

Approved by the Charlotte-
Mecklenburg Board of Education
November 9, 2016
Regular Board Meeting



Charlotte, North Carolina

September 27, 2016

REGULAR MEETING
of the
CHARLOTTE-MECKLENBURG BOARD OF EDUCATION

The Charlotte-Mecklenburg Board of Education held a Regular Board Meeting on September 27, 2016. The meeting began at 5:09 p.m. and was held in Room 278 of the Government Center.

Present: Mary T. McCray, Chairperson, Member At-Large
Elyse C. Dashew, Vice Chairperson, Member At-Large
Thelma Byers-Bailey, District 2
Dr. Ruby M. Jones, District 3
Tom Tate, District 4
Eric C. Davis, District 5
Paul Bailey, District 6

Absent: Ericka Ellis-Stewart, Member At-Large
Rhonda Lennon, District 1

Also present at the request of the Board were Ann Clark, Superintendent, and George E. Battle, III, General Counsel. Elyse Dashew, Vice Chairperson served as Clerk to the Board.

Upon motion by Thelma Byers-Bailey, seconded by Tom Tate, the Board voted 7-0 to go into Closed Session for the following purpose:

- **To discuss student information that is 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 attorneys on matters covered by the attorney-client privilege.**

The motion was made pursuant to Sections 143-318.11(a)(1), (a)(3), and (a)(5) of the North Carolina General Statutes.

The Board held a Closed Session meeting from 5:09 p.m. until 5:45 p.m. in Room 278.

Chairperson McCray reconvened the Regular Board Meeting at 6:00 p.m. in Room 267 of the Government Center. CMS TV televised the meeting.

Present: Mary T. McCray, Chairperson, Member At-Large
Elyse C. Dashew, Vice Chairperson, Member At-Large
Ericka Ellis-Stewart, Member At-Large

Rhonda Lennon, District 1
Thelma Byers-Bailey, District 2
Dr. Ruby M. Jones, District 3
Tom Tate, District 4
Eric C. Davis, District 5
Paul Bailey, District 6

Absent: There were no absences.

Also present at the request of the Board were Ann Clark, Superintendent; George E. Battle, III, General Counsel; Julie Beck, Manager of Board Services serving as Clerk to the Board; and Members of Executive Staff.

I. CALL TO ORDER

Chairperson McCray welcomed everyone to the September 27, 2016 Regular Board meeting which was held in a Work Session format.

A. Adoption of the Agenda

Chairperson McCray called for a motion to adopt the proposed agenda.

Upon motion by Paul Bailey that the Board adopt the agenda as presented, seconded by Thelma Byers-Bailey, the motion passed upon 9-0 voice vote of the Board.

B. Presentation of American Heart Association Awards

Chairperson McCray introduced Guy Lemke, American Heart Association Youth Market Director, to present awards to Providence Springs Elementary and to Charlotte-Mecklenburg Schools. Mr. Lemke thanked and congratulated the schools participating during the 2015-2016 school year. The American Heart Association was proud to present over \$20,000 in U.S. Games Certificates for physical education equipment to eligible Charlotte-Mecklenburg Schools and invest in professional development of CMS physical education teachers by providing a total of 20 SHAPE and North Carolina AAPHERD Memberships (American Alliance for Health, Physical Education, Recreation and Dance). Providence Spring Elementary Principal Diane Adams was presented award plaques as the #1 school in the Mid-Atlantic Affiliate and the #1 school in North Carolina. Superintendent Clark accepted an award on behalf of Charlotte-Mecklenburg Schools as the #2 school district in North Carolina.

Chairperson McCray thanked Mr. Lemke for the awards and for attending the meeting.

II. PUBLIC HEARING

A. Public Hearing on Proposed Amendments to Policies GBEEA, Staff Conflicts in Supervision, and GBEB, Standards of Conduct

Chairperson McCray opened the Public Hearing and noted there were no speakers scheduled to speak before the Board and called the Public Hearing closed at 6:08 p.m.

