

Approved by the Charlotte-
Mecklenburg Board of Education
August 8, 2006
Regular Board Meeting



Charlotte, North Carolina

June 27, 2006

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

The Charlotte-Mecklenburg Board of Education held a Regular Board Meeting on June 27, 2006. The meeting began at 4:35 p.m. and was held in Room CH-14 of the Government Center.

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

Absent: Larry Gauvreau (District 1) and
George Dunlap (District 3)

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 Mr. Gjertsen, seconded by Mr. Tate, the Board voted unanimously of those present 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)(5) of the North Carolina General Statutes.**
- **To prevent the disclosure of information that is privileged, confidential, and not a public record pursuant to Sections 143-318.11(a)(1) and 115C-402 of the North Carolina General Statutes and the Family Educational Rights and Privacy Act.**
- **To consult with counsel regarding the case of *Bumgardner v. the Charlotte-Mecklenburg Board of Education* 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 Maurice Green, General Counsel to the Board; Carole Hamrick, Manager of Board Services; members of Executive and Senior Staffs; 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 everyone to the Board's second meeting of the month which is held in a workshop format. He said at the last Board meeting he noted that Dr. Haithcock would not be attending the meeting tonight. Several receptions have been held in the community to thank Dr. Haithcock for her service to the community. Chairperson White said CMS has been fortunate to have someone of the caliber of Dr. Haithcock to serve as our Superintendent for the past year. He thanked Dr. Haithcock again for her service to CMS.

A. Adoption of Agenda

Ms. Griffin moved that the Board approve the adoption of the agenda, seconded by Ms. Cramer, and a discussion followed. Chairperson White said he would ask the Board to approve amending the agenda to add two items. He asked the Board to add item III.L. to the Consent Agenda which would be approval of the contract for Maurice Green as Chief Operating Officer for CMS. He said Dr. Peter Gorman is responsible for this contract in that Mr. Green would report directly to him. State statute requires the Board to approve this item.

Mr. Dunlap moved, seconded by Ms. Leake, that the Board amend the agenda to add Consent Item III. L. (Recommend approval of the contract for Maurice Green as Chief Operating Officer), and the Board voted 9-0 to approve the motion.

Chairperson White said the Board appointed a committee to review recommendations to seek legal advice in the short-term with Mr. Green moving out of the seat of General Counsel to the Board. Molly Griffin has served as Chair of that committee. He asked the Board to add Action Item IV.E. that will be a report from Ms. Griffin for discussion and approval on how the Board will acquire general counsel duties in the short-term.

Ms. Cramer moved, seconded by Ms. McGarry, that the Board amend the agenda to

add Action Item IV. E. (Recommend approval of legal counsel recommendation in the short-term), and the Board voted 9-0 to approve the motion.

Ms. Cramer asked that the Board add the School Building Solutions Committee's recommendations to the agenda for the July 11, 2006 Regular Board Meeting. Chairperson White said he previously stated that he would add this item to the agenda for the July 11th meeting and a motion is not needed at this time.

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

II. Public Hearing on Proposed Boundaries for new Mallard Creek High School

Ms. McGarry moved that the Board approve opening the Public Hearing, seconded by Ms. Cramer, and the Board voted 9-0 to approve the motion.

There were no public speakers to speak to this item.

Ms. Cramer moved that the Board approve closing the Public Hearing, seconded by Ms. McGarry, and the Board voted 9-0 to approve the motion.

III. CONSENT ITEMS

- A. Recommend approval of minutes
 - May 31, 2006 Closed Session
 - May 30, 2006 Closed Session
 - May 24, 2006 Closed Session
 - April 25, 2006 Regular Board Meeting
 - April 11, 2006 Closed Session
 - April 11, 2006 Regular Board Meeting
 - March 20-22, 2006 Special Meeting/Closed Session
 - March 20-22, 2006 Closed Session
 - March 13, 2006 Special Meeting/Closed Session
 - March 13, 2006 Closed session
- B. Construction Items
 - 1. Recommend approval of construction contract for the new Flat Branch Elementary School
 - 2. *Item Deleted*
 - 3. Recommend approval of construction contract for Carmel Middle School
- C. Recommend approval of requests for student reassignment and release of students to other school districts
- D. Recommend approval of appointment of administrative personnel
- E. Recommend approval of Capital Project Ordinances for April and May 2006
- F. Recommend approval of Financial Statements for April 2006
- G. Recommend approval of Budget Amendments for April, May and June 2006
- H. Recommend approval of Career and Technical Education 2006-07 Application for State/Federal Funding

