles will be significant when you understand the traffic patterns in Charlotte. He said currently there is vacant land between the Thornhill community and the new school. If a new development is built between the school and the existing community that community would also be allowed to attend the new school because of its proximity to the school. He said this happened previously with Mallard Creek. He said the result of that situation was the people who were in the school first eventually got pushed out because of the new development closer to the school. Mr. Dunlap said approval of this motion could result in students being reassigned again and again. Mr. Dunlap said it would not be fair to approve this motion because the Board has not approved similar motions in the past. Ms. McGarry said sometimes the decisions for student assignment changes result in unintended consequences. She believes this one of those unintended consequences that should be corrected. She said corrected population projections have been provided since the Board's decision and that information should be taken into consideration. This motion will affect a small number of students and the area is landlocked. She said the priority of this issue should be for the education of the students. She said the boundary change makes sense and encouraged the Board to support the motion. Ms. Cramer asked what would be the impact of this motion? Dr. Haithcock invited Dr. Susan Agruso, Assistant Superintendent for Assessment, Planning, and Technical Support, to make an impact statement for reversal of this decision at this point. Dr. Agruso said the most immediate impact is this is the first week of May and school starts August 25th. Students have

already received two letters from CMS indicating their school assignment for next year. The lotteries are closed and the magnet programs are full. If there are students in this area who do not agree with the boundary change they will not have any options to exercise for participating in choice. CMS has already conducted teacher transfer fairs. Teachers who may be displaced because of the movement of students from South Mecklenburg High School to the new Ardrey Kell High School will not have opportunities for the transfer period or the job fair and will have fewer options. Most of the schools have completed their master schedules and are scheduling students. Both schools would have to redo that work. Dr. Agruso said there are two other major impacts for consideration. CMS has developed a process for public input. Staff spent ten months determining the boundaries for this area and the Board knows there is not parental agreement in the south part of Charlotte. This was extensively reviewed and the process included a lot of parental involvement. The boundaries were created by looking at future growth, the future placement of elementary schools, and the future placement and realignment of middle schools. Using Ballantyne Commons as a boundary line over the next five years creates a very clean set of feeder patterns. This decision included a lot of public input. Staff considered over twenty-five scenarios for this area. Based on the future impact and the five year plan for new schools, this boundary made the most sense. Growth was also a consideration. There are only sixty-two students in the Thornhill neighborhood but there are over three hundred students in the area between Ballantyne Commons Parkway and I-485. There are about ninety-seven students in the apartment complex and in the development behind Thornhill. This is not just a Thornhill issue. There is another community to the east of Thornhill with about thirty students and three other communities to the west of Thornhill. The parents of these communities also believe they should be moved if Thornhill is moved. They believe they are closer to the new Ardrey Kell High School than Thornhill and should be assigned to that school. This is why the decision was made to use Ballantyne Commons Parkway as the boundary. Dr. Agruso said CMS developed a process of community involvement. Staff has not had a public meeting in nearly a year. Staff presented the proposed boundary for the new Ardrey Kell High School to the Board June 2005. There has been some discussion with the Thornhill parents but there has not been any contact or public meetings with the other parents in the area to hear their feedback on this motion. Dr. Agruso believes to not have the public process to get feedback negates work by the Board in trying to establish a formal process to ensure public input and the process for establishing boundary lines. Ms. Griffin will not support the motion for many of the reasons expressed by Dr. Agruso. Ms. Griffin said this is not an unintended consequence. This was an intended part of a complicated plan. She believes it is a mistake to review this part of the plan in isolation to the entire plan the Board approved. She is also concerned that the parents of the other schools involved have not been given an opportunity to be heard. Mr. Gauvreau said that plan was designed with purpose but he disagrees with that design. He said the impact is the Thornhill neighborhood does not get to go to their neighborhood school. He said this is wrong and the Board must make this priority number one. He said this is not the only one because there are many more. He said this must be fixed and there is no reason the Board cannot realign that boundary. Mr. Gauvreau will support this motion. Mr. Gjertsen said some of the obstacles stated are artificial ones that the Board created with its rules. He believes the staff of CMS can overcome any of those obstacles. He believes all three hundred students have a right to ask the Board to go to their neighborhood school. He asked when will the meetings that Dr. Agruso discussed for parents to have an opportunity to be heard be scheduled? He believes the time to fix this problem is now and the Board has the ability to do it. He would like to know when the right timing is. Dr. Agruso said when the Board conducted the Comprehensive Review of Student Assignment, they agreed last summer, when they adopted the operational criteria, that if a community wanted to have a boundary change they could propose that to staff in the spring with the understanding that staff would review that proposal, conduct whatever meetings