III. CONSENT ITEMS

A. Recommend Approval of Board Member Appointments to the Bond Oversight Committee.

The Board of Education approved the following appointments to the Bond Oversight Committee to serve a three-year term from October 1, 2016 through September 30, 2019:

- *Dr. Ruby Jones, District 3, named Angela Ambroise to serve a first term.*
- *Eric Davis, District 5, named Dennis Dreyer to serve a second term.*

B. Recommend Approval of Licensed/Non-Licensed Hires, Promotions, and Separations through September 27, 2016.

The report includes prior hires not processed when the report was presented at the Board meeting on September 13, 2016.

- *Total Hires July 1, 2016 - June 30, 2017: 2,029 (Licensed Hires: 1,323/Non-Licensed Hires: 706).*
- *Total Promotions July 1, 2016 - June 30, 2017: 489 (Licensed Promotions: 249/Non-licensed Promotions: 240).*
- *Total Selected Positions Separations: July 1, 2016 – June 30, 2017: 5.*

C. Recommend Approval of Resolution Approving Offer for Property Previously Declared Surplus Adjacent to Ballantyne Elementary School.

- *Charlotte-Mecklenburg Board of Education (CMBE) owns property in vicinity of Ballantyne Elementary School as described on the attached resolution.*
- *Property was previously declared surplus and approved to sell property in accordance with procedures outlined in G.S. 160A-269 (negotiated offer, advertisement, upset bid).*
- *Proposed buyer has requested a price reduction to cover the costs of unforeseen development expenses from \$6,000,000 as previously approved to \$5,800,000.*

Fiscal Implications: Proceeds to be received by Board of Education if sale is finalized.

Chairperson McCray called for a motion to adopt the Consent Agenda as presented.

Paul Bailey moved that the Board adopt Consent Items A. through C., seconded by Rhonda Lennon, a Board discussion followed.

Tom Tate pulled Consent Item C.

Chairperson McCray called for the Board vote to adopt Consent Items A. and B., the motion passed upon unanimous voice vote of the Board.

Tom Tate asked for clarification regarding Consent Item C. regarding the diligent process the Board and staff have been through. Superintendent Clark reminded the Board of their approval of contract in May of the sale of this property to Meritage Homes. She provided clarification regarding the deep commitment and interest in opportunities with city of Charlotte or small towns to embrace a possible surplus property site for workforce or affordable housing. The strategic placement of workforce or affordable housing is a key component of student assignment. On this particular property there was not an interest from the city of Charlotte to purchase the property. This is coming back to the Board this evening, we already had approval for contract with Meritage Homes, but in their due diligence period that follows that agreement there were some soil conditions and issues related to that, which after much review by staff, a reduction of sale price in \$200,000 was warranted and fair, but still allows CMS to yield \$5.8 million that will come back to the Board.

Recommendation of staff is to approve. When land is sold, additional land is purchased for new school sites. Very clear from the Board that there is a leaning and a preference to create opportunities and collaborations with the county and the city to create affordable workforce housing. Superintendent Clark would like to stress again the continued collaboration with the City Manager and Neighborhood Development Division leadership and look forward to the opportunity for surplus land to be used for that purpose. At the Board's request the Superintendent has requested a joint meeting with City Council. The suggestion for that agenda is to talk specifically about affordable and workforce housing to make sure Council and School Board members are clear about the difference between affordable housing and workforce housing, because there is an important distinction that we all need to be clear on. The City Manager is receptive to scheduling that meeting. In addition, we have an opportunity with our Board of County Commissioners in just a couple of weeks to have a conversation about our surplus properties, as well. Staff is completely committed to this opportunity. At this juncture we are close to the finish line on this particular property, it was offered to the City of Charlotte and they have indicated they have no interest in the property, the Board has declared it surplus and we move on in our process.