- I. Recommend approval of lease agreement between Charlotte-Mecklenburg Board of Education and North Carolina Blumenthal Performing Arts Center for Northwest School of the Arts use of Spirit Square
- J. Recommend approval of school uniforms for Pawtucket and Winget Park elementary schools, and Eastway, Martin Luther King, Jr., and Southwest middle schools
- K. Recommend approval of supplementary funding request from Coalition of Essential Schools for *Olympic High School's Coalition of Essential Schools Project – Implementation Grant*
- L. Recommend approval of the employment contract for Maurice Green as Chief Operating Officer for CMS

Ms. Griffin moved that the Board approve Consent Items A. thru L., seconded by Ms. Cramer, and a discussion followed. Ms. Leake asked for clarification on item III.I. Ms. McGarry asked to pull item III.L. Ms. Leake asked that the lease agreement be explained. Dr. Charles LaBorde, principal at Northwest School of the Arts, explained the agreement. The school leases the space at Spirit Square each school year on an annual basis. The agreement is with North Carolina Blumenthal Performing Arts Center as they are the operating organization for Spirit Square. The agreement is for a monthly payment of approximately \$10,000 per month for the use of seven classrooms. Ms. Leake asked if the space was needed because of the overflow of students at Northwest School of the Arts? Dr. LaBorde replied yes that is correct because the use of this facility doubles the dance and art class capacities. Ms. Leake asked is transportation included in the monthly expense. Dr. LaBorde said the \$10,000 is just for the lease of Spirit Square and CMS must provide transportation separately. Dr. LaBorde said the facility is used five days a week with four class periods per day. Ms. Leake asked for a total cost analysis of the use of this facility including bus transportation. Ms. Leake said she supports this item and she wanted to ensure the community was aware that CMS is supporting children in every respect, especially in the performing arts program. She also wanted the public to understand that CMS must pay to provide the extra activities to enhance the education of students. She thanked Dr. LaBorde for doing an excellent job and noted that Northwest School of the Arts is in District 2.

The Board voted 9-0 to approve Consent Items A. through K. excluding item III.L.

Ms. McGarry said this item is a contract for the Chief Operating Officer, Maurice Green, and her concern has nothing to do with the person or his capabilities. She said when the Board adopted its Theory of Action, it included an accountability piece. She believes this should be a performance-based contract and accountability should start at the top of the administration as soon as possible to show the public that the Board is focused on accountability. Chairperson White said Dr. Gorman has spoken with each Board member about this contract and this contract mirrors the contract that the Board executed with Dr. Gorman. Chairperson White said Dr. Gorman believes that if he is successful, then Mr. Green will be successful and be entitled to the same benefits. If he is not successful, then Mr. Green will not be successful. Chairperson White said a piece of this contract is performance-based. Chairperson White said if this does not answer the concern then he would need to ask the attorney to clarify this item. Mr. Dunlap said he believes this question is unfair because this is Dr. Gorman's contract and he is not present to speak to this item. Mr. Dunlap said the Board employs the Superintendent and the Superintendent employs all

other employees of CMS. He said while this contract is for an executive staff person, it only has to be approved by the Board of Education as required by state statutes. The Board, in the past, has not gotten into the specifics of other contracts for executive staff members. Mr. Dunlap believes any questions regarding this item should be directed to Dr. Gorman. Chairperson White said he agrees with that statement and does not feel he is adequate to answer on behalf of Dr. Gorman. Mr. Gauvreau said he does not have any questions regarding this item but does have comments as he has discussed it with Dr. Gorman. Mr. Gauvreau said this is a contract for \$230,000 and it is wrong. This is a huge increase and is not in the best interest of the taxpayers. This contract is as excessive as the contract for Dr. Gorman. Mr. Gauvreau will not support this item.

Mr. Dunlap moved that the Board approve Consent Item III.L. (Recommend approval of the employment contract for Maurice Green as Chief Operating Officer for CMS), seconded by Ms. Leake, and the Board voted 7-2 to approve the motion. Chairperson White, Ms. Cramer, Ms. Leake, Mr. Dunlap, Mr. Tate, Mr. Gjertsen, and Ms. Griffin voted in favor of the motion. Ms. McGarry and Mr. Gauvreau voted against the motion.

Kathy Auger, Assistant Superintendent for Human Resources, presented the following administrative appointments and transfer:

Appointments:

- Alvin Gipson named principal of Bruns Avenue Elementary School. Mr. Gipson previously served as principal at New Sheffield Elementary School in Aliquippa, PA.
- Patricia Garcia named principal of Oaklawn Language Academy. Ms. Garcia previously served as principal of James H. Bright/J. W. Johnson Elementary Schools in Miami, FL.
- Phillip Cauthen named principal of Vance High School. Mr. Cauthen previously served as assistant principal at Vance High School.
- Tiffany Little named Director, Extended Day and Summer School Programs. Ms. Little previously served as assistant principal at E. E. Waddell High School.

