

Approved by the Charlotte-  
Mecklenburg Board of Education  
October 10, 2006  
Regular Board Meeting



Charlotte, North Carolina

August 8, 2006

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

The Charlotte-Mecklenburg Board of Education held a Regular Board Meeting on August 8, 2006. The meeting began at 4:30 p.m. and was held in Room CH-14 of the Government Center.

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

Absent: Vacant Seat, Member At-Large;  
Vilma D. Leake (District 2); and  
George Dunlap (District 3)

Also present at the request of the Board were Dr. Peter Gorman, Superintendent; Maurice Green, Chief Operating Officer; James G. Middlebrooks, attorney from Helms Mulliss & Wicker, PLLC, representing the Board; and Nancy Daughtridge, Clerk to the Board.

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

- **To prevent the disclosure of information that is privileged, confidential, and not a public record pursuant to Sections 143-318.11(a) and 115C-402 of the North Carolina General Statutes and the Family Educational Rights and Privacy Act; and**
- **To consult with attorneys regarding the cases of *Petruk v. Charlotte-Mecklenburg Board of Education*; *Charlotte-Mecklenburg Board of Education v. Edifice, Inc.*, and *GRS of North Carolina, Inc.*; and *Charlotte-Mecklenburg Board of Education v. Little Diversified Architectural Consulting, Inc.*, pursuant to Section 143-318.11(a) of the North Carolina General Statutes.**

Chairperson White reconvened the Regular Board Meeting at 6:03 p.m. in the Meeting Chamber of the Government Center. CMS TV Channel 3 televised the meeting.

Present: Joe White, Chairperson;  
Kaye McGarry, Member At-Large;

Trent Merchant, 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. Peter Gorman, Superintendent; Members of Executive and Senior Staffs; James G. Middlebrooks, Attorney from Helms Mulliss & Wicker, PLLC, representing the Board; Carole Hamrick, Manager of Board Services; and Nancy Daughtridge, Clerk to the Board.

## I. CALL TO ORDER

Chairperson White called the meeting to order at 6:03 p.m. Chairperson White welcomed everyone to the Board's first meeting of the month. He said the Board held a Special Meeting at 5:00 p.m. today. The purpose of the meeting was to honor Kit Cramer for her service to the Board and to appoint a person to complete her unexpired term ending December 2007. Chairperson White introduced Trent Merchant as the newest member to the Board of Education. He congratulated Mr. Merchant on his appointment to the Board and invited him to make comments. Mr. Merchant said it is an honor to be appointed to the Board of Education. He thanked all the candidates who applied for the position and believes the large interest in the position shows the community is serious about education. He hopes everyone will take that positive energy to move forward while being mindful of the past. Chairperson White thanked all the candidates who applied to the position and the public for their interest in the process.

### A. Pledge of Allegiance

Chairperson White said the Board recited the Pledge of Allegiance at the earlier Special Meeting.

### B. Adoption of Agenda

**Ms. Leake moved that the Board approve the adoption of the agenda, seconded by Mr. Tate, and a discussion followed.**

**Mr. Merchant moved to amend the agenda to postpone Item I.C., Election of Board Vice-Chairperson, until the next meeting, seconded by Mr. Dunlap, and a discussion followed.** Mr. Merchant said this was an important vote and delaying it would give him an opportunity to better know the potential candidates before making a quick vote tonight.

**The Board voted 9-0 to approve the motion.**

**Ms. Griffin moved that the Board adopt the agenda as amended, seconded by Ms.**

**McGarry, and the Board voted 9-0 to approve the motion.**

C. Election of Board Vice-Chairperson

This item was delayed.