needed to gather information, and present it to the Board prior to the end of September for action. The reason for this was to provide staff enough time to research the issue; the Board enough time to consider the matter; the public an opportunity to respond; and allows staff time to complete the process by the end of September. Staff has up-to-date numbers by the twentieth day of school and staff can prepare maps for student assignment for the next school year because this would go into effect for the next school year. Dr. Agruso said when this was addressed in February and the change in boundaries was not approved by the Board, it was her understanding that it was the last discussion on this issue and it would not be brought forward again. Because of that, staff has not planned or scheduled anything. She said she only learned of this last Wednesday. Mr. Gjertsen asked can we get something scheduled and make sure it is on for September. Dr. Agruso said she can ask staff to conduct community meetings if that is the Board's decision. Mr. Gauvreau said he understands the position that staff is in having to make these types of decisions but ultimately the Board should be taking responsibility. It is the Board's policy on student assignment that the Board continues to entrench in the wrong manner. This also includes a facility matter and no action in moving COPs ahead will create a trickle effect on overcrowding. He said staff has tried to fix what the Board entrenched in policy but that is not good enough. He believes the Board should be more flexible because the school will open under-capacity. Dr. Agruso said the school will open this year with three grades with a projected eleven hundred students. The school will have four grades in 2007 and by 2008 it will be full with the current boundary in place. This does not include non-public students who may join CMS.

The Board voted 3-6 to approve the motion and the motion failed. Ms. McGarry, Mr. Gauvreau, and Mr. Gjertsen approved the motion. Chairperson White, Ms. Cramer, Ms. Leake, Mr. Dunlap, Mr. Tate, and Ms. Griffin voted against the motion.

C. Recommend approval of changes to 2006-2007 Charlotte-Mecklenburg Schools' Calendar

Chairperson White called upon Dr. Haithcock to present the recommendation. Dr. Haithcock said on December 10, 2005 the Board approved the 2006-2007 school calendar. At that time, the first semester had eighty-six instructional days and the second semester had ninety-four days. This was not balanced and staff knew it but it was done to create a long holiday. After that time, CMS converted to mostly a hybrid schedule which added 4x4 schedules. Dr. Haithcock recommends that four days be added to the first semester, shifting the end of the semester from Jan. 12 to Jan. 19, 2007. This change will result in ninety days for each semester thus allowing 4x4 school classes to meet for one hundred and thirty-five instructional hours which meets compliance with State Board Policy. The first semester with eighty-six instructional days only had one hundred and twenty-nine instructional hours. Dr. Haithcock commended staff for doing an excellent job in developing the calendar. Dr. Haithcock also recommends that the protected teacher workday designated on January 16, 2007 be changed to January 22, 2007.

Ms. Griffin moved, seconded by Ms. Cramer, that the Board approve the recommended changes to the 2006-2007 Charlotte-Mecklenburg School Calendar, and a discussion followed. Mr. Dunlap said there is some public misunderstanding that he would like to clarify. The public believes the Board adopted a 4x4 schedule but the Superintendent has the authority to implement this program and this was a Superintendent decision. He said he has received several e-mails from parents who have concerns about this concept. Dr. Haithcock said this is a modified 4x4 plan. Some of the core courses are 4x4 and many of the electives are not. Schools have an option of working with which elective courses are more appropriate for either the 4x4 or the A/B day. Ms. Griffin said she fully supports the change and thanked staff for

making the revisions so quickly. She said in addition to the legal requirements, this schedule makes more sense because it has the same number of days for both semesters. She believes this will make a difference for the End-of-Grade courses. Mr. Gjertsen said there were a lot of people who were upset with the implementation of the 4x4 schedule. He was told that this concept was not rushed out and it had been in planning for a significant amount of time. He is surprised staff presented a calendar to the Board for a vote that has a mistake. He is tired of the math mistakes that are being made. He said this is a legal requirement and he will support it. He said for staff to spend that much time creating a calendar, deciding how to deliver curriculum, and then make a mistake is unacceptable. Ms. Leake asked how will this impact the High School Challenge Schools? Dr. Haithcock said it would not impact those schools. It will provide students more flexibility. The 4x4 schedule allows students to pair courses that are advanced to get more concentration in those. Should students fall behind, they will have more opportunities to make up their time within that same year because a credit can be earned the first semester and the second semester. Ms. Leake said she would like a report on the status of the High School Challenge Schools as soon as possible. Ms. Griffin said in defense of our staff and the very hard working Calendar Committee, that process was done long before the 4x4 decision was made. This was not a math mistake. Once the 4x4 schedule was accepted the calendar had to be revised. Ms. Griffin encouraged Mr. Gjertsen to serve on the next Calendar Committee. Ms. Griffin thanked the Calendar Committee for their hard work on developing the calendar. Mr. Gjertsen said the Calendar Committee did a great job but they should have been made aware that CMS was considering the 4x4 schedule.