Transfer:

- Katherine B. Rea was named principal of the new Mallard Creek High School. Ms. Rea previously served as principal at Vance High School.

IV. ACTION ITEMS

- A. Recommend approval of one citizen appointment to the Equity Committee by the District Two Representative

Chairperson White called upon Ms. Leake to present the recommendation. Ms. Leake nominated Dorothy Waddy to complete the term ending November 30, 2006. She said Ms. Waddy is a parent and has been active in the community in the support of all children.

Upon motion by Ms. Leake to nominate Dorothy Waddy as the Equity Committee District 2 representative, seconded by Mr. Dunlap, the Board voted 9-0 to approve the motion.

- B. Recommend approval of one citizen appointment to the Central Piedmont Community College Board of Trustees

Chairperson White noted that the next three Action Items were Board appointments to Board committees. Each of the people presently serving in those positions is eligible for reappointment, has met the attendance requirements, and expressed a desire to be reappointed.

Ms. McGarry nominated Jane Cooper, and it was seconded by Ms. Cramer.

Ms. Cramer moved that the Board approve by acclamation the appointment of Jane Cooper to the Central Piedmont Community College Board of Trustees, seconded by Ms. Griffin, and the Board voted 9-0 to approve the motion.

- C. Recommend approval of one citizen appointment to the Charlotte-Mecklenburg Public Broadcasting Authority

Mr. Dunlap moved that the Board approve by acclamation the reappointment of Patty Perkins to the Charlotte-Mecklenburg Public Broadcasting Authority, seconded by Ms. Cramer, and the Board voted 9-0 to approve the motion.

- D. Recommend approval of one citizen appointment to the Charlotte-Mecklenburg Planning Commission

Mr. Dunlap moved to reappointment Roberta Farman to the Charlotte-Mecklenburg Planning Commission, and it was seconded by Ms. Cramer.

Mr. Tate moved that the Board appoint by acclamation Roberta Farman to the Charlotte-Mecklenburg Planning Commission, seconded by Ms. Cramer, and the Board voted 9-0 to approve the motion.

Ms. Leake said she has repeatedly asked the Board to establish a reporting process for the people that represent the Board members on committees and Boards. She would like a report from the representatives on a quarterly or yearly basis. She would also like to receive attendance information on the individuals on a regular basis.

- E. Recommend approval to retain Helms Mulliss & Wicker to represent and advise the Board on legal representation

Chairperson White called upon Ms. Griffin to present the recommendation. Ms. Griffin said the Ad Hoc Legal Representation Committee met last week to consider both the short-term and long-term legal representation needs for the School Board. Ms. Griffin presented the committee's recommendations.

Ms. Griffin moved that the Board retain the firm of Helms Mulliss & Wicker to represent and advise the Board during its meetings until such time that the Board, with input from Dr. Gorman, makes a final decision on ongoing legal representation, seconded by Mr. Dunlap, and the Board voted 9-0 to approve the motion.

Mr. Dunlap asked for a point of personal privilege. Mr. Dunlap said this is officially Mr. Green's last meeting as the Board's attorney. He thanked Mr. Green for his advice and work on behalf of the Board. Chairperson White and several Board members also thanked Mr. Green for his service to the Board and congratulated him on his appointment as Chief Operating Officer.

V. REPORTS / INFORMATION ITEMS

A. Report/Update on Graduation Results

Chairperson White called upon Dr. Cheryl Atkinson, Associate Superintendent for School Administration, to introduce the report. Dr. Atkinson said this would be a brief report on the high school graduations. Dr. Atkinson invited Vicki Hamilton, Director of Athletics, to present the highlights of the graduations. Dr. Atkinson congratulated Ms. Hamilton for being named the State Athletic Director of the Year, the Southern Regional Athletic Director of the Year which includes thirteen states, and one of five finalists for National Athletic Director of the Year. Dr. Atkinson thanked Ms. Hamilton for doing a wonderful job of planning and executing the high school graduations for CMS. Ms. Hamilton said there were nineteen graduations held at four different sites. There were over 6,500 students graduating which is the largest graduation class in the history of CMS. There were over 74,000 guests attending the graduations which is an increase of 8,000 guests over last year. Ms. Hamilton thanked staff, the Board members, and corporate and community partners for making the graduations so successful. Ms. Hamilton announced that Summer School Graduation would be held July 28, 2006 at Ovens Auditorium. Chairperson White congratulated Ms. Hamilton for receiving state, regional, and national recognition as Athletic Director of the Year.

ADJOURNMENT

Ms. Cramer moved to adjourn the meeting, seconded by Mr. Dunlap, and by consensus, the Board agreed to adjourn the meeting.

The Regular School Board Meeting adjourned at 6:39 p.m.

Chairperson, Joe. I. White, Jr.

Clerk to the Board, Nancy Daughtridge