

Approved by the Charlotte-
Mecklenburg Board of Education
October 9, 2012
Regular Board Meeting



Charlotte, North Carolina

August 28, 2012

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

The Charlotte-Mecklenburg Board of Education held a Regular Board Meeting on August 28, 2012. The meeting began at 5:18 p.m. and was held in Room 267 of the Government Center.

Present: Ericka Ellis-Stewart, Chairperson, Member At-Large;
Mary T. McCray, Vice Chairperson, Member At-Large;
Timothy S. Morgan, Member At-Large;
Rhonda Lennon, District 1;
Richard Allen McElrath, Sr., District 2;
Dr. Joyce Davis Waddell, District 3;
Tom Tate, District 4; and
Reverend Amelia Stinson-Wesley, District 6

Absent: Eric C. Davis, District 5

Also present at the request of the Board were Dr. Heath Morrison, Superintendent; George E. Battle, III, General Counsel; and Nancy Daughtridge, Clerk to the Board.

Upon motion by Dr. Waddell, seconded by Ms. McCray, the Board voted unanimously of those present for approval to go into Closed Session for the following purpose:

- **To consider student assignment matters that are privileged, confidential and not a public record as set forth in Title 20, Section 1232g of the United States Code and Section 115C-402 of the North Carolina General Statutes; and**
- **To consult with the Board's attorney on a litigated matter involving the Board, K. Cunningham, and J. Leardini.**

The motion was made pursuant to Sections 143-318.11(a)(1) and (3) of the North Carolina General Statutes.

The Board held a Closed Session meeting from 5:18 p.m. until 5:45 p.m. in Room 267.

Chairperson Ellis-Stewart reconvened the Regular Board Meeting at 6:02 p.m. in the Meeting Chamber of the Government Center. CMS-TV 3 televised the meeting.

Present: Ericka Ellis-Stewart, Chairperson, Member At-Large;
Mary T. McCray, Vice Chairperson, Member At-Large;
Timothy S. Morgan, Member At-Large;
Rhonda Lennon, District 1;
Richard Allen McElrath, Sr., District 2;
Dr. Joyce Davis Waddell, District 3;

Tom Tate, District 4; and
Reverend Amelia Stinson-Wesley, District 6

Absent: Eric C. Davis, District 5

Also present at the request of the Board were Dr. Heath Morrison, Superintendent; George E. Battle, III, General Counsel; Members of Executive Staff; Judith Whittington, Manager of Board Services; and Nancy Daughtridge, Clerk to the Board.

I. CALL TO ORDER

Chairperson Ellis-Stewart welcomed everyone to the second Regular Board meeting of the month which was held in the Meeting Chamber.

A. Adoption of Agenda

Chairperson Ellis-Stewart called for a motion to adopt the proposed agenda.

Ms. McCray moved that the Board adopt the proposed agenda as presented, seconded by Mr. Tate, and the motion passed upon 8-0 voice vote of the Board. Eric Davis was absent.

B. Pledge of Allegiance

Chairperson Ellis-Stewart called upon Richard McElrath to lead those present and in the viewing audience in the Pledge of Allegiance. Mr. McElrath invited everyone to stand and join him in reciting the Pledge of Allegiance.

C. Public Hearing on proposed amendments to instructional policies and exhibits regarding Policy IKE, Promotion, Retention, and Acceleration of Students; Policy IKF, Graduation Requirements; Exhibit IKF-E, CMS/North Carolina Course of Study Graduation Requirements Effective Class of 2013-2015; and Exhibit IKF-E, CMS/North Carolina Course of Study Graduation Requirements Effective Class of 2016

Chairperson Ellis-Stewart reported this is the second Public Hearing on instructional policies and exhibits regarding Policy IKE, Policy IKF, and Exhibits IKF-E. There were no speakers signed up to speak and Chairperson Ellis-Stewart called the Public Hearing closed at 6:06 p.m.