The Board voted 9-0 to approve the motion.

D. Recommend endorsement of the definition of equity as used by the Equity Committee

Chairperson White called upon Mr. Tate to present the recommendation.

Mr. Tate moved that the Board endorse the definition of equity as used by the Equity Committee, seconded by Ms. Griffin, and a discussion followed. Mr. Tate said the Board held a Joint Meeting with the Equity Committee on April 13, 2006 and the definition of equity was on the agenda for discussion. The Equity Committee's annual report defined the definition of equity that they have been using. The committee asked that the Board endorse the definition of equity so that it would be clear as to what they meant when they talked about equity. Mr. Tate said the Board has several policies and regulations that address equity and he has provided copies of those in the Board's information. This motion asks the Board to endorse the definition so that staff, the public, and the Equity Committee are clear on the definition being used for equity. Mr. Tate encouraged the Board to support the motion. Ms. Leake thanked the Equity Committee for their work because they are a committee that the Board charged to bring back information on equity across the district. Ms. Leake thanked Mr. Tate for being the Board liaison for the committee and bringing the importance of this item to the Board's attention. Ms. Leake will support the definition because the Board must continue the business to ensure they provide equity for all the children throughout the district. Chairperson White asked Mr. Tate to read the definition of equity as defined by the Equity Committee. Mr. Tate said equity is the condition in which each student is able to realize his/her full potential for academic achievement, individual performance, and personal success. Equity requires an on-going process to allocate resources to each school so that each student has access to rigorous academic challenges and an environment that promotes high expectations. An equal allocation of baseline resources is the first step toward equity, but equity requires much more. Equity requires a differentiation of resources among all schools to enable every school to meet the unique needs of each student. Mr. Gauvreau said he prefers the Webster's definition. He does

not believe the Board should weigh-in on what the definition really is. Equity is a word that the Board uses and infuses into policy. The word is emotional and, unfortunately, not precise. He said if this is sprinkled into our policy points, as we do emotionally in our political posturing in the public, will make matters worse. Mr. Gauvreau would prefer an Action Item on the definition of "action" and "performance" instead of equity and how we are going to leverage it. Mr. Gauvreau is opposed to the definition and opposed to it being on the agenda. He said equity is not a condition and it does not make sense to consider this to be used in policies of the school system. Mr. Gauvreau understands the position of people on this word but he does not believe this is good enough. He will not support the motion. Ms. Leake asked Mr. Gauvreau if thought the definition should be stronger? Mr. Gauvreau said the definition is hollow, it means many different things, and it is not precise. He is not sure what the Equity Committee does and he thinks this is something to make them feel good. He believes this is weak management and the Board should be better leaders. Mr. Tate said the Equity Committee does do a wonderful job. He said equity has a lot of definitions and this is not asking that this be put into policy. This is asking the Board to endorse the definition they are using to make it clear that is the definition the committee uses to do the work the Board has charged them to do. Mr. Tate said the committee has asked the Board to endorse the definition and he believes the Board should do as they have asked.

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

E. Recommend approval of employment contract for Dr. Peter Gorman as Superintendent

Chairperson White said this item is the approval of the contract for Dr. Peter Gorman as Superintendent. Chairperson White called upon Maurice Green, General Counsel to the Board, to review the terms of the contract. Mr. Green said on November 21, 2005, the Board decided it would offer its next Superintendent a salary in the range of \$300,000 plus a comprehensive benefits package including incentives and that the salary would be dependent upon the candidates experience and meeting the Board of Education's criteria. On April 11, 2006, the Board offered the position of Superintendent to Dr. Peter Gorman subject to the successful negotiation of an employment contract with Dr. Gorman. Mr. Green highlighted the major terms of the proposed employment agreement between Dr. Gorman and the Board of Education. The proposed agreement aligns with the Board of Education's decision in November 2005. The appointment of Dr. Gorman as Superintendent would be for a term of four years commencing on July 2, 2006 and ending on June 30, 2010. Dr. Gorman would be paid a base salary of \$250,000 annually. The salary would be reviewed annually by the Board and he would receive increases awarded by the state and other increases that may be approved by the Board. The agreement includes a performance incentive and an incentive based on Dr. Gorman remaining in the district. The performance incentive includes the payment of a discretionary performance bonus in the absolute and sole discretion of the Board of Education up to a maximum amount of ten percent of Dr. Gorman's base salary. Two thirds of that ten percent will be based on the accomplishment of CMS' corporate goals to be decided by the Board of Education. One third of that amount will be based on Dr. Gorman's accomplishment of individual or more subjective goals. By no later than October 31, 2006, the Board will establish a set of measurable and other specified goals that the Board will use in determining Dr. Gorman's eligibility for the performance compensation. The second incentive is that at the end of each fiscal year that Dr. Gorman completes, the Board will pay \$35,000 to a retirement plan for the benefit of Dr. Gorman. He will only be entitled to this distribution after completing each fiscal year of the agreement. Dr. Gorman would also receive a comprehensive benefits package which is

