



**WAKE COUNTY BOARD OF EDUCATION  
BOARD MEETING MINUTES  
April 6, 2010**

<u>Board Members Present</u>	<u>Staff Members Present</u>	
Ron Margiotta, Chair	Interim Superintendent Donna Hargens	David Holdzkom
Debra Goldman, Vice Chair	Terri Cobb	Ann Hooker
Kevin L. Hill	Danny Barnes	Julye Mizelle
Anne McLaurin	Kathy Chontos	Cathy Moore
Chris Malone	Marvin Connelly	David Neter
Carolyn Morrison	Joe Desormeaux	Andre Smith
Deborah Prickett	Laura Evans	Mark Winters
John Tedesco	Michael Evans	
Keith Sutton	Stephen Gainey	<b><u>Board Attorney Present</u></b>
	Don Haydon	Ann Majestic

Chair, Ron Margiotta, called the meeting to order at 3:09 p.m. Everyone recited the Pledge of Allegiance.

**Chair's Comments**

- On Friday, April 2, 2010, Dr. Christy Falba, Senior Director for Elementary Education, passed away. Dr. Falba has given several presentations to the Wake County Board of Education over the past few years. She was well respected and well known by her colleagues in the Instructional Services Division, as well as by the elementary principals and teachers, for her knowledge, expertise, and calm nature. On behalf of the Wake County Board of Education, Mr. Margiotta sent condolences to her family during this difficult time.
- Mr. Margiotta announced that the 2010 Graduation Schedule has been posted online. Mr. Margiotta thanked Ann Hooker for her work in coordinating graduations.
- During the winter sports season, WCPSS had three state champions; Southeast Raleigh Indoor Track- Women, Southeast Raleigh Indoor Track –Men, and Sanderson Cheerleading. WCPSS also finished second in eight state championships; basketball – women, individual wrestling, team wrestling, swimming – women, small team gymnastics, large team gymnastics, indoor track- women, and indoor track-men. Fourteen high schools had at least one winter sports team to finish in the top 8 in a state championship. Mr. Margiotta congratulated each of the teams and their coaches.
- Ligon Magnet Middle School teacher Freddie-Lee Heath has been named the National Dance Educator of the Year (DEOY). The award was presented by the Alliance for Health, Physical Education, Recreation, and Dance (AAHPERD). Mr. Heath is a National Board Certified teacher in Physical Education and has won numerous awards such as Disney's American Teacher Awards Finalist-2001.
- On Wednesday evening, April 7, 2010, the Teacher of the Year Finalists will be recognized at the North Carolina Bar Association. Mr. Margiotta congratulated each of the finalists.
- The Wake County Teacher Assistant's Association has named 10 finalists for the 2010 Teacher Assistant of the Year. The finalists include:

- Victoria Alford, Wakefield Elementary,
- Darlene Barnard, Timber Drive Elementary,
- Tonja Bauza, East Garner Middle,
- Barbara Bolam, Holly Ridge Elementary,
- Vonda Gaskins-Buie, Barwell Road Elementary,
- Jacqueline Clayton, Forest Pines Elementary,
- Pamela Dubay, Reedy Creek Elementary,
- Trisha Seymour, Leesville Road Elementary,
- Valarie Turner, Conn Elementary, and
- Betty Wicker, Knightdale Elementary

Mr. Margiotta congratulated each of the finalists for all that they do to support learning and teaching.

- Dr. Thelma Melendez de Santa Ana, Assistant Secretary of the U.S. Department of Education, visited students at Centennial Middle School while in Raleigh speaking to a state education organization.

Dr. Melendez directs, coordinates, and recommends policy for programs designed to assist state and local education agencies with improving the achievement of elementary and secondary school student. She serves as the principal adviser to the U.S. Secretary of Education on all matters related to pre-k, elementary, and secondary education. Mr. Margiotta thanked principal, Edye Morris-Bryant for her help and the students and staff at Centennial Middle School for hosting the visit.

- Mr. Margiotta thanked Board members and staff for attending the Board Work Session held on Wednesday, March 31<sup>st</sup>. The meeting was quite lengthy.

### **Superintendent's Comments**

- Dr. Hargens thanked Chairman Margiotta for honoring the memory of Dr. Falba.
- On March 2, Wake County Public Schools joined other schools across the nation to celebrate Dr. Seuss' birthday. The annual event, which many of you recognize as "Read Across America", is used by Wake County Schools to promote and celebrate reading. Many of the Leadership Team Members and citizens from the community took the opportunity to go to classrooms and read to students.

A group of Centennial Campus Magnet Middle School students collaborated with Principal Edye Morris-Bryant, ESL teacher Cindy Linton, and artist Tonya Fields, on a book entitled, Senor Lobo Learns About Honor, Order, Wisdom, and Leadership. After their book was published, the class participated in Read Across America by reading to first graders at Combs Magnet Elementary School. First graders not only learned about character traits, but they also had the opportunity to ask the authors questions about themselves and Centennial Campus Middle School.

- On April 6<sup>th</sup>, Dr. Hargens had the privilege of attending a luncheon held in Cary to celebrate the 2010 Regional Principals of the Year. Dr. Harengs congratulated John Wall, who represented Wake County Public Schools and the entire region as the 2010 North Central Region Principal of the Year.
- Dr. Hargens also congratulated the finalists for the 2010 Teacher Assistant of the Year.

- On March 25<sup>th</sup>, Ligon Middle School won the regional Battle of the Books competition. Ligon now advances to the state Battle of the Books competition which will be held in May.
- Wilburn Elementary was recently recognized as one of four schools in the nation to be honored with the TAP Ambassador Award. Wilburn received this recognition on March 20<sup>th</sup> at the 10<sup>th</sup> National TAP Conference: Leading Innovation through Teacher Effectiveness held in Washington, D.C. The TAP Ambassador Award honors schools that have gone beyond their campuses to represent the principles of the TAP System. The honor comes with a financial prize of \$5,000. Dr. Hargens congratulated Principal, Jennifer Carnes, and the entire staff at Wilburn Elementary School.
- The last week of March, Wiley Elementary School had the honor of hosting 3 students and 5 adults from their sister school in Mishima City, Japan.
- The Raleigh Fine Arts Society recently held its 32<sup>nd</sup> annual Literary Contest for public and private school students within Wake County. The event hosts nearly 700 tenth, eleventh, and twelfth grade student submissions of original short story manuscripts. Mildred Dwyer Patton Memorial Award for Overall Best Story was presented to Adam Raby of Enloe High School.
- The Overall Second Place Award was presented to Duncan Burrows of Enloe High School. Other Wake County Public School students honored include:
  - Grant Forrest of Enloe High School,
  - Maitreyee Singh of Broughton High School,
  - Megan Przybyla of Leesville Road High School
  - The Dave Patton Award for Best Story by a Varsity Athlete presented to Quinn Roels of Broughton High School, and
  - Honorable Mention awards presented to Wren Berney of Broughton High School, Staci Cooper of Enloe High School, and Matthew Mollenkopf of Enloe High School.
- Five schools recently pooled their resources to create a Saturday Academy. The academy was to provide additional instructional support to students. The schools involved were Wakefield High, Wakefield Middle, Wakefield Elementary, Forest Pines Elementary, and North Forest Pines Elementary. The idea came out of a community summit in which staff and community members discussed methods to better support students.
- The Drama Production and Tech Theatre students at Martin Magnet Middle School recently received a Superior rating at the North Carolina Theatre Conference Middle School Play Festival.