Mr. Tate thanked Superintendent Clark for clarity on what we are doing. Part of the difficulty today was due to the report released on September 16 which offers an opportunity as the Board of Education to be involved, and he hopes we will take advantage of it. Mr. Tate is grateful to Ericka Ellis-Stewart for holding this up every meeting and keeping this before us. It has been difficult to go through some of the process we have to go through when we cannot get what we want to do, done. With diligence of staff and the Board's approval of a slightly larger amount by \$200,000 which is significant, but of the \$6,000,000 original amount, a \$200,000 reduction is worth going for, and advisors have suggested that to us with this consent agenda. He hopes we will continue to be diligent to find any surplus properties that can be used for affordable workforce housing because it is a part of our work on student assignment to have places where there can be reductions of high concentrations of poverty and this could be one way of going forward with that process. Mr. Tate is ready to make a motion to approve when appropriate.

Ms. Ellis-Stewart thanked Mr. Tate and Superintendent Clark for their comments. With each of the surplus land votes taken she has been the lone voice voting against those transactions. The no votes have been primarily because of many of the things Mr. Tate said. We have been talking about student assignment for a year and a half, and even prior to that, talking about the makeup of our schools, and always come back to a number of things: capital outlay, complexion of neighborhoods, make up of neighborhoods and the simple fact that if our neighborhoods are segregated our schools will be segregated, which is reflected by data and enrollment. She believes the Board has an opportunity, and also an obligation, if we can to have an impact on the fabric of neighborhoods and with surplus land we have available, she believes we should take every opportunity to try to partner with those who can take this to fruition. It allows the Board of Education to walk the talk and be leaders around this topic. She recognizes a part of this effort of selling the surplus land is to allow the school district to have additional revenue to invest to build additional schools, but balances that against what we are trying to accomplish through student assignment and other work the Board is doing. She will continue to be the resolute "no" on this and is waiting to get to a place and a project, or several, to go in the direction she thinks is necessary. Ms. Ellis Stewart thanked the Superintendent, Carol Stamper and Peggy Hey for their work on this, but feels very strongly that this is something the Board needs to do.

Mr. Bailey appreciates Ms. Ellis-Stewart's position and acknowledges it is consistent with what the Board has talked about. His concern with this property is that regardless of what goes on the property, if it is housing, it will mean children going to that school. When you look at the size of this property and the impact on that immediate school, it is clear a school will have to be built somewhere else. \$5.8 million will go a long way to finding a new piece of property to facilitate seats for children. Not moving forward with this really puts the Board at risk of where we will be six months from now. Mr. Bailey supports this item, but did have a question regarding zoning for the property.

- Peggy Hey stated in approximately 2007-08 the school system did the work to rezone the whole parcel as MX2 and has already been developed for single family lots. No rezoning necessary for the proposed product to be built.

Ms. Lennon thanked the Superintendent and acknowledged the need for affordable housing, and as a capitalist also supports selling surplus property especially when in such a great need for capital improvements and new property. She appreciates the Superintendent's transparency provided so the community can understand. Her first question when she started receiving emails about using the property for affordable housing, was if a decision had been made not to use this property for affordable housing, which was confirmed. The people that decide where to put affordable workforce housing have and moved on from that and did not act on it. How can the Board force someone to take something they said they do not want? We are in the job of education, we are not in the job of building houses or designing neighborhoods. We are going to work on the education piece. To her it is a fourth of an elementary school or a large tract of land. There are many things that could be done with this money. She appreciates the sharing of the entire process so everyone can understand it.

Superintendent Clark added that the community should understand that for the first time in a long time, the county, the city and CMS real estate staff are working very collaboratively, a joint taskforce meets once a month. The report opens the opportunity for foundations and nonprofits that also have surplus property to share that as a part of a collaboration that already exists. This could offer an opportunity for CMS to find land for schools that are not a part of the city or county properties.

Ms. Byers-Bailey stated she came to this issue fairly late in the process, a lot of the process had occurred, but she was not aware of it. She saw the property as an opportunity. She surveyed city and county government and no one was interested. One response was that if the property was built as affordable housing and populated it as such, the value of each property would go up so much the person owning it would sell it and it would still be market rate housing. She saw that as a positive as that would be an opportunity to increase that person's net worth. She was frustrated and does not support the item.