comparable to benefit packages provided for recent Superintendents. Those benefits include a Board car to be used for business purposes; technology to be used for business purposes; medical exam necessary for him to complete a mandatory health certificate; payment of premiums for medical, dental, and vision benefits for Dr. Gorman and his family; payment of a disability policy that will end when he becomes eligible for disability protection under the North Carolina Disability Plan; payment of membership dues and reasonable expenses in civic and professional organizations; the state annual leave and sick leave that is provided to employees; professional travel reimbursement; and, in addition, five days of locally paid leave. He will also receive \$175.00 per month for him to purchase and use mobile communication devices and accessories. This allowance will end should he decide he would rather have the Board provide those accessories. He will also be eligible for reimbursement of reasonable relocation expenses which are outlined in the contract. Dr. Gorman will also be eligible to receive a buy-out in the event of a no-cause termination of employment. That buy-out would be the lesser of the remaining base salary in the employment term or one year of the base salary.

Ms. McGarry moved, seconded by Ms. Cramer, that the Board approve the employment contract for Dr. Gorman as Superintendent, and a discussion followed. Chairperson White said the Board has thoroughly reviewed and discussed this contract in previous meetings. Mr. Gauvreau said he is respectful of Dr. Gorman but would not support the contract. He said the Board is looking forward to seeing him come on board and expects the best from him for Charlotte-Mecklenburg. Mr. Gauvreau said the total compensation package is not necessary and is excessive. He believes the contract should be more performance driven because that will generate results. He expressed concerns about the negotiation process of the contract.

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

Chairperson White thanked Mr. Green for his excellent work on this matter. He also thanked Ms. Griffin and Mr. Gjertsen for serving as Board liaisons on the contract negotiations. Chairperson White said at the close of this meeting Dr. Gorman will sign the contract and have a brief press conference. Chairperson White congratulated Dr. Gorman on his appointment and thanked his family, wife Sue and daughter Katie, for becoming part of the Charlotte-Mecklenburg family. He welcomed the Gorman family to Charlotte.

VI. REPORT FROM SUPERINTENDENT

Chairperson White called upon Dr. Haithcock to present the report.

Dr. Haithcock recognized Faraaz Khan, a senior at South Mecklenburg High School, for being selected for the Robertson Scholars Class of 2010. Faraaz will use his \$100,000 scholarship to attend UNC-Chapel Hill. The scholarship includes full tuition, living expenses, and a stipend. He will also receive a Laptop computer, summer funding for community service and research, and travel in the United States and abroad. Dr. Haithcock said CMS is very proud of Faraaz's accomplishments.

Dr. Haithcock said Idlewild Elementary School was honored last month at the 24th Magnet Schools of America Conference as a National Magnet School of Excellence. This is the top category of awards given to magnet schools. The school was selected from a national field of magnet schools based on criteria that included high academic standards, curriculum innovation, and parent and community involvement. Dr. Haithcock congratulated the school and staff on

receiving this national award.

Dr. Haithcock said CMS has been recognized as a national model for elementary reading in urban schools. The district was honored last week in Chicago with the 2006 Pride of SRA Academic Recognition Award. The selection was based on dramatic academic success after the implementation of the Comprehensive Reading Program. Dr. Haithcock said she was pleased to be able to accept the award on behalf of the district. She thanked the elementary teachers in the district for implementing the program with fidelity. She hopes the teachers will continue to use the program and that the students will continue to progress.

Dr. Haithcock congratulated Dr. Gorman on his appointment. She said he has inherited a great district so he will have to move the district from great to greater. She said Charlotte will remain her community and she expects Dr. Gorman will continue the good achievement levels that CMS has experienced. She welcomed Dr. Gorman and his family to the community.