### **Board Members' Comments**

- Dr. McLaurin congratulated the Athens Drive High School Symphony Band for being invited to the National Concert Festival. The Wake County Public Schools and the Wake County Health Department jointly applied for Stimulus Funding that would focus on nutrition and exercise. Even though the two were not awarded funding the first round, they are still in the running to be considered.
- Dr. Morrison shared that she had the opportunity to meet and speak with Administrative Interns from the Triangle Leadership Academy. Dr. Morrison also

attended the First Annual Leadership Luncheon for the Boys and Girls Club on Wednesday, March 31<sup>st</sup>. On Thursday, April 1<sup>st</sup>, Dr. Morrison spoke to the Education Committee of the League of Women Voters.

### **APPROVAL OF THE MEETING AGENDA**

Chairman Margiotta removed Item #6, REPORT ON INVESTIGATION OF ALTERNATIVE SITES FOR H-6 HIGH SCHOOL from the agenda. The item was referred to the Facilities Committee and will come back to the Board as an Information item at the next meeting. The Legislative Agenda will be added to the Agenda as an Information and Action Item.

Chairman Margiotta also added the resolution Expressing Board Commitment to Efforts of Voluntary Desegregation to the Action Agenda. Item #36, BELL SCHEDULE AND CALENDAR CHANGE RECOMMENDATIONS FOR THE 2010-11 SCHOOL YEAR was removed from the Agenda and referred to the Finance Committee.

Debra Goldman made a motion to approve the amended agenda, seconded by Chris Malone. The motion to approve the amended agenda was unanimously approved.

### **INFORMATION ITEMS**

#### **6. LEGISLATIVE AGENDA**

The 2010 Legislative Agenda is proposed by the Legislative Committee and presented as information. Fiscal Implications: Undetermined at this time. Recommendation for Action: Information at this time.

Susan Harrison presented information to the Board. Ms. Harrison shared changes in the Legislative Agenda which included,

- Restoring per pupil state funding to 2008-2009 levels and reflecting the increase in student population, and
- Maintain flexibility with state funds to allow transfers between funding categories without restrictions.

In the Fall 1999, a Legislative Committee was determined to be a good process for drafting a recommendation to the Board. At that time, it was thought that a variety of individuals could be invited to participate. The committee would meet numerous times to dialogue and receive feedback from various representatives within Central Office as well as community individuals. The committee is generally scheduled to meet three times and has been in existence for 10 years in bringing forth a recommendation to the Board.

The committee is comprised of 21 members this year, a board member is appointed by the Chairman, 14 members from the various areas of Central Services, 4 individuals from schools, a parent member from the Parent Teacher Association, and a Board Advisory Council member.

The committee drafts the Agenda every year and uses the previous year's Agenda as the basis for creating the recommendations. The committee at its final meeting, determines a recommendation for priorities. The committee then votes and determines their

recommendations to the Board for what they believe the priorities are. The items are then placed in the Agenda. The agenda is printed in a tri-fold and provide distribution to individuals such as, the County Commissioners, the Wake Delegation, the Wake Education Partnership, and other interested community groups, as well as the Wake County Public School System website.

Ms. Harrison reminded the Board that session convenes on May 12<sup>th</sup>. Ms. Harrison would come back to the Board towards the end of the Agenda to have the Legislative Agenda approved.

### **CLOSED SESSION**

Debra Goldman made a motion to go into Closed Session at 3:33 p.m. to consider confidential personnel information protected under G.S. 143-318.11 (a)(6) and 115C-319, to consult with an attorney employed or retained by the Board in order to preserve the attorney-client privilege as provided in G.S. 143-318.11 (a)(3), and to establish or give instructions concerning the Board's negotiating position related to a potential acquisition of real property, as provided in G.S. 143-318.11 (a)(5). The motion was seconded by John Tedesco. The motion was unanimously approved.

The Board returned to Open Session at 3:58 p.m.

### **7. PUBLIC COMMENT – 4 P.M.**

*Citizens who signed up to address the board during public comment will be called on in priority order first for items on the agenda and then for items not on the agenda. Each individual speaker will be allowed two minutes for remarks. Issues or concerns involving personnel matters are not appropriate for this public comment setting. After 30 minutes of public comment, any speakers remaining will be recognized at the end of the agenda for their comments.*

Board Attorney, Ann Majestic, made the following statement, *"The Board welcomes comments from members of the public on issues of public concern. The Board is committed to conducting its meetings with order, civility, and respect. Citizens who sign up to address the Board during Public Comment will be called on in priority order; first, for items on the agenda, and then for items not on the agenda.*

*Issues or concerns involving individual personnel matters are not appropriate for this Public Comment setting and may be addressed through the Board's grievance policies. Please give your name when you begin speaking, it is not necessary to give your address.*

*Please stay within your time limit. There is a light on the podium that keeps track of the time for each speaker. When it turns yellow, 30 seconds are remaining. The light will turn red and beep when the speaker's time is up. Because of the large number of speakers tonight, each person will be allowed two minutes for remarks.*

*Speakers may not give their time to another speaker, or trade their time slot with another speaker. If a speaker chooses not to speak or is not present at the time he or she is called, the Chair will move to the next speaker on the list. Speakers are required to refrain from personal attacks and insults directed at Board members or others. The Board also asks that members of the audience show respect for each speaker and refrain from loud comments or other disruptions. Also, members of the audience who are carrying signs must keep the signs in front of themselves and not raised above their heads to avoid*

*blocking the view of others. Any person who interrupts, disturbs, or disrupts the Board meeting may be directed to leave the premises by the Board Chair.*