Dr. Jones asked if there could be legal implications should the item not be approved and asked for clarification regarding what was being approved tonight.

- Superintendent Clark confirmed the item tonight was approving a reduction of a previously approved contract from \$6 million to \$5.8 million.
- Mr. Battle stated there could be potential breach of contract or expenses incurred by purchaser in due diligence.

Dr. Jones agreed with Ms. Ellis-Stewart's position on affordable housing and taking a position, because it is not in the interest of the real estate market to do this unilaterally, to do this right. She understands from a practical standpoint there could be other implications.

- Superintendent Clark acknowledged the Board has made it clear to staff to vigorously pursue with the city and towns the opportunities for affordable housing. We have two choices, we can say we are not going to sell any property unless it is going to a city or town for affordable housing, and then simply sit on assets if the answer to that offer is no. Going forward the Board may discuss that as an option that could perhaps be a conversation for another night. To be clear, this started in May, we have entered into an agreement and coming back to the item only because of a change of purchase price based on the due diligence period. We need to be reminded that our partners at the county asked us to be diligent in identification of surplus property that we cannot build a school on, and be partners with them in creating revenue to more quickly get to the \$2 billion dollar investment that we need to jointly get to. We will continue to go to our city partners and our town partners and put surplus property on the table. The process has been very public, it's on the website, it is discussed in board meetings, and we show maps and share the information again with our county and city partners. We are not in the business of building affordable housing. We are in the business of educating students and when we have land that we do not need for a school, we have an opportunity to sell it, always to the city, the county or town first, but if there is no interest, if the Board then wants to hold that asset, that is a conversation that we need to have philosophically with the Board and our staff and in turn with the county in terms of the expectations they have set for being a part of getting to the finish line on our capital needs.

Mr. Davis commented that we must do our part in support of affordable housing, and feels sure the authors of the report recently released, probably wish they had issued it earlier so it could have been factored into the Board's previous decision. Coming on the hills of Sedgefield, if we don't move forward with this deal in hand, CMS will be 0 – 2. While it may not create a legal issue, it damages credibility in the marketplace. Having worked in the real estate profession for more than 15 years, you build your reputation over a period of years, you damage it very quickly. We are just getting started as a seller of land and he does not think we should go 0 – 2. He thinks we should redouble our efforts and charge our Superintendent to bring us some deals that we can do with the housing partnership quickly, and move that through our program, pending what we can accomplish on October 13. We really need the county's support. If they are not going to allow us to sell land and use those proceeds to supplement, not supplant, what capital they are going to authorize, then there is no need to continue this exercise and waste Ms. Hey's time and ours. I hope we move forward with this. I hope we get one done, and then I hope the next deals that come across are with the housing partnership to get some affordable housing built for our teachers, firefighters and police.

Ms. Dashew reminded everyone of what was written in the Guiding Principles voted on in April. The Board has already codified the commitment to working with the city and the county on this. She read the following from the Guiding Principles: "The Board calls on all of our community, especially Mecklenburg's elected officials, business owners, civic organizations, faith houses and philanthropists, to prioritize our children when making decisions that impact schools. If we are to maximize academic achievement for every child, it must be a community effort", housing patterns are referenced as playing a role in that. So we have actually written that into our Guiding Principles. This report, Strategies for Affordable Housing Development, only came on my radar this weekend,

and I need to study it more, but it is exciting and appears to reflect growing momentum to work with the city and the county. In order for that to work, we need full commitment from county and city to do their part to fund our massive facility needs. It truly will be everyone working together on this, county, city and surrounding town councils. The report also references nonprofits, houses of faith and their land base. There is potential to do something concrete that could be meaningful to change the dynamics in our community. Ms. Dashew is excited about this and would like to put this on the agenda to discuss more in depth at the next meeting. She is not comfortable walking away from Ballantyne deal. There is a lot of other property and growing momentum for possibilities to do something with workforce and affordable housing, and to add parks or green space.