VII. REPORTS FROM BOARD MEMBERS

Vilma Leake attended a wonderful program presented by the second graders at Lake Wylie Elementary School. She thanked the students and families for making it a successful event. She and Ken Gjertsen, District 6, have enjoyed visiting many schools in both districts over the past few weeks. She thanked Dr. Gorman for attending church with her on Sunday. She said the membership was pleased to meet Dr. Gorman and welcomed him and his family to Charlotte. Ms. Leake attended the recent CMS Job Fair held at Vance High School and noted that over 2,200 people from all over the country attended the event.

Tom Tate expressed a heart felt thank you to Dr. Frances Haithcock for her excellent leadership in moving CMS forward over the past several months. He thanked Dr. Gorman for wanting to lead CMS the rest of the way from great to greatest.

Ken Gjersten thanked the Board members for visiting his district to meet with the parents to discuss their school assignment concerns. He said he is impressed with how involved the Board members are in the community and how serious they take the responsibility of being a Board member.

Kaye McGarry visited Lakewood Preschool Corporative and read her favorite Dr. Seuss book to the students. She quoted from the book to honor Dr. Gorman. She said "Your Mountain is waiting, so get on your way." She welcomed Dr. Gorman, Sue, and Katie to Charlotte. She said working together we can move mountains and make education the number one priority in this community.

Kit Cramer thanked Dr. Haithcock for the wonderful work she has done for this district and the leadership she has shown. She said a lot of the credit for the success in this school district is contributed to Dr. Haithcock. She extended Dr. Haithcock a standing invitation to volunteer at the Charlotte Chamber at any time. She welcomed Dr. Gorman and his family to CMS. She said there is exciting work ahead and we are thrilled that he is joining CMS. Ms. Cramer attended the What's Working Conference which focused on math and science. She said there are some huge issues not only in this community but in this state and nation. She would like staff and the Board to discuss changes to the math and science programs, particularly at the elementary level. She announced on May 16, 2006, the Charlotte Chamber is hosting its annual Education Visit to Raleigh to advocate the CMS Legislative Agenda. She invited Board members to join them and noted that Chairperson White, Mr. Dunlap, and Maurice Green already plan to attend. She announced there will be a panel discussion on Alternative Sources

of Revenue for Construction. Representatives from the School Board Association, County Commissioners Association, and the Homebuilders Association will attend the meeting. She invited Board members to attend the Report Card Reveal at Classroom Central on June 6, 2006. They will share how the children of Charlotte-Mecklenburg have benefited from Classroom Central.

Molly Griffin welcomed Dr. Gorman and his family to CMS. She thanked Dr. Haithcock for her service to CMS. She attended the 10th Anniversary celebration for Greenway Park Elementary School. There was standing room only and it was a fabulous event.

George Dunlap welcomed Dr. Gorman to CMS. He thanked Dr. Haithcock for the services she has provided to the community. He said he had the opportunity to talk to the parents of the students who were being tutored by the 100 Black Men; he attended a meeting with the students from the Future Leaders Club of CMS; he participated in the More-at-Four Program by reading a book to the students at Little Learners Day Care; he read a Dr. Seuss book to the students at Briarwood Elementary School; and he was a keynote speaker for the Volunteer's Day event at Westerly Hills Elementary School.

Larry Gauvreau welcomed Dr. Gorman and his family to Charlotte. He said there are many second graders in the district and Katie will have a blast.

Chairperson White asked Board members to provide Carole Hamrick, Manager of Board Services, the dates they are available for students transfer appeals as soon as possible. He said graduations are fast approaching and asked Board members to provide Ms. Hamrick the graduations they plan to attend as well their cap and gown sizes. Chairperson White said Dr. Gorman would like to schedule a retreat with the Board as soon as possible after his arrival. Ms. Hamrick will have the Board Office contact Board members to schedule those dates. He said it is important that all nine Board members plan to attend. Chairperson White noted that the May 23, 2006 Regular Board meeting has been rescheduled for May 30th in the Meeting Chamber. He thanked Dr. Haithcock for her dedication and service to CMS. He announced there will be a celebration scheduled to honor Dr. Haithcock's service to CMS in June. Chairperson White congratulated Ms. McGarry on her recent parachute jump to raise funds for a charity.

ADJOURNMENT

Upon motion by Ms. Cramer, seconded by Ms. Griffin, by consensus, the Board agreed to adjourn the meeting.

The Regular School Board Meeting adjourned at 9:02 p.m.

Dr. Gorman signed his employment contract with CMS and held a brief press conference.

Chairperson, Joe. I. White, Jr.

Clerk to the Board, Nancy Daughtridge