*The Board regularly sets aside 30 minutes at the beginning of its meeting for Public Comment. Tonight, the Board has agreed to go ahead and hear all Public Comments even if it exceeds 30 minutes before proceeding with its business agenda.*

- **Elizabeth Benjamin**– Ms. Benjamin gave a petition to the Board regarding Node 375.0, 628.1, and 628.2 being reassigned to a non-neighborhood school. Ms. Thompson shared her thoughts regarding being reassigned.
- **Srinivasan Laligam** – Mr. Laligam shared his thoughts regarding the reassignment of Nodes 375.0, 628.1, and 628.2 and the Board not breaking up the community with the reassignment.
- **Carlil Johnson** – Ms. Johnson spoke to the Board regarding her support of neighborhood/community-based schools. Ms. Johnson requested that the Board grant the request of the parents of Node 395 and reconsider their vote from March 31<sup>st</sup>, and change the traditional calendar application campus to Mills Park Elementary.
- **Adrienne Lumpkin** – Ms. Lumpkin shared her thoughts regarding reassignments and their implications; including parental involvement.
- **Christine Kushner** – Ms. Kushner shared her thoughts and concerns regarding student reassignment, the community assignment zone model plan and it already being developed.
- **Stuart Deibel** – Mr. Deibel thanked the Board for reassigning his neighborhood back to Lacy.
- **Trudi D’Ambrosio** – Ms. D’Ambrosio shared her thoughts and concerns regarding Mills Park Middle School being opened as a traditional calendar school and placing many families at Highcroft Drive Elementary school on split calendars with their family.
- **Donna Reist** – Ms. Reist requested that the Board switch Highcroft Drive Elementary School to a traditional calendar or give the parents the option of attending Mills Park Elementary.
- **Heather Koons** – Ms. Koons shared her thoughts and concerns regarding the processes the Board is using to make important decisions for students, families, and citizens in Wake County.
- **Tracey McCartney** – Ms. McCartney shared her thoughts and concerns regarding Node 337.1 being reassigned to Green Elementary instead of Sycamore Creek Elementary.
- **Meghan Anderson** – Ms. Anderson shared her thoughts and concerns with the Board regarding Node 337.1 being reassigned to Green Elementary.
- **Krishnan Thirukonda** – Mr. Thirukonda shared his thoughts and concerns with the Board regarding the proposed reassignment plans for Nodes 375, 628.1, and 628.2.
- **David Rahm** – Mr. Rahm shared his thoughts and concerns with the Board regarding Nodes 597 and 379 and having to wait to be assigned to Mills Park until the community based assignment model plan is released.

- **Maria Reier** – Ms. Reier shared her thoughts and concerns with the Board regarding the reassignment of Nodes 379 and 597.
- **Lynn Edmonds** – Ms. Edmonds spoke to the Board as an Executive Board Member of the Washington Elementary School PTA. Ms. Edmonds shared a resolution regarding the Magnet Programs with the Board.
- **Shuyun Mu** – Ms. Mu spoke to the Board regarding her concerns about the reassignment of Nodes 620.1 and 620.2.
- **Cathy Thompson** – Ms. Thompson spoke to the Board regarding her support of converting Wakefield Elementary back to a year-round calendar school.
- **Charles Kronberg** – Mr. Kronberg spoke to the Board regarding Project Enlightenment and proposed cuts to the program.
- **Patti Pilarinos** – Ms. Pilarinos spoke to the Board regarding the limited access to Board of Education Meetings due to the process changes of having to obtain tickets to attend.

### CONSENT ITEMS

Debra Goldman made a motion to approve the Consent Agenda, seconded by Kevin L. Hill. The motion was unanimously approved.

#### **8. APPROVAL OF MEETING MINUTES**

- March 23, 2010 - Board of Education Work Session Minutes
- March 23, 2010 - Committee of the Whole Minutes

### **FINANCE**

#### **9. GIFTS TO THE SYSTEM**

One-hundred and thirty gifts have been donated to the Wake County Public School System. The approximate value of the gifts is \$328,008.00. Fiscal Implications: Not applicable. Recommendation for Action: No action is required.

### **FACILITIES**

#### **10. E-20 – RE-APPROVAL OF INTERLOCAL AGREEMENT WITH WAKE COUNTY AND CITY OF RALEIGH CONSTRUCTION DOCUMENTS**

Wake County, City of Raleigh, and Board staff are jointly developing a master plan for redevelopment of the former North Wake Landfill site borrow area. The preliminary concept plans identify three proposed community uses: an elementary school site (E-20), park improvements, and an Emergency Medical Services (EMS) facility. Through the master planning process, property lines for subdivision of the tract will be determined for each of the proposed uses and the areas surveyed to determine the precise acreage of the sites to be deeded to each of the respective parties. The City and Board agree to purchase the acreage for their respective tracts for a price of \$54,000 per acre. The City, County, and Board will jointly plan for development of the property pursuant to the agreed upon Master Plan, to include the following minimum proposed design features: (1) an 800 student capacity elementary school and related program areas (Board's Obligation); (2) a park consisting of active and passive recreation areas that may include a community center, play fields, related program areas and other amenities, and the preservation of open space and natural areas (City's Obligation); and (3) an EMS facility and related

parking (County's Obligation). The City, County and Board are jointly responsible for the design costs associated with master planning and for infrastructure improvements construction costs, which shall be apportioned among the parties per the agreement. This agreement was approved by Board on June 17, 2008, has been approved by Wake County, and is scheduled to come before the Raleigh City Council for review and approval on April 20, 2010. Although approved by the Board, as it has not yet been executed in final form, re-approval is necessary. A copy of the master plan and the Interlocal Agreement are attached. Fiscal implications: Board will be responsible for its proportionate share of the design costs associated with master planning. Recommendation for action: Board re-approval of the Interlocal Agreement is requested.

#### **11. CHANGE ORDER NO. 23: HERITAGE HIGH**

Board approval is requested for Change Order No. 23 to Heery International, Inc., and D.H. Griffin Construction, LLC, Joint Venture, for their Construction Management at Risk (CMAR) contract for Heritage High School. This change order, a reduction in the amount of \$280,491, provides final reconciliation of the remaining construction manager contingency, architect/engineer contingency, and allowances. This change order will complete this contract. The final Guaranteed Maximum Price for this contract is \$53,218,943. The CMAR contracts allow for unused construction manager contingency funds to be credited to the construction manager as follows: 40% of the original contingency amount for meeting substantial completion; 20% of the original contingency amount for meeting final completion; and up to 40% of the remaining contingency amount for meeting specific performance measures. This construction manager met substantial and final completion and met 87.9% of the performance measures.

The attachments show how the unused construction manager contingency distribution was calculated, the process for evaluation of their performance, and other key criteria about this contract. Fiscal implications: Funding is available from the total project budget of \$62,667,741, of which \$1,564,638 is from Plan 2000 Start Up, \$513,391 from Plan 2004, \$55,415,018 from CIP 2006, and \$1,459,904 from CIP 2006 Offsite (Public) Improvements. The Town of Wake Forest and the Wake County Parks and Recreation Department provided \$3,353,538 for additional ball fields and upgrades to the school's ball fields. Wake County provided \$290,570 for the emergency generator, and the Town of Wake Forest provided \$70,682 to sod two practice fields. Recommendation for action: Board approval is requested.

#### **12. BIDS: WAKEFIELD HIGH ROOF REPLACEMENT**

Bids were received on March 4, 2010, for the whole roof replacement at Wakefield High School. Staff and REI Engineers recommend award of the single-prime contract to Baker Roofing Company, in the amount of \$985,298. The original (1999) single-ply membrane roof is at the end of its useful life and is currently leaking. Therefore, it is being replaced with a new 20-year modified bitumen roof system. Fiscal implications: Funding is available from the total project budget of \$67,813,687 for CIP 2006 Life Cycle Replacement of Building Components. Recommendation for action: Board approval is requested.

### **13. BIDS: WAKELON ELEMENTARY BOOSTER PUMP UPGRADE**

Bids were received on March 16, 2010, for the Booster Pump Upgrade at Wakelon Elementary School. The existing pump is being upgraded to add an emergency generator as required by the Fire Marshall. Staff and Dewberry & Davis, Inc., recommend award of the single-prime contract to PGA Construction, Inc., in the amount of \$197,496. Fiscal implications: Funding is available from \$197,496 in savings from the total project budget of \$21,204,099 from PLAN 2004. Recommendation for action: Board approval is requested.

## **STUDENT ACHIEVEMENT**

### **14. DRIVER EDUCATION CONTRACT 2010-2011**

- Statutory authority G.S. 20-881, 115C-216 and Title 16 of the N.C. Administrative Code provide enabling authority to contract for Driver Education Program Services.
- The Request for Proposal (RFP) solicits proposals that must meet the specifications and conditions of the RFP. The Board of Education must ultimately approve the contract with the successful vendor.
- Bryant Driving School, North Carolina Driving School and Jordan Driving School were mailed the RFP's by the WCPSS Purchasing Department.
- Bryant Driving School and North Carolina Driving School did not turn in proposals.
- Recommend awarding contract for Driver Education Program Services to Jordan Driving School for \$214 per each student completing driver education, which is no increase to our current funding. The last increase given to Jordan Driving School was October 18, 2005.
- Jordan Driving School has been providing Driver Education Program Services to WCPSS since July 1, 1992.

Fiscal Implications: Total projected contract cost is \$2,140,000.00 based on 10,000 students. The N.C. Department of Transportation Allocation will fund all costs of the program for Driver Education. No local funds will used to support this program.

Recommendation for Action: This is presented to Wake County Public School System's Board of Education to approve the contract for Driver Education with Jordan Driving School for the period of July 1, 2010 to June 30, 2011.

### **15. GRANT PROPOSALS**

- Competitive (#011110): Kinder Morgan Foundation, Kinder Morgan Foundation Grant / Individual Schools.
- Competitive (#011210): ING Foundation, ING Foundation Grants / Individual Schools.

Fiscal Implications: Any required cash and/or in-kind matching contributions vary by grant program. Recommendation for Action: Staff is requesting Board approval.

## **POLICY**

### **16. POLICY 6410I: INAPPROPRIATE STUDENT BEHAVIOR**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010. Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**17. POLICY 2320/3035/4035/6415 SEXUAL BEHAVIOR**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**18. POLICY 6420 DISRUPTION OF SCHOOL**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**19. POLICY 6424 GANG AND GANG-RELATED ACTIVITIES**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**20. POLICY 6425 PHYSICAL AGGRESSION/FIGHTING OR ASSAULT**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**21. POLICY 6426 ELECTRONIC DEVICES**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**22. POLICY 6427 WEAPONS AND DANGEROUS INSTRUMENTS/SUBSTANCES**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**23. POLICY 6429 NARCOTICS, ALCOHOLIC BEVERAGES, CONTROLLED SUBSTANCES, CHEMICALS, AND DRUG PARAPHERNALIA**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**24. POLICY 6440 TRESPASSING**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**25. POLICY 6445 INTEGRITY**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**26. POLICY 6446 STUDENT ACCEPTABLE USE OF ELECTRONIC RESOURCES**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**27. POLICY 6450 MISCONDUCT ON THE SCHOOL BUS**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**28. POLICY 6500 DISCIPLINE**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010.

Committee recommended the following policies to be submitted to the Board.

Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**29. POLICY 6530 DUE PROCESS**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010. Committee recommended the following policies to be submitted to the Board. Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**30. POLICY 6600 SEARCH AND SEIZURE**

*Policy Revision: Second Reading*

The following policies were submitted to the Policy Committee on March 10, 2010. Committee recommended the following policies to be submitted to the Board. Recommendation for Action: Board approval is requested with effective date of July 1, 2010.

**HUMAN RESOURCES**

**31. RECOMMENDATION FOR EMPLOYMENT**

- a. Professional
- b. Support

**32. WORKER’S COMPENSATION SETTLEMENT CASE**

**ACTION ITEMS**

**FACILITIES**

**33. MEAL PRICES FOR 2010-2011 SCHOOL YEAR**

Staff recommends that meal prices for breakfast and lunch for the 2010-2011 school year be established as follows:

	Elementary Schools	Middle & High Schools
Breakfast	\$1.00 full price, \$0.30 reduced	\$1.25 full price, \$0.30 reduced
Lunch	\$2.00 full price, \$0.40 reduced	\$2.25 full price, \$0.40 reduced

Increasing meal prices will enable Child Nutrition to enhance menus, increase healthy offerings, and remain fiscally sound. The meal prices are comparable to other large school systems in North Carolina; see attachment A. This document also indicates the last year of an increase in meal prices for Wake County Schools. Since 2003, food costs have increased 40%, state mandated salaries have increased 19%, and benefits costs have increased 31%. Steps that have been taken to prevent price increases over the past six years include: reduced staffing through attrition (5% in 2007-08 and 5% in 2008-09); reduced the number of food items offered while maintaining a variety of meal components; used proven cost controlled, pre-planned cycle menus; increased a-la-carte selling prices; reduced food waste through better batch cooking; and improved accountability and procurement practices. Fiscal implications: Child Nutrition Services will maintain a balanced budget. Recommendation for action: Board approval is requested.

Marilyn Moody, Senior Director for Child Nutrition Services, shared information with

the Board. Ms. Moody stated that staff is requesting an \$.80 increase in elementary breakfast from \$.80 to \$1.00; middle and high school breakfast from \$1.00 to \$1.25; for elementary lunch from \$1.75 to \$2.00; middle and high school lunch from \$2.00 to \$2.25.

Ms. Moody shared that elementary breakfast and lunch prices have not changed since 1995, middle school breakfast changed in 2004, and high school breakfast prices changed in 2001. Lunch prices for elementary changed in 2002, middle schools changed in 2004, when staff implemented a third side item choice, and high schools have not changed since 2002.

After comments from the Board, Debra Goldman made a motion to approve, seconded by John Tedesco. The motion was unanimously approved.

The Board recessed at 4:48 p.m. The Board returned to Open Session at 5:08 p.m.

## **POLICY**

### **37. 2010 LEGISLATIVE AGENDA**

The 2010 Legislative Agenda, as proposed by the Legislative Committee, is presented for approval. Fiscal Implications: Undetermined at this time. Recommendation for Action: Board approval is requested.

John Tedesco made a motion to remove the item under Innovation of Schools – Advocating to permit local Board’s of Education to have taxing authority. The motion was seconded by Debra Goldman.

Keith Sutton made a suggestion that the Board adopt the Legislative Committee’s priorities for the 2009-2010 Legislative Agenda as the General Assembly will be meeting for short session only.

Ms. Harrison shared that the Legislative Agenda is used as a guide for issues in the short and long sessions of the General Assembly. Having the items on the agenda is a foundation for what would become the Board’s 2011 Legislative Agenda.

John Tedesco made an amendment to his motion that the Board of Education not support taxing authority for local board’s of education. The motion was seconded by Debra Goldman. The Board voted by Roll Call with Anne McLaurin voting “no”, John Tedesco voting “yes”, Kevin L. Hill voting “no”, Debra Goldman voting “yes”, Chris Malone voting “yes”, Deborah Prickett voting “yes”, Keith Sutton voting “no”, and Carolyn Morrison voting “no”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “yes”. The motion passed on a 5 to 4 vote.

Chris Malone made a motion to add to the Legislative Agenda a request that the General Assembly remove the cap on charter schools. The motion was seconded by Debra Goldman.

After several comments from Board members, Debra Goldman made an amendment to motion by “raising the cap” on charter schools instead of removing the cap. Mr. Malone accepted Mrs. Goldman’s amendment to raise the cap on charter schools. The

Board voted by Roll Call vote on the amendment with Anne McLaurin voting “no”, John Tedesco voting “yes”, Kevin L. Hill voting “yes”, Debra Goldman voting “yes”, Chris Malone voting “yes”, Deborah Prickett voting “yes”, Keith Sutton voting “no”, and Carolyn Morrison voting “no”. The motion was approved on a 5 to 3 vote.

Debra Goldman made a motion to remove “maintain state’s ban on collective bargaining” from the Legislative Agenda. The motion was seconded by Chris Malone.

After several comments from Board members, the Board voted by Roll Call with Anne McLaurin voting “no”, John Tedesco voting “no”, Kevin L. Hill “no”, Debra Goldman voting “yes”, Chris Malone voting “yes”, Deborah Prickett voting “no”, Keith Sutton voting “yes”, and Carolyn Morrison voting “no”. The motion failed to pass on a 5 to 3 vote.

Keith Sutton made a motion to adopt the amended Legislative Agenda which included the Board of Education not supporting taxing authority for local Board’s of Education and raising the cap of charter schools. The motion was seconded by John Tedesco. The Board voted by Roll Call vote with Anne McLaurin voting “no”, John Tedesco voting “yes”, Kevin L. Hill voting “no”, Debra Goldman voting “no”, Chris Malone voting “yes”, Deborah Prickett voting “yes”, Keith Sutton voting “yes”, and Carolyn Morrison voting “no”. The vote tied 4 to 4. Chairman Margiotta broke the tie by voting “yes”. The motion was approved 5 to 4 to adopt the amended Legislative Agenda.

### **38. RESOLUTION EXPRESSING BOARD COMMITMENT TO EFFORTS OF VOLUNTARY DESEGREGATION**

**WHEREAS**, the Wake County Public School System (WCPSS) desires to provide the best education to all children served by the school district, and is committed to equal opportunities for all students in schools throughout the system;

**WHEREAS**, the student population in WCPSS is culturally, geographically, economically, racially, and ethnically diverse, and this diversity is a valuable resource for teaching students to live and thrive within a global community;

**WHEREAS**, WCPSS has a responsibility to advocate for our children’s education by actively supporting the improvement of Wake County’s renowned public education system, including one of its cornerstones – its magnet schools;

**WHEREAS**, in 1982, WCPSS began converting traditional schools to magnet schools with enhanced innovative curriculums supporting the following goals:

- Filling underused schools and empty classrooms,
- Achieving voluntary desegregation of schools,
- Alleviating growth and overcrowding issues in the expanding suburbs,
- Expanding educational opportunities and choice throughout Wake County,
- Promoting program innovations to foster system-wide improvements,
- Providing more parental participation through a program of optional school choices’ and

- Providing a long-range plan for student assignment and facility use.

**WHEREAS**, in the same timeframe, the U.S. Congress enacted the Magnet Schools Assistance Program (MSAP), under the Elementary and Secondary Education Act, which was predicated on Congressional findings that:

- Magnet schools are a significant part of the Nation’s effort to achieve voluntary desegregation in our Nation’s schools.
- These efforts help ensure equal educational opportunities for all students.
- Magnet schools offer a wide range of distinctive programs that have served as models for school improvement efforts.

**WHEREAS**, the WCPSS magnet schools have been an effective tool in the management of school capacity, while enhancing cultural diversity. In WCPSS’s 33 magnet schools, there is an average of 100% capacity utilization.

**WHEREAS**, WCPSS is committed to providing quality education opportunities for all students regardless of background characteristics by providing an educational environment that enhances educational success. WCPSS also is committed to providing diverse settings for education that promote an understanding and appreciation of cultural differences.

**WHEREAS**, WCPSS has adopted a directive to transition our student assignment model to use community-based attendance zones in an effort to provide stability, parental choice, and growth-management strategies while being committed to schools of choice.

**WHEREAS**, the Wake County Board of Education is committed to establishing a plan of Community Assignment Zones. This zone-based assignment model will be developed during the next 9-15 months with input from various community stakeholders, WCPSS staff, and other government planning and zoning officials.

**WHEREAS**, the Board Directive for the establishment of Community Assignment Zones called for the inclusion of:

- A multi-year transition plan that limits impact on student re-assignment and ensures program equity per zone;
- A plan that ensures a commitment to a high quality education for ALL children;
- Consistent and logical feeder patterns with a defined plan for “optional choice” assignment opportunities. These opportunities will highlight strong support for high quality year-round and magnet schools as viable options for families, while planning for vocational and alternative options as well.

**NOW, THEREFORE BE IT RESOLVED**, WCPSS stands committed to voluntary desegregation in an effort to reduce and prevent minority group isolation and promote cultural integration.

**BE IT FURTHER RESOLVED**, In an effort to encourage voluntary desegregation community-based attendance zones will utilize schools-of-choice with a predetermined selection process across zones, regions, and the county-wide district. The Community

Based assignment model will also include an evaluation component to provide regular review of each zone attendance area in an effort to reduce and/or prevent minority group isolation;

**NOW THEREFORE BE IT RESOLVED**, the Wake County Board of Education reaffirms the importance of magnet schools in WCPSS as a tool for voluntary desegregation, and authorizes and endorses the application to the United States Department of Education for a Magnet Schools Assistance Program grant to enhance the programs offered to increase cultural diversity and reduce minority isolation of students at the following schools: Smith Elementary, Brentwood Elementary, and Millbrook High School.

Adopted this the 6<sup>th</sup> day of April 2010.

---

Chair, Wake County Board of Education

---

Donna Hargens, Interim Superintendent  
Wake County Public School System

After several comments from Board members regarding the resolution and clarification regarding the magnet grant application from David Ansbacher, Keith Sutton made a motion to refer the resolution expressing Board Commitment to Efforts of Voluntary Desegregation to the Policy Committee along with the directive and look for opportunities to connect the two so that there is clarity to staff. The motion was seconded by Carolyn Morrison.

After several comments from Board members and clarification from the Board Attorney, the Board voted by Roll Call Vote with Anne McLaurin voting “yes”, John Tedesco voting “no”, Kevin L. Hill voting “yes”, Debra Goldman voting “no”, Chris Malone voting “no”, Deborah Prickett voting “no”, Keith Sutton voting “yes”, and Carolyn Morrison voting “yes”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “no”. The motion failed to pass on a 5 to 4 vote.

Debra Goldman made a motion to accept the resolution expressing Board Commitment to Efforts of Voluntary Desegregation. The motion was seconded by John Tedesco. After several comments from Board members, the Board voted by Roll Call Vote with Anne McLaurin voting “no”, John Tedesco voting “yes”, Kevin L. Hill voting “no”, Debra Goldman voting “yes”, Chris Malone voting “yes”, Deborah Prickett voting “yes”, Keith Sutton voting “no”, and Carolyn Morrison voting “no”. The motion was tied 4 to 4. Chairman Margiotta broke the tie by voting “yes”. The motion passed on a 5 to 4 vote.

#### **34. STATUS OF 2010 APPLICATION FOR CALENDAR SCHOOLS**

Applications for magnet schools and calendar (year-round and traditional) schools were accepted between February 8 and February 28, 2010, and March 12 through March 18, 2010, for the 2010-2011 school year. All applications were submitted online through the

WCPSS website, except for sibling applications that were gathered from online intent forms submitted by parents of 2009-2010 magnet, year-round, and traditional application students during January 2010.

At the Board work session on March 31, 2010, the board received information on schools where parents' requests for calendar application could not be accommodated and recommended changes for approval at the regular Board meeting. Staff will present those changes. Fiscal Implications: None. Recommendation for Action: Recommendations from the Committee of the Whole Work Session held March 31, 2010.

Laura Evans presented information to the Board. Ms. Evans shared that at the Board work session on March 31<sup>st</sup>, the Board received information on schools where parents requests for calendar-application could not be accommodated. After discussion, recommendations came forward for approval at the regular Board meeting April 6<sup>th</sup>.

Ms. Evans explained that staff met on Thursday, April 1<sup>st</sup> and began implementing these changes in preparation for the magnet and calendar selection. Staff understood that the changes weren't approved and that they would not be approved until April 6<sup>th</sup>.

In order to meet the deadline of April 8<sup>th</sup> notification to parents about their magnet application and their calendar application, staff had to move forward. Staff tentatively ran magnet selection late on April 5<sup>th</sup> and finished calendar selection April 6<sup>th</sup>. Ms. Evans shared that if changes were made during the Board Meeting, staff would need extra time (by April 16<sup>th</sup>) to implement the changes and will have to adjust the notification date for families.

Staff presented the following Calendar Application Assignment Changes Agreed to by the Board of Education at their Work Session March 31, 2010:

1. Assign Nodes 375.0, 376.0, 377.1, 377.2, 377.3, 377.4, 628.1, and 628.2 to Weatherstone Elementary School as their traditional calendar option beginning 2010-2011.
2. Assign Nodes 186.0, 187.0, 190.0, 192.0, 193.0, 194.0, 195.1, 203.3, 203.4, 224.1, and 522.0 to Knightdale Elementary School as their traditional calendar option for 2010-2011.
3. Assign Nodes 41.0, 42.0, 43.0, 44.1, 45.0, 46.1, 58.2, 244.3, 244.5, 244.5 and 244.8 to Dillard Drive Middle School as their traditional calendar option beginning 2010-2011.
4. Assign Nodes 22.0, 24.0, 25.0, 26.0, 27.0, 28.2, 63.0, 133.0, 144.0, 150.0, 237.1, and 242.2 to Carroll Middle School as their traditional calendar option beginning 2010-2011.
5. Assign Nodes 237.1, 237.6 to Forestville Elementary as their traditional calendar option beginning 2010-2011.
6. Assign Nodes 312.1, 312.2, 312.4, 312.5, 312.6, 337.1, 337.2, 343.2, and 343.3 to Green Road Elementary School as their year-round calendar option beginning 2010-2011.

7. Assign Nodes 55.2, 56.0, 27.1, 57.2, 58.2, 137.0, 138.0, 237.1, 244.3, 244.5, 244.6, 244.8, 497.1, 497.2, 497.3, 497.6, 686.0, 744.0, 506.3, 506.4, 506.5, and 743.0 to Middle Creek High School as their traditional calendar option beginning 2010-2011.
8. Current year-round calendar application students from Carver Elementary, Partnership Elementary, Centennial Middle School, and Moore Square Middle School can remain at their year-round calendar school with transportation provided until the terminal grade of that school. New year-round calendar application students from these schools for 2010-2011 can attend their year-round application school without school district transportation or request their base assignment. These schools will no longer have a year-round calendar option beginning 2011-2012.

Debra Goldman made a motion to keep Alston Ridge as the base assignment Nodes 375, 628.1, and 628.2 and make the traditional calendar option Cedar Fork Elementary School. The motion was seconded by Deborah Prickett. The motion was unanimously approved.

After several comments from Board members and clarifying information from staff, Ms. Evans shared that staff would not be able to seat the entire 207 applicants at Cedar Fork and would seat as many applicants as possible.

John Tedesco made a motion to remove #6 Assign Nodes 312.1, 312.2, 312.4, 312.5, 312.6, 337.1, 337.2, 343.2, and 343.3 to Green Road Elementary School as their year round calendar option beginning 2010-2011 from the list, and have Nodes 312.1, 312.2, 312.4, 312.5, 312.6, 337.1, 337.2, 343.2, and 343.2's calendar option be Sycamore Creek Elementary School. The motion was seconded by Deborah Prickett. The motion was unanimously approved.

Debra Goldman made a motion for Nodes 25 and 133 to move them back to Daniels Middle School as the base assignment. The Board voted by Roll Call Vote with Carolyn Morrison voting "no", Keith Sutton voting "no", Deborah Prickett voting "yes", Chris Malone voting "yes", Debra Goldman voting "yes", Kevin L. Hill voting "no", John Tedesco voting "no", and Anne McLaurin voting "no". The motion failed to pass on a 5 to 3 vote.

Debra Goldman made a motion to approve items #2, 3, 4, 5, 7, 8 and #1 (Assigning Nodes 376.0, 377.1, 377.2, 377.3, and 377.4 to Weatherstone Elementary School as their traditional calendar option beginning 2010-2011.). The motion was seconded by Deborah Prickett. The motion was unanimously approved.

### **35. REVIEW OF THE THREE-YEAR STUDENT ASSIGNMENT PLAN**

On February 3, 2009, the Board of Education approved a three-year assignment plan. The Board of Education has requested staff to provide data pertaining to the three-year assignment plan. At the Board work session on March 31, 2010, the board received information on node changes that were requested by parents and recommended changes for approval at the regular Board meeting. Staff will present those changes. Fiscal Implications: Changes in attendance areas may impact transportation costs.

Recommendation for Action: Recommendations from Committee of the Whole Work Session held March 31, 2010.

Laura Evans presented the following information to Board members to approve:

Base School Assignment Changes Agreed to  
By the Board of Education at their  
Work Session March 31, 2010

1. Assign Node 368.2 to Reedy Creek Middle School as base beginning 2010-11.
2. Assign Nodes 114.0, 117.0, 158.0 to Lacy Elementary School as base beginning 2010-11.
3. Assign Nodes 506.3, 506.4, 506.5, 743.0 to Southeast Raleigh High School as base beginning 2010-11.
4. Assign Nodes 1.0, 2.0 to Adams Elementary School as base beginning 2010-11.
5. Assign Nodes 1.0, 2.0 to Swift Creek Elementary School as their traditional calendar option beginning 2010-11.
6. Assign Nodes 383.3, 384.4 to Apex Middle School as base beginning 201-11.
7. Assign Node 258.0 to Heritage Middle School as base beginning 2010-11. Assign Node 258.0 to Wake Forest-Rolesville Middle as their traditional calendar option beginning 2010-11.
8. Assign Node 706.0 to Heritage Middle School as base beginning 2010-11. Assign Node 706.0 to Wake Forest-Rolesville Middle as their traditional calendar option beginning 2010-11.
9. Assign Nodes 369.3, 370.8, 384.8 to Cary High School as base beginning 2010-11.
10. Assign Node 288.5 to Wakefield High School as base beginning 2010-11.
11. Assign Node 248.2 to Heritage High School as base beginning 2010-11.
12. Assign Node 444.4 to Dillard Elementary, Dillard Middle, and Athens Drive High School as base beginning 2010-11. Assign Node 444.4 to Adams Elementary and East Cary Middle School as their year-round calendar option for 2010-11.

Anne McLaurin made a motion to remove #2, seconded by Carolyn Morrison. The Board voted by Roll Call Vote with Anne McLaurin voting “yes”, John Tedesco voting “no”, Kevin L. Hill voting “yes”, Debra Goldman voting “no”, Chris Malone voting “no”, Deborah Prickett voting “no”, Keith Sutton voting “yes”, and Carolyn Morrison voting “yes”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “no”. The motion failed to pass on a 5 to 4 vote.

After several comments from Board members and clarification of the process, the Board decided to vote on each assignment change individually.

The Board voted by Roll Call Vote on Item #1, with Carolyn Morrison voting “no”, Keith Sutton voting “no”, Deborah Prickett voting “yes”, Chris Malone voting “yes”, Debra Goldman voting “yes”, Kevin L. Hill voting “no”, John Tedesco voting “yes”, and Anne McLaurin voting “no”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “yes”. The motion passed on a 5 to 4 vote.

Keith Sutton suggested to remove #3. The Board voted by Roll Call Vote with Anne McLaurin voting “yes”, John Tedesco voting “no”, Kevin L. Hill voting “yes”, Debra Goldman voting “no”, Chris Malone voting “no”, Deborah Prickett voting “no”, Keith

Sutton voting “yes”, Carolyn Morrison voting “yes”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “no”. The suggestion failed to pass on a 4 to 5 vote.

The Board voted by Roll Call Vote to leave items #4 and #5 on the list as approved. Anne McLaurin voted “yes”, John Tedesco voted “yes”, Kevin L. Hill voted “no”, Debra Goldman voted “yes”, Chris Malone voted “yes”, Deborah Prickett voted “yes”, Keith Sutton voted “no”, and Carolyn Morrison voted “no”. The motion passed on a 5 to 3 vote.

Debra Goldman pointed out that item #6 needs to be removed from the list as it is not apart of the current three-year assignment plan. The Board unanimously approved removing item #6 from the list.

The Board made the following Roll Call Vote regarding leaving item #7 on the list; Carolyn Morrison voted “no”, Keith Sutton voted “no”, Deborah Prickett voted “yes”, Chris Malone voted “yes”, Debra Goldman voted “yes”, Kevin L. Hill voted “no”, John Tedesco voted “yes”, and Anne McLaurin voted “no”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “yes”. Item #7 was approved on a vote of 5 to 4.

The Board made the following Roll Call Vote regarding leaving item #8 on the list; Anne McLaurin voted “no”, John Tedesco voted “yes”, Kevin L. Hill voted “no”, Debra Goldman voted “yes”, Chris Malone voted “yes”, Deborah Prickett voted “yes”, Keith Sutton voted “no”, and Carolyn Morrison voted “no”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “yes”. Item #8 was approved on a vote of 5 to 4.

The Board made the following Roll Call Vote regarding leaving item #9 on the list; Anne McLaurin voted “yes”, John Tedesco voted “yes”, Kevin L. Hill voted “no”, Debra Goldman voted “yes”, Chris Malone voted “yes”, Deborah Prickett voted “yes”, Keith Sutton voted “no”, and Carolyn Morrison voted “no”. Item #9 was approved on a vote of 5 to 3.

The Board made the following Roll Call Vote regarding leaving item #10 on the list; Anne McLaurin voted “no”, John Tedesco voted “yes”, Kevin L. Hill voted “yes”, Debra Goldman voted “yes”, Chris Malone voted “yes”, Deborah Prickett voted “yes”, Keith Sutton voted “no”, and Carolyn Morrison voted “no”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “yes”. Item #10 was approved on a vote of 5 to 4.

The Board made the following Roll Call Vote regarding leaving item #11 on the list; Anne McLaurin voted “yes”, John Tedesco voted “yes”, Kevin L. Hill voted “no”, Debra Goldman voted “yes”, Chris Malone voted “yes”, Deborah Prickett voted “yes”, Keith Sutton voted “no”, and Carolyn Morrison voted “no”. Item #11 was approved on a vote of 5 to 3.

The Board made the following Roll Call Vote regarding leaving item #12 on the list; Anne McLaurin voted “yes”, John Tedesco voted “yes”, Kevin L. Hill voted “no”, Debra Goldman voted “yes”, Chris Malone voted “yes”, Deborah Prickett voted “yes”, Keith Sutton voted “no”, and Carolyn Morrison voted “no”. Item #12 was approved on a vote of 5 to 3.

Mrs. Prickett made a motion to have the Wood Valley Area (339.1, 339.2, and 339.3) base assignment for middle school be Leesville Middle. The motion was seconded by Chris Malone. The Board voted by Roll Call Vote with Carolyn Morrison voting “no”, Keith Sutton voting “no”, Deborah Prickett voting “yes”, Chris Malone voting “ye”, Debra Goldman voting “yes”, Kevin L. Hill voting “no”, John Tedesco voting “yes”, and Anne McLaurin voting “no”. The vote was tied 4 to 4. Chairman Margiotta broke the tie by voting “yes”. The assignment of Nodes 339.1, 339.2, and 339.3 to Leesville Middle School was approved on a 5 to 4 vote.

Laura Evans verified that the Board approved Items #1, 2, 3, 4, and 5. Item #6 was removed. Items #7, 8, 9, 10, 11, and 12 were approved, and the Board approved an addition of Nodes 339.1, 339.2, and 339.3 to be assigned as base students to Leesville Middle School.

### **CLOSED SESSION**

Debra Goldman made a motion to go into Closed Session at 8:10 p.m. to consider confidential personnel information protected under G.S. 143-318.11 (a)(6) and 115C-319, to consult with an attorney employed or retained by the Board in order to preserve the attorney-client privilege as provided in G.S. 143-318.11 (a)(3), and to establish or give instructions concerning the Board’s negotiating position related to a potential acquisition of real property, as provided in G.S. 143-318.11 (a)(5). The motion was seconded by John Tedesco. The motion was unanimously approved.

### **ACTION ITEMS CONT’D**

#### **HUMAN RESOURCES**

##### **38. RECOMMENDATION FOR ADMINISTRATIVE APPOINTMENT(S)**

Kevin L. Hill made a motion to approve the following Administrative Appointments:

- (1). Charles Langley, Retiree to Interim Principal at Middle Creek Elementary School effective April 19, 2010 through June 30, 2010.

The motion was seconded by John Tedesco. The motion was unanimously approved.

The Board returned to Open Session at approximately 10:00 p.m.

#### **FACILITIES**

##### **39. REPORT ON SETTLEMENT OF K & A DEVELOPMENT, LLC CONDEMNATION ACTION REGARDING HERBERT AKINS ROAD ELEMENTARY SCHOOL**

On April 22, 2008, the Board approved proposed compensation of \$7,873 for acquisition of easements along the property of K & A Developers, LLC (“K &A”) associated with the development of Herbert Akins Road Elementary. Staff attempted to finalize negotiations with K & A but was unable to reach agreement. On June 3, 2008,

the Board authorized a Resolution and Order of Condemnation for acquisition of the necessary easements. Board real estate attorney filed a condemnation action on December 16, 2008, and compensation in the amount of \$7,873 was deposited with the Court. Following several unsuccessful attempts to settle the matter, a Mediated Settlement Conference was scheduled for March 5, 2010, at which conference a settlement was reached. The terms of the settlement are payment by the Board of \$10,750 to K & A as compensation for the land interests taken, and payment to Dispute Resolutions LLC the mediator's fees in the amount of \$1,210.10. Each party bears its own attorney fees and costs. The total amount to be paid to resolve all remaining issues and settle the matter to avoid further action in condemnation is \$11,960.10, which is \$4,087.10 beyond the amount previously approved by the Board and deposited with the Court. Fiscal Implications: Compensation is to be paid to K & A of \$2,877, and fees are to be paid to Dispute Resolutions, LLC of \$1,210.10, from funds available in the project budget within CIP 2006. Recommendation for Action: Staff requests Board approval.

The Board of Education authorized the attorney to negotiate compensation of \$2,877 to be paid to K & A Development, LLC and \$1,210.10 to be paid to Dispute Resolutions, LLC as the result of a settlement related to condemnation action regarding Herbert Akins Road Elementary School site. Funds will be paid from the project budget within the CIP 2006.

On a motion by Debra Goldman, seconded by John Tedesco, the Board unanimously approved the appointment of Donna Hargens as Interim Superintendent.

### **ADJOURNMENT**

There being no further business coming before the Board, Kevin L. Hill made a motion to adjourn, seconded by John Tedesco. The motion was unanimously approved. The meeting adjourned at approximately 10:15 p.m.

Respectfully submitted,

---

Ronald A. Margiotta, Chair, Wake County Board of Education

---

Donna M. Hargens, Acting Superintendent, WCPSS

---

Melissa R. Christmas, Recording Secretary