II. CONSENT ITEMS

A. Recommend approval of Spauth Administrative Center Multi-Purpose Room renovations.

The Spauth Administrative Center Multi-Purpose Room Renovation project was bid on August 8, 2012. Staff recommends the approval of the contract to the lowest responsive bidder, D. E. Brown Construction. The scope of work includes replacing HVAC units in the Multi-Purpose Room to facilitate the use of the space as an auditorium. MWSBE participation is 100%. Fiscal Implications: Local funds in the amount of \$145,801.

B. Recommend adoption of resolution authorizing the director of storage and distribution to dispose of surplus school property by way of Online Bid in auction format.

The Online auction time span will encompass the September 1-16, 2012 period. GovDeals, (www.govdeals.com), an experienced and proven Online government surplus sales service provider will facilitate the process. The auctions usually generate \$6,000 to \$15,000 in revenue.

Chairperson Ellis-Stewart called for a motion to adopt the Consent Agenda as written.

Ms. McCray moved that the Board adopt Consent Items A. and B., seconded by Mr. Tate, and a discussion followed.

Dr. Waddell requested Consent Item A. be pulled for clarification.

Mr. Tate moved that the Board adopt Consent Item B., seconded by Ms. McCray, and the motion passed upon an 8-0 voice vote of the Board. Eric Davis was absent.

Dr. Waddell asked for more information regarding renovations at Spaugh Administrative Center because that was a school in District 3 which was closed and the public would like to know how the facility will be used in the future. Dr. Morrison reported that facility will be used as administrative offices and he called upon Guy Chamberlain to provide information about the renovation project. Mr. Chamberlain reported this project will air condition the activity room to become an auditorium. The primary intent of the auditorium will be used to support the Professional Development Center which will relocate to this location in a few months. The auditorium will also be used for principal meetings and training for large numbers of staff. The Spaugh facility will house Human Resources, Curriculum and Instruction, and the Professional Development Center and should be fully occupied by October.

Chairperson Ellis-Stewart called for a motion to adopt Consent Item B.

Ms. McCray moved that the Board adopt Consent Item B., seconded by Mr. Tate, and the motion passed upon 8-0 voice vote of the Board. Eric Davis was absent.

III. ACTION ITEMS

- A. Recommend approval on proposed amendments to instructional policies and exhibits for Policy IKE, Promotion, Retention, and Acceleration of Students; Policy IKF, Graduation Requirements; Exhibit IKF-E, CMS/North Carolina Course of Study Graduation Requirements Class of 2013-2015; and Exhibit IKF-E, CMS/North Carolina Course of Study Graduation Requirements Effective Class of 2016

Correlation to Board of Education Vision, Mission & Core Beliefs: We are responsible for building and maintaining high performing organizations that ensure all students will successfully acquire the knowledge, skills and values necessary for success

The proposed amendments to instructional policies and exhibits for Policy IKE, *Promotion, Retention, and Acceleration of Students*; Policy IKF, *Graduation Requirements*; Exhibit IKF-E, *CMS/North Carolina Course of Study Graduation Requirements Effective Class of 2013-2015*; and Exhibit IKF-E, *CMS/North Carolina Course of Study Graduation Requirements effective Class of 2016* were unanimously approved by the three of the five Policy Committee Board members attending the Policy Meeting on July 19, 2012. The proposed amendments bring the policies into compliance with North Carolina law and State Board of Education policies regarding personal education plans and courses required for graduation. They remove obsolete references to policies and assessments eliminated by the State Board and clarify standards pertaining to elective credits. No changes are proposed to the number of credits (twenty-four) required for CMS high school graduation which exceeds the State's requirement of twenty-two credits. The proposed amendments to the policies and exhibits were posted on the CMS Website and the Board held a public hearing on August 15 and August 28, 2012.

Chairperson Ellis-Stewart called upon Tom Tate, Chairperson of the Policy Committee to present the proposed amendments to Policy IKE, Policy IKF, and Exhibits IKF-E.

Mr. Tate reported it is unusual to have this happen but as of this afternoon we have a very minor amendment to the proposed policies.