D. Community Report

- Report from Center City Partners

Chairperson White called upon Dr. Gorman to present the report. Dr. Gorman called upon Guy Chamberlain, Associate Superintendent for Auxiliary Services, and Michael Smith, Executive Director of Center City Partners, to provide a brief report to the Board. Mr. Chamberlain said this is an important project for the city of Charlotte and it includes some benefits for Charlotte-Mecklenburg Schools. Mr. Chamberlain said Mr. Smith presented a report to the Board in January which reviewed the proposed land swap and project. The proposed project will optimize the location of the Third Ward Park, bring Triple A baseball to uptown Charlotte, and jump start the Second Ward Neighborhood Plan. Mr. Chamberlain said the Board of Education approved and endorsed the Second Ward Neighborhood Plan in 2002 and participated in the first move to bring that plan to fruition. The Board approved building a new Metro School on a constrained site adjacent to the existing Metro School. Earlier this year, CMS opened the new Metro School which will allow future development of properties along Second Street. The Education Center is currently valued at approximately \$14 million. The project proposes that the Board of Education sell the Education Center to the County and through the land swap process, an office building would be built on the corner of McDowell and Third Street, and CMS would occupy a portion of that space for the people who currently work at the Education Center. CMS currently has space problems for administrative staff. The Education Center and Walton Plaza are overcrowded and the Professional Development Center in the Wilmore section is in bad condition. The proposed project will provide CMS an opportunity to improve the working conditions for staff. The County would acquire the replacement office and CMS would take title to it as though it was a condominium. Parking would be provided in a deck under the new office building. It has been proposed that the new office building would be called the Board of Education Center. The existing Education Center would be demolished and development of that block would include condominiums, apartments, and retail space. Staff of CMS is currently working with City, County, and Center City staff to develop a final proposal which should be presented to the Board within the next two months. A discussion with the Board members followed. Ms. Leake asked how will First Baptist Church be impacted by having a baseball field located next to it; will the Second Ward gym be preserved; does this include a downtown high school; and will the housing in Second Ward be affordable for low-income families? Ms. Leake said she is more focused on the human aspect of the project. Mr. Chamberlain said the baseball stadium will not be located in Second Ward so it will not be near the church. The baseball field will be located in Third Ward where the current park is contemplated. Mr. Smith noted First Baptist Church is aware of the proposed project and supports it. Mr. Chamberlain said the resolution the Board approved in 2002 stipulated that the Second Ward gymnasium would remain intact and become part of any future development. The high school is currently included in the Long-Range School Facilities Master Plan as a half high school. The Citizens' Task Force

recommendations proposed several opportunities for a high school that included partnerships with businesses such as Johnson and Wales, the Convention Center, banking centers, and a magnet program. Mr. Smith said Center City Partners share the idea of including affordable housing in the development. The Second Ward Neighborhood Plan includes affordable housing and workforce housing. The current plan includes a large amount of workforce housing which could be condominiums priced at \$130,000 and up and apartments that rent from \$500 to \$1,000 per month. Opportunities are being explored for different parcels throughout the development that could be mixed-income projects similar to First Ward. Ms. Leake expressed concern that people who earn \$5.15 per hour would not be able to afford the housing described. She said these are the people the project will displace and they should be provided housing so that they can return to downtown. Mr. Smith said he addressed workforce housing which is 80% and above median income. Opportunities are also being reviewed that will include a public-private mix to provide mixed-income and low-income property within the development.

E. Public Hearing on proposed Policy JL, Student Wellness

Chairperson White called upon Ms. Griffin to present the proposed policy. Ms. Griffin said this item is the Public Hearing on proposed Policy JL, Student Wellness.

**Ms. Griffin moved that the Board open the Public Hearing, seconded by Mr. Tate, and the Board voted 9-0 to approve the motion.**

Patrick Casey is a CMS parent and fully supports the proposed Student Wellness policy. He expressed concern about the increasing number of students who are inactive, unfit, and overweight. He discussed the health benefits of good nutrition, exercise, and proper sleep.

**Ms. Griffin moved that the Board close the Public Hearing, seconded by Mr. Dunlap, and the Board voted 9-0 to approve the motion.**

Ms. Griffin said Policy JL was also on tonight's agenda as an Action Item which would require a Board vote.

## II. REQUESTS FROM THE PUBLIC

The following people spoke in support of the Million Father March 2006 which encourages men to take children to school the first day of school:

- Blanche Penn represented the Winners Plus Agency.
- Stefan Askew represented the "Q" Foundation.
- Henry Thomas Black, Jr. represented the Genesis Project.
- Dwayne Collins represented the Black Political Caucus.
- Petronila Clark represented the Winners Plus agency.

Lori Jeanne Taylor is a parent in CMS. She asked the Board to change the policy of not allowing the registration of children before the age of five. She believes parents should be allowed to register children before the coming school year when they are four years old. The current policy prohibits parents from participating in the lottery process.

Patrick Casey is a CMS parent with children at Crestdale Middle School and Providence Spring Elementary School. He encouraged the Board to support a running program that he has developed for elementary and middle school students.

Will Thompson spoke in support of Patrick Casey's running program. He encouraged the Board to endorse the program.

Dot Cromwell spoke on behalf of CMS teachers who would prefer to be paid on a 12-month basis instead of a 10-month basis. She asked the Board to grant teachers a pay-by-12-month option.

### III. CONSENT ITEMS

#### A. Recommend approval of minutes

- July 19, 2006 Closed Session
- July 13, 2006 Closed Session
- July 12, 2006 Closed Session (two sets)
- July 11, 2006 Regular Board Meeting
- July 11, 2006 Closed Session
- July 10, 2006 Closed Session
- July 7, 2006, Closed Session
- July 6, 2006 Closed Session
- June 30, 2006 Closed Session
- June 27, 2006 Regular Board Meeting
- June 27, 2006 Closed Session

#### B. Construction Items

1. Recommend approval of construction contract for Clear Creek Elementary School
2. Recommend approval of construction contract for Reedy Creek Elementary School
3. Recommend approval of construction contract for Greenway Park Elementary School

#### C. Recommend approval of requests for release of students to other school districts

#### D. Recommend approval of appointment of administrative personnel

#### E. Recommend approval of the adoption of a resolution authorizing the Director of Supply Services to dispose of surplus school property at a public auction on Saturday, September 2, 2006

**Ms. Griffin moved that the Board approve Consent Items A. thru E., seconded by Mr. Dunlap, and the Board voted 9-0 to approve the motion.**

Dr. Gorman presented the following administrative appointments:

- Evelyn B. Coston named Director of Recruitment. Ms. Coston has a Master of Science in Guidance and Counseling from Tennessee State University and a Bachelor of Science in Psychology from Tennessee State University. She previously served as a Human Resources Analyst.
- Dr. Ruth Perez named Chief Academic Officer. Dr. Perez has a Doctorate in Education from Nova Southeastern University; a Master of Educational Leadership from Nova Southeastern University; and a Bachelor of Arts in English Literature from Queens

College-City University of New York. She previously served as Adjunct Professor with Nova Southeastern University in Fort Lauderdale, Florida. Dr. Gorman said Dr. Perez will be joining CMS on August 25<sup>th</sup>.

#### IV. ACTION ITEMS

##### A. Recommend approval of proposed Policy JL, Student Wellness

Chairperson White called upon Ms. Griffin to present the recommendation. Ms. Griffin said this item is to recommend the approval of proposed Policy JL, Student Wellness. CMS is required by federal law, The Child Nutrition and WIC Reauthorization ACT of 2004, to have a student wellness policy in place before schools begins on August 25, 2006. The federal law requires the policy to include goals for nutrition, physical activity, and other activities designed to promote student wellness; assure compliance with federal Child Nutrition guidelines; and establish a plan to measure implementation and ensure compliance with policy.

**Ms. Griffin moved, seconded by Ms. McGarry, that the Board approve proposed Policy JL, Student Wellness, and a discussion followed.**

Ms. Leake asked how will CMS ensure the physical activity requirement of having thirty minutes of vigorous activity per day since CMS has eliminated the physical education program? Ms. Leake supports children participating in daily physical activity because it may help decrease some of the major behavior problems occurring in the schools. Ms. Leake asked does this policy include high schools? Dr. Gorman invited Tony Bucci, Assistant Superintendent for Student, Family, and Community Services, to respond. Mr. Bucci said this is a K-8 policy and does not apply to high school. The thirty minute per day requirement can be met in one thirty minute uninterrupted block or in three ten minute segments throughout the day. The ten minute segments must be uninterrupted and include moderate to vigorous physical activity. Every school has a plan for meeting the thirty minutes and the plan varies from school to school. The activity will range from structured classes to the integration of physical activity into academic courses and structured activities during recess. School district staff will monitor the programs to ensure the plans are implemented and each student is participating in the physical activity. Ms. Leake expressed concern about incorporating physical activity time into the classroom time. She would prefer students being able to focus on and participate in vigorous physical activity by itself. Mr. Merchant expressed concern that the policy meets regulations as opposed to doing what is right for children. He would prefer the policy meet the Board's Mission statement. Mr. Bucci said the policy is before the Board because it is a requirement of federal law but also because of CMS' efforts around coordinated school health. Research has indicated that healthy students perform better in school. The primary intent of the policy is to fulfill our mission to improve student achievement.

**The Board voted 9-0 to approve the motion.**

##### B. Recommend approval of grant for Teacher Incentive Fund Partnership

Chairperson White called upon Dr. Gorman to present the recommendation. Dr. Gorman called upon Muffet Garber, Assistant Superintendent for Education Services, to present the

grant proposal to the Board. Ms. Garber said CMS has been given the opportunity to participate in a joint application with Duval Public Schools in Florida and the Community Training and Assistance Center (CTAC) to submit a joint proposal for the Teacher Incentive Fund through the US Department of Education. The purpose of the grant program is to support school districts and states that develop and implement performance-based teacher and principal compensation systems, based on increases in student achievement in high-need schools. This is a highly competitive grant with over one hundred applicants from across the nation. Approximately ten to twelve grants will be awarded. The joint partnership with Duval County will make CMS very competitive for receiving the grant. The grant is designed for potential funding up to five years, with CMS receiving approximately \$3.5 million dollars in the first year. Funding in subsequent years will require that CMS provide an increased percentage of matching dollars so that by year five at least 75% of the differentiated compensation costs are drawn from sources other than the grant. The most important goal of the grant is student achievement. Ms. Garber said CMS believes that providing quality incentives for teachers and principals will attract and retain highly qualified personnel. Research has indicated that highly qualified personnel working with students will lead to an increase in student achievement. The proposal is a grassroots effort and staff will be seeking input from teachers, principals, parent leaders, and local and state leaders. Implementation for the grant will involve high-need schools and the definition of a high-need school is a school that has 30% or higher free and reduced lunch students. During year one of the grant, CMS will continue with the current incentive programs being implemented and, if the grant is funded, additional schools will be added during the term of the grant. Ms. Garber said CMS has received letters of endorsement from national leaders, state leaders, and local leaders. The ultimate goal of the grant is to have a major impact at the state level in hopes that legislators will understand the need for state compensation for teachers.

**Ms. Leake moved, seconded by Ms. McGarry that the Board approve the grant for Teacher Incentive Fund Partnership,** and a discussion followed. Ms. Leake supports the grant. She hopes the grant will provide quality teachers and principals where they are most needed and that children will benefit in the process. She asked what schools will be invited to participate and how much money will the grant provide per teacher and per principal. Ms. Garber said CMS did not have to identify the schools they would add the first year since CMS currently has a Pay-for-Performance Pilot and other incentives in place. CMS will have approximately twelve schools participating in the study the first year and will add approximately twelve more high-need schools the following year. The most CMS will be awarded for one year will be \$3.4 million. Staff is reviewing how that will be divided and what portion of that funding will be applied toward incentives for teachers and principals. Ms. Leake encouraged that the funding be directed to teachers and principals, and not be used for presentations and consultants.

**The Board voted 9-0 to approve the motion.**

## **V. REPORTS/INFORMATION ITEMS**

### **A. Report on Minority, Women, Small Business Enterprise Program (MWSBE)**

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

Guy Chamberlain, Associate Superintendent for Auxiliary Services, to introduce the report. Mr. Chamberlain said a year ago the Board revised the Board policy on Minority, Women, Small Business Enterprise Program (MWSBE). The revisions included administration will report to the Board on an annual basis regarding MWSBE utilization in comparison to the aspirational goals identified by the MGT of America Disparity Study conducted in May 2004. The policy requires CMS to collect data on specific minorities. Mr. Chamberlain said CMS has made remarkable improvements in minority participation over the last year. Mr. Chamberlain introduced Chiquitha Lloyd, MWSBE Administrator, to present an overview of the MWSBE for Fiscal Year 2005-2006. Ms. Lloyd provided an overview of the program, a review of the MGT of American Disparity Study and their recommendations, and a review of the Board's Policy. Total purchases and spending with MWSBE groups for fiscal year ending 2005 were as follows:

<b>Business Enterprise</b>	<b>Total Fiscal Year 2005 Expenditure</b>	<b>Percent of Total</b>
Minority	\$9,693,885	3.0%
Women	\$23,775,679	7.4%
Small Business	\$11,676,987	3.6%
<b>Total Expenditures</b>	<b>\$320,764,196</b>	

Total eligible expenditure by category for fiscal year ending 2005 compared to the recommended aspirational goals were as follows:

<b>Category</b>	<b>Total Expenditure</b>	<b>Percent of Utilization</b>	<b>MWSBE Utilization</b>	<b>Overall MWSBE Aspirational Goal</b>
Construction	\$121,634,184	37.9%	\$19,516,123 16.0%	21%
Architecture & Engineering	\$4,272,483	1.3%	\$528,848 12.4%	16%
Contracted Services	\$87,172,587	27.2%	\$16,310,412 18.7%	14%
Goods	\$107,684,940	33.6%	\$9,504,512 8.8%	11%
<b>Total</b>	<b>\$320,764,196</b>			

Ms. Lloyd reviewed significant activities and outreach activities that have enhanced the program as well as next steps for the upcoming year. A discussion with Board members followed. Mr. Dunlap is pleased with the positive steps taken to increase spending with MWSBE. He expressed concern for the shortfall areas and the overall limited spending with MWSBE groups. He hopes the efforts will be increased next year. Ms. McGarry noted the MGT of America study reported that CMS was well within the goals that the state requires to remain in good faith. Ms. McGarry asked is CMS within state goals? Ms. Lloyd said the state has a recommended goal of 10%. The CMS goals are based upon the Disparity Study which includes the vendors available within our area. Based on that, the CMS goals are higher than state requirements. Ms. McGarry asked is there a duplication of services for the programs available to help MWSBE companies bid on CMS business? Ms. Lloyd said CMS does not



provide any services on how to do a business plan, how to get started as a business, or how to get incorporated. Biz Hub provides vendors those services and information. When CMS does any type training session, they are done in conjunction with Biz Hub and Biz Hub provides instructors for those types of training. The only time CMS would use internal staff for any type training would be for construction projects. CMS would provide a project manager or staff member to discuss particulars for how to do business with CMS. Technical assistance is referred to Biz Hub. Ms. Leake asked does the report include consultants employed by the district? She is aware that CMS has spent \$500,000 for consultant services and none of those services were provided by a MWSBE company. Ms. Lloyd said this would depend on the type of consultant. If the consultants were for architectural engineering, those services would be broken out separately and included in this report. If the consultants were for staff development, those services would be included in contracted services. Ms. Leake asked when selecting vendors for services, are MWSBE companies considered? Ms. Lloyd said, yes. Ms. Leake expressed concern that a firm was used for consultant services that did not provide minorities an opportunity to be a part of the process. Ms. Lloyd noted the MWSBE utilization percent for contract services was 18.7% which surpassed the aspirational goal of 14%.

## **VI. REPORT FROM SUPERINTENDENT**

Dr. Gorman provided a quick summary of his busy schedule and meetings.

- Meetings with many CMS departments and staff members.
- Board Retreat with Board members which was very worthwhile and helpful.
- Meeting with staff regarding Teacher Advisory Council.
- Meetings with several state officials.
- Attended State Board of Education meeting.
- Attended meeting held by Judge Manning regarding the High School Challenge Schools.
- Meetings with community groups, civic groups, and business and community business leaders.
- Will be attending Parent Forums with Board members scheduled over the next three months. The meetings will be an important way for him to communicate with the community and hear feedback.

Dr. Gorman highlighted the following:

- Two 2006 CMS graduates were awarded prestigious John M. Belk Scholarships, valued at over \$170,000, to Davidson College. The students are Zana Shaban of Vance High School and Jordan Wall of Harding University High School.

## **VII. REPORTS FROM BOARD MEMBERS**

Vilma Leake commended Dr. Gorman and Maurice Green, Chief Operating Officer, for the work they have been doing. She noted that the community has been making positive statements about their work and appearances on CMS TV-3. She visited several schools including Right Moves and Oaklawn Spanish Academy (K-1).

Kaye McGarry thanked the outstanding applicants who applied for the Member At-Large seat for their passion for educating children and willingness to serve CMS. She attributes part of the positive response to the new Superintendent and the school reform initiatives. She challenged each of them to stay involved in public education and continue to make education the number one priority.

Trent Merchant said he has enjoyed his first hour and a half being a Board member.

Molly Griffin reported the Policy Committee needed to schedule a meeting early to mid-September. The General Counsel Ad Hoc Committee also needed to schedule a meeting. Ms. Griffin welcomed Trent Merchant to the Board.

Coach White commended Board members for having a good meeting. He encouraged them to continue to work together to solve the tough issues. Chairperson White reported a Broad Training meeting has been scheduled for August 26, 2006. He said he and his wife, Bobbie, would be hosting fourteen Teach For America teachers for dinner at his home on Thursday.

## **ADJOURNMENT**

**By consensus, the Board agreed to adjourn the meeting.**

The Regular School Board Meeting adjourned at 7:38 p.m.

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Chairperson, Joe. I. White, Jr.

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Clerk to the Board, Nancy Daughtridge