Ms. Ellis-Stewart thanked her colleagues for starting the dialogue this evening. She hopes it continues and that the Board gets to some projects sooner rather than later. She likes to be able to inspect what we expect, it is not enough to write it and put it on a piece of paper without taking action that get results of what we are talking about. As Mr. Davis referenced, the county has given charge to the Board of Education to look at ways to get additional capital through the sale of properties, but in the same breath they are willing to tell the Board which properties we can or cannot sell. During the joint meeting the Board needs to address with the county the process by which we have gone about this. I want to make sure when we get to that meeting, that point is not lost.

Upon motion by Tom Tate that the Board adopt Consent Item C. as presented, seconded by Eric Davis, the motion passed upon a 7-2 Board vote.

Aye: Board members McCray, Dashew, Lennon, Jones, Tate, Davis and Bailey.

Nay: Board members Ellis-Stewart and Byers-Bailey.

Before moving to Action Items, Chairperson McCray recognized Leadership Charlotte Class 38 to the meeting and thanked them for attending.

IV. ACTION ITEMS

- A. Recommend Approval of Proposed Amendments to Policy GBEAA, *Staff Conflicts in Supervision and Evaluation*, and GBEB, *Standards of Conduct*

Correlation to Board of Education Vision, Mission, and Core Beliefs: Providing safe and orderly learning and working environments.

Chairperson McCray called upon Tom Tate, Chairperson of the Policy Committee, to present the recommendation on Proposed Amendments to Policy GBEAA and GBEB.

Tom Tate moved that the Board adopt proposed amendments to Policy GBEAA, *Staff Conflicts in Supervision and Evaluation*, and GBEB, *Standards of Conduct*, as presented. The motion was presented through the Policy Committee and did not require a second.

Tom Tate reported proposed amendments to Policy GBEAA, *Staff Conflicts in Supervision and Evaluation*, and GBEB, *Standards of Conduct* are before the Board for action. The proposed amendments to Policy GBEAA rewrite the policy, expanding the definitions of relationships between persons in direct or indirect supervisory positions that present conflicts of interest in supervision or evaluation and establishing disclosure requirements should such relationships occur.

The amendments also add definitions of direct supervision and indirect supervision. The proposed amendments to Policy GBEB establish that employees who fail to make the required disclosures under Policy GBEEA are subject to discipline, up to and including termination. The proposed amendments were approved unanimously by three members of the Policy Committee on August 8, 2016 (one member was absent). The policy was before the Board for First Reading on August 23, 2016, and for Public Hearing on September 13, 2016, and September 27, 2016.

Chairperson McCray thanked Tom Tate for the recommendation and the Policy Committee for their work on the amendments to Policy GBEEA and Policy GBEB. Chairperson McCray opened the floor to Board member questions and comments. No questions or comments were voiced.

Chairperson McCray called for the Board vote to adopt amendments to Policy GBEEA and Policy GBEB and the motion passed upon 9-0 voice vote of the Board.

V. REPORT/INFORMATION ITEMS

A. First Reading on Proposed Amendments to Bylaw BEDC, Quorum, and Policy BDE, Board Committees

Correlation to Board of Education Vision, Mission & Core Beliefs: Public education is central to our democracy.

Chairperson McCray called upon Tom Tate, Policy Committee Chairperson, to present the First Reading on Proposed Amendments to Bylaw BEDC and Policy BDE. Mr. Tate reported before the Board for First Reading is proposed revision to Bylaw BEDC, "Quorum," and Policy BDE, "Board Committees". The proposed amendments establish procedures under which Board meetings and meetings of standing committees of the Board may meet with members participating by telephone or by video.

Mr. Tate reviewed the recommendation to ensure everyone was in sync. Regular and special meetings of the Board may occur by telephone or video only in emergency situations caused by weather or other extraordinary circumstances provided that all of the following conditions are met:

1. The meeting complies with the North Carolina Open Meetings Law's provisions governing meetings held in emergency circumstances;
2. The means of communication used are sufficient for all committee members to hear and be heard by each other; and
3. Reasonable efforts are made to provide public access to the meeting.

As it pertains to the Board's Standing Committees, members may participate by telephone or video and be counted as present only if the following conditions are met:

1. There is at least one committee member physically located at the meeting site;
2. The means of communication used are sufficient for all committee members to hear and be heard by each other and, except for any properly called closed sessions, to be heard by members of the public in attendance at the meeting site; and
3. The committee meeting complies with the requirements of North Carolina's Open Meetings Law.

For any type of meeting if quorum is either not achieved or lost during the meeting, the Board member chairing the meeting shall choose one of the following options:

1. Immediately adjourn the meeting; or
2. Continue the meeting, understanding that any action taken by the remaining members must be ratified by a majority when quorum is next established, whether at a later point during the current meeting or at the next meeting of the body in which the action is being taken (e.g.- full Board or Standing Committee).

Finally, the descriptions of the two most recently added standing committees, Facilities and Operations, and Intergovernmental Relationships Committee, whose charters have previously been adopted by the Board have been added to Policy BDE, which is the amendment to the policy.

The proposed amendments were approved unanimously by three members of the Policy Committee on September 8, 2016, with one member absent. Mr. Tate stated public hearings would be held on October 11 and October 25 and the Board would vote on the revisions during the October 25 meeting of the Board. Mr. Tate invited the Board to ask questions and stated the coauthors of the policy changes were present to help answer any questions.

Chairperson McCray thanked Mr. Tate and asked him to clarify the part of the policy regarding one person being present. Mr. Tate confirmed that for Standing Committees at least one Board member must be physically present at the meeting site, but for instance if the Policy Committee meets with two members on the phone, the quorum will be met. Ms. Lennon further clarified that the person present did not have to be the Committee Chairperson and Mr. Tate confirmed that was correct.

B. Report on 2015-2016 End-of-Year Results

Correlation to Board of Education Vision, Mission & Core Beliefs: The mission of CMS is to maximize academic achievement by every student in every school.

Correlation to Board of Education Theory of Action for Change: Continue to administer and strengthen the district's accountability system to monitor overall trends and measure individual school performance.

Chairperson McCray called upon Superintendent Clark to introduce Report on 2015-2016 End-of-Year Results. Superintendent Clark provided opening comments and called upon Dr. Frank Barnes to present the report on 2015-2016 End-of-Year Results and North Carolina School Performance Framework Overview.

Dr. Barnes provided a brief overview and highlighted points of pride such as improvements in grade level proficiency, college and career readiness, an increase in percentage of schools meeting or exceeding expected growth and improved ACT performance. We have seen improved performance on the ACT WorkKeys exam, a test of career and workplace readiness, and improved graduation rate. We have seen an increase in the number of schools that received an A or A+ and a decrease in schools receiving an F performance grade and at least 80% of our schools received A, B or C school performance grade.

Four-year cohort graduation rates increased to 89.6%, and reflected improved performance for all racial subgroups. There was a reduction in graduation gaps for various subgroups. There was a good trend of upward progress in the economic disadvantaged student subgroups, LEP students, and students with disability subgroups.

There was a slight step backwards with the LEP students' subgroup. Nadja Trez, Executive Director, English Language Learners, has identified the students who are still enrolled that represent that cohort and we have begun to provide support to those students to increase the graduation rate with those LEP students.

CMS' graduation rate exceeds state average and rates in other large districts in North Carolina.

An explanation of grade level proficiency was provided: students scoring a level three, four, or five on any of End of Grade (EOG) or End of Course (EOC) exams. This is a transition from a few years ago where there were four performance levels, there are now five performance levels. Percent of students At or Above Grade Level Proficiency has increased from 2014 to 2016 in every subject except English II. CMS outperformed the state and most other large districts in North Carolina.

An explanation of College and Career Readiness was provided: students scoring a four or five on any EOG or EOC exams. College and Career Readiness rates are rising in all EOG tested subjects and nearly all EOC tested subjects. Percent of students College and Career Ready has increased from 2013 to 2016 in every EOG subject. Percent of Students College and Career Ready has increased from 2013 to 2016 in EOC subjects except English II. CMS outperformed the state in College and Career Readiness in every subject and grade tested.

Dr. Barnes transitioned to Education Value-Added Assessment System (EVAAS) Growth and provided an explanation of the rating system. The state gives every school a rating: met expected growth expectations; exceeded growth expectations; or did not meet growth expectations. No such rating is given to the school district. This rating is only for individual schools. 86% of CMS schools met or exceeded growth expectations, outperforming the state. CMS had ten (10) schools ranked in the Top 40 for EVAAS growth in the state:

- Independence High (2)
- South Mecklenburg High (8)
- Ardrey Kell High (9)
- Butler High (13)
- Piedmont IB Middle (14)
- Bailey Middle (30)
- Olympic High – Biotechnology, Health and Public Administration (32)
- Mallard Creek High (33)
- Hough High (37)
- Providence High (39)

CMS outperformed the state and other large North Carolina school districts in exceeding student growth expectations.

Effective as of the 2013-14 school year, North Carolina assigns School Performance Grades to all public schools. The School Performance Grades are based on student achievement (80%) and growth (20%). The indicators and the proficiency standard or benchmark used for achievement include:

1. Annual End-of-Grade mathematics and reading assessments in grades 3–8 and science assessments in grades 5 and 8 (Level 3 and above)

2. Annual End-of-Course assessments in Math I, Biology, and English II (Level 3 and above)
3. The percentage of graduates who complete Math III, Algebra II, or Integrated Math III with a passing grade
4. The percentage of grade 11 students who achieve the minimum score required for admission into a constituent institution of The University of North Carolina on the ACT (composite score of 17)
5. The percentage of graduates identified as Career and Technical Education concentrators who meet the Silver Certificate or higher on the ACT WorkKeys assessment
6. The percentage of students who graduate within four years of entering high school (Standard [4-Year] Cohort Graduation Rate)

The EVAAS model, which provides the growth measure, uses current and previous student test data to determine whether schools are maintaining or increasing student achievement from one year to the next. In the event that a school does not have a Growth Score, only the School Achievement Score is used to calculate the Performance Score. It is important to note that schools that have met or exceeded growth may still receive a low School Performance Grade since achievement accounts for 80% of the grade.

For 2013–14 through 2015-16, the grade designations are set on a 15-point scale:

A = 85 – 100	B = 70 – 84	C = 55-69	D = 40-54	F = 39 or Less
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Number of schools with an A or A+ increased for the 2nd year. 25 schools received a SPG of an A or A+ compared to 19 schools in 2014-15. The number of schools receiving an F grade was cut in half, decreasing from 10 in 2014-15 to 5 in 2015-16.

ACT performance overview, North Carolina is one of 20 states in the country to require their graduates to take the ACT during their high school career. Effective in 2012, the state required all CMS juniors take the ACT. CMS overall composite score of 18.9 was an increase.

CMS improved performance on ACT WorkKeys Exam for the 4th straight year. 3 out of 4 CTE concentrators completing the ACT WorkKeys Exams attained a Silver Certificate or higher, which is an indicator of career and workplace readiness.

SAT is taken voluntarily by students, at their personal expense and on their time. There was an overall increase in critical reading and math scores for CMS' graduating seniors. There was a decrease in the overall number of SAT takers in CMS. More students are taking the ACT and electing not to take the SAT.

CMS is continuing to make strides forward.

- Grade Level Proficiency (GLP) rates improved in reading, mathematics, science, math I and biology.
- College and Career Ready (CCR) rates improved for the 4th year in a row in mathematics, science, math I and biology, and for the 3rd year in a row in reading.
- CMS has higher College and Career Ready (CCR) rates than the state in every subject and grade tested, and outperforms most large districts in the state.

- Eighty-six percent (86%) of schools in CMS met or exceeded growth expectations. The highest number of schools, and the highest percentage of schools, making or exceeding growth expectations in the last four years.
- Students' performance on the ACT exam, a national measure of college readiness, improved from the previous year.
- Student performance on the ACT WorkKeys exam, a national measure of workplace readiness, also improved.
- CMS graduated 89.6% of the 2016 cohort of seniors in four years, marking the 7th consecutive year of improvement.
- CMS has a higher four-year cohort graduation rate than the state average and other large school districts in North Carolina.
- The number of schools in CMS receiving a school performance grade of A or A+ increased more than 30%, from 19 to 25 schools.
- The number of schools in CMS receiving a school performance grade of F decreased by 50%, from 10 to 5 schools.
- Nearly 80% of schools in CMS earned a school performance grade of A, B or C.

Chairperson McCray thanked staff for the report and invited Board members to ask questions and provide comments. Board members Byers-Bailey, Jones, Ellis-Stewart, Davis and McCray thanked staff for the report, asked questions, and provided comments.

Board member questions regarded:

- Factors contributing to the decrease in number of students taking the SAT. A number of schools now accept any type of college readiness tests and some that consider it voluntary.
- Project L.I.F.T. participation in Professional Leadership Team and ILT. Project L.I.F.T. does participate, schools are in the process by Learning Community. Additional targeted plans for improvement look different for each school; there is also specific literacy support above and beyond the ILT process included for Beacon and L.I.F.T. schools.
- What additional school level instructional investments need to be made as a school district to move the needle for subgroups in CMS to reach proficiency? We must continue to focus on literacy. I would say that we have to continue to work our plan and resist the temptation and come up with a new plan. It doesn't mean we don't continue to refine within our focus on literacy, but don't shift focus.
- Is the greatest investment with professional development for teacher core? Absolutely, by building the skills of our teachers and talking about how to engage students differently as active learners and standards worthy of them.
- Has a new outlook for what is being done for Limited English Proficient (LEP) students been considered? Nadja Trez is bringing new leadership to the LEP team and continues to work with the curriculum and instruction team. Digital resources would greatly enhance the ability of these students to narrow the gap more quickly.
- What is being done to get Exceptional Students College and Career Ready? North Carolina has an occupational course of study for exceptional needs students. Many of our students are a part of our regular EOG testing, there are other students based on an IEP where the focus is on occupational skills to position them socially, as well as in terms of career. Many have placements while they are still in school. Many remain in CMS until 21 to be ready for transitional or independent living. CMS works with a number of community partners.

Board member comments:

Eric Davis noted that based on the trajectory the class of 2017 will hit 90% graduation rate. How ironic it is, that group of students when entering first grade in 2005, was the year CMS was accused of academic genocide. It has taken twelve years, which shows it is a marathon and requires steady, constant, year-over-year, hard work. He believes there is a lot to celebrate and thanked and commended teachers for their hard work. Mr. Davis particularly recognized the Superintendent. He believes the next opportunity as a school district is to raise the bar for Hispanic and black students to the same level that are set for white students. The cultural competency work within the district is a great start.

C. Report on Every Student Succeeds Act (ESSA)

Correlation to Board of Education Vision, Mission, and Core Beliefs: The mission of CMS is to maximize academic achievement by every student in every school.

Chairperson McCray called upon Ann Clark to introduce Report on Every Student Succeeds Act (ESSA). Superintendent Clark provided opening comments and called upon Dr. Frank Barnes to present the report on Every Student Succeeds Act (ESSA).

Superintendent. Clark indicated the report would be an opportunity for the Board to have input and to hear the process used in gathering input. Superintendents in North Carolina were asked to convene a cross-functional team of teachers, principals, community members and seeking input on the state accountability system. This report is an opportunity to hear from Dr. Barnes, on what has been gathered so far and get feedback from the Board. The North Carolina School Board Association will also be seeking formal input from board members across the state, this is an additional opportunity for board members and