Mr. Tate moved approval of the proposed amendments to Policy IKE, Policy IKF, and Exhibits IKF-E with the following amendment:

- **References to the English I End of Course test shall be replaced with English II in the sections of the policy and exhibits describing Local Exit Standards: Section II, C of the policy (on page 4) and the second row, third column, of the exhibits.**
- **A footnote shall be added to the documents indicating that students who, as of the start of the 2012-2013 school year, have already satisfied the exit standard by passing the English I End of Course, shall have satisfied the Gateway requirement.**

Mr. Tate reported the Policy Committee has not had an opportunity to review the proposed amendment, therefore, the motion will need a second. Mr. Morgan seconded the motion, and a discussion followed.

Mr. Tate provided additional clarification to the proposed amendments. In December 2011, the State Board of Education adopted a new high school accountability model that referenced using an End of Course (EOC) test in English II rather than English I for the performance composite measurement standard. Since December 2011, the Department of Public Instruction's Accountability Services Department moved forward with developing an EOC in English II and has eliminated references to the English I EOC in all materials related to the North Carolina Testing Program. At the upcoming September 2012 State Board meeting, the State Board of Education will be asked to adopt a new policy that explicitly includes English II as the EOC that will be used effective with the 2012-2013 school year. As the English I EOC will no longer be administered in North Carolina, the proposed amendment to the policy and exhibits replaces the English I EOC with the English II EOC in the CMS High School Exit Standards. Mr. Tate reported we were just recently informed that this would go before the State Board of Education in September and we felt it should be included with the proposed amendments since the State was moving in that direction.

Chairperson Ellis-Stewart invited Board members to ask questions.

- Ms. McCray asked are we sure the State Board will adopt this? Sarah Crowder, Associate General Counsel and Policy Administrator, reported the State Board adopted it December 2011 in an attachment to the action they took at that time. They did not adopt a new policy at that time and it is the policy that will be adopted in September 2012. They have adopted the new accountability plan that includes the English II EOC and the English I EOC is going away.
- Ms. Lennon said in the community there have been some comments that CMS is 'dumbing down' or lowering the bar for our students. Last year our students were still under the twenty-eight credit graduation requirement and the change from twenty-eight to twenty-four credits actually occurred in 2008. Ms. Crowder said the Board approved the change in credit requirements in December 2008 effective with the incoming freshmen class that entered high school in 2009. CMS is bringing the CMS standards to be consistent with the State Board

and Common Core. The CMS standards exceed the State requirements and CMS requires three Social Studies, three Science, and either one Science or Social Studies in addition to the three. The State requires twenty-two credits to graduate but CMS requires twenty-four. If students take a full load they have the potential of receiving thirty-two credits. Ms. Lennon said the Board is not changing the graduation requirements from twenty-eight to twenty four at this time as that actually happened in December 2008.

Dr. Morrison said there is a sense of urgency on the vote for this item because we have 9th graders entering this year and we must let them know their graduation requirements as soon as possible. Dr. Morrison said he is in his Entry Plan and on his Listening and Learning Tour. He has been looking ahead to the quality of and what it means to get a CMS diploma. Dr. Morrison said it may be a probability he may come back to the Board to ask for consideration around changes to this policy. At this time, we owe it to our students to make a decision so they know the graduation requirements. Approval of this item will put CMS in alignment with the State Board but this may not be the last time we visit this conversation.

Chairperson Ellis-Stewart said it is important to inform our students and parents. In the future when this matter is revisited she hopes CMS will consider aligning the CMS standards with the requirements to get into a state university. Chairperson Ellis-Stewart called for the Board vote on the motion.

The motion to adopt amendments to Policy IKE, Policy IKF, and Exhibits IKF-E passed upon 8-0 voice vote of the Board. Eric Davis was absent.

IV. REPORT/INFORMATION ITEMS

A. Report/Update on Minority, Women, and Small Business Enterprise (MWSBE) Program

Correlation to Board of Education Vision, Mission & Core Beliefs: Embracing our community's diversity and using it to enhance the educational environment.

Chairperson Ellis-Stewart called upon Dr. Morrison to introduce the report on Minority, Women, and Small Business Enterprise (MWSBE) Program. Dr. Morrison called upon Chiquitha Lloyd, Minority, Women, and Small Business Enterprise Administrator, to present the report. Dr. Morrison said this department consists of an office of one and Ms. Lloyd does an impressive job. Ms. Lloyd provided the Board with an overview of the Minority, Women, and Small Business Enterprise (MWSBE) Program.

- Minority, Women, and Small Business Enterprise Overview:
 - In 2004, CMS in conjunction with the City of Charlotte and Mecklenburg County entered into a Disparity Study with MGT of America. The primary reason for completing the study was CMS had a MWSBE Policy but had not gone through the scrutiny of a disparity study to determine the level of disparity. The study resulted in a new Board policy and attendant regulations on how CMS would operate the new MWSBE Program. Part of that policy requires that, at the end of each fiscal year, the Superintendent provide a report to the Board summarizing the results of participation and how the participation stands against the goals. The MGT of American Disparity Study presented their findings and substantial disparities existed in Construction; Architecture, Engineering, and Surveying; Contracted Services other than construction; and Goods. The study presented twenty-three specific recommendations regarding Small Business

Enterprise Program, New Aspirational Goals, Procurement Cards, and Vendor Sourcing.

- The Department is primarily responsible for increasing the participation of minority, women, and small business owners through inclusive procurement activities. Results are achieved through fairness, integrity, and strict adherence to the law to maximize MWSBE participation. The program's success is ultimately measured using five program objectives: Marketing and Outreach, Certification, Utilization, Monitoring and Reporting, and Training and Technical Assistance.
- Governance: CMS Policy DJA, several North Carolina General Statutes, Senate Bill 914, and North Carolina Administrative Code.
- Budget: 2011-2012 Expenditures Comparison to previous years:
 - In accordance to the budget reductions made throughout CMS, staffing was reduced to one person (Ms. Lloyd).

Expenditures	2011-2012 Expenditures	2010-2011 Expenditures
Salaries and Benefits	\$79,372	\$114,718
Purchased Services	\$ 7,434	\$ 6,365
Total Expenditures	\$86,806	\$121,083

- 2011-2012 Aspirational Goals compared to Actual: The goals are based on an analysis of factors such as size and scope of the contract and the availability of MWSBEs to perform various elements of the contract. Performance results is based upon community engagement, overall MWSBE utilization in dollars and percent, year over year percent increase, notifications of opportunities, internal/external program compliance, and capacity building activities.

Category	MBE		WBE		SBE		MWSBE	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Construction	10%	4.09%	6%	8.53%	5%	5.29%	21%	17.936%
Architecture and Engineering	4%	9.81%	7%	2.82%	5%	5.81%	16%	18.45%
Contracted Services (other than construction)	5%	7.34%	4%	7.46%	5%	8.25%	14%	21.86%
Goods	3%	2.07%	3%	2.14%	5%	3.72%	11%	8.73%

- Total Eligible Expenditures FY 2011-2012:

Category	Analyzed	MWSBE Firms
Total eligible expenditures	\$202.9 million	\$28 million
Construction	\$19.6 million	\$3.5 million
Architecture and Engineering	\$1.9 million	\$357,000
Contracted Services	\$63.7 million	\$14 million
Goods	\$117.7 million	\$10.3 million

Total Dollars Spent	MBE	WBE	SBE	MWSBE
2011-2012	\$7 million	\$9 million	\$11 million	\$28 million
2010-2011	\$6 million	\$8 million	\$13 million	\$27 million
2009-2010	\$9 million	\$42 million	\$14 million	\$65 million

- The \$28 million represents 14% of the overall spent and 32% of that went to non-

minority females, 26% went minorities, and 28% went to small business owners.

- Overall MWSBE Utilization Comparison: Overall CMS exceeded the goals in two of the four categories. That increase was primarily due to our high use of Minority Enterprises in design as well as the equal utilization of Minorities, Women, and Small Enterprises in contracted services. This year, CMS spent \$1 million more in MWSBE contracts. This is a decline from past years but do to the economy, the CMS spend levels are down.

Category	MWSBE Goal	2011-2012 MWSBE Actual	2010-2011 MWSBE Actual	2009-2010 MWSBE Actual	2008-2009 MWSBE Actual
Construction	21%	17.93%	25.26%	41.19%	31.29%
Architecture and Engineering	16%	18.45%	27.64%	13.3%	25.38%
Contracted Services (other than construction)	14%	21.86%	22.89%	25.38%	27.10%
Goods	11%	8.72%	10.52%	14.71%	14.16%

- Major Initiatives:
 - Charlotte Minority Economic Development Initiative Phase II.
 - Carolinas Minority Supplier Development Council MBE Industry Groups.
- Next Steps:
 - Review procurement plans and meet with key stakeholders regarding use of MWSBE.
 - Continue to identify opportunities for MWSBEs in strategic sourcing and supply chain management.
 - Continue to expand debriefing process for unsuccessful suppliers/contractors to improve competitiveness.

Chairperson Ellis-Stewart thanked Ms. Lloyd for the report and invited Board members to ask questions. Board members asked questions and Ms. Lloyd provided clarification.

- Mr. Tate asked does Policy DJA need to be amended or revised? Ms. Lloyd said the policy was adopted in 2005 and it is still does what it needs to do. Mr. Tate hopes in the areas in which CMS did not meet the aspirational goals, staff will review options to strive to meet those goals in the future. Ms. Lloyd responded noting that in the construction category there are various opportunities for new contracts and CMS has outlined the outreach plan with the construction managers to work together to increase the opportunities in MWSBEs. We will be involved in the procurement plans to provide input on available MWSBEs to participate. Most goods are purchased from State contracts and that competitive process is handled at the State level. The CMS database for goods and services is over 1,500 companies and schools and departments can access that information Online.
- Dr. Waddell thanked staff for the report. She said contractors have expressed concerns about the bidding process because they are not being selected and some projects do not require a bid because of the dollar amount. Ms. Lloyd said the MWSBE guidelines begin at \$5,000.00 and anything above that amount must comply with the goals identified in each category. For construction projects, the bidding process includes a minimum of three quotes and of those three one is a MWSBE when available for that particular item. For informal construction projects anything below \$500,000 is by invitation and, if possible, one or more MWSBE vendors are identified to bid on the work. Traditionally, the project is awarded to the lowest

responsive bidder. Dr. Waddell wants to continue to get reports on the MWSBE participation and wants to ensure people understand the process when they submit the bids. Ms. Lloyd reviewed the CMS procedures for informing vendors of the bidding process, allowing vendors an opportunity to review the amounts of the bids submitted for a project, and the ability to attend CMS workshops to understand the CMS process. Dr. Waddell thanked staff for keeping this process open and transparent.

- Mr. McElrath expressed concerns about CMS not meeting the goals.
- Mr. Morgan believes the slow economy impacted the number of businesses participating in the bidding process. Ms. Lloyd said, yes, we lost a lot of vendors. Companies closed, downsized, or faced challenges with building materials, lines of credit, and bonding. CMS lost some of its diverse suppliers and that made the market tighter but we believe opportunities are improving. Mr. Morgan said CMS buys a lot from State contracts and he asked do they have their own version of a MWSBE program. Ms. Lloyd said, yes, the State goals are less than CMS and their competitive process is open and includes State departments, community colleges, municipalities, and universities.
- Chairperson Ellis-Stewart said there may be a pipeline issue for companies that can provide particular trades or parts to help CMS meet the aspirational goals and she asked going forward are there changes needed to allow more companies into the pipeline? Ms. Lloyd said a lot of this involves specialty services. CMS has a huge void of diverse mechanical, plumbing, and electrical providers. The vendors must meet the areas of our needs as well as our vendor requirements. Chairperson Ellis-Stewart hopes staff will continue to take steps to close the bidding perception gap and that the community found this report helpful.

ADJOURNMENT

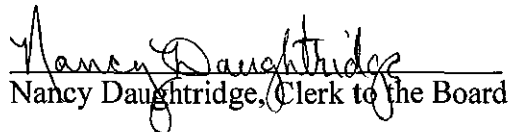
Chairperson Ellis-Stewart called for a motion to adjourn the meeting.

Mr. Morgan moved that the Board adjourn the Regular Board meeting, and by consensus, the Board agreed to adjourn the meeting.

The Regular School Board Meeting adjourned at 6:43 p.m.



Ericka Ellis-Stewart, Chairperson



Nancy Daughtridge, Clerk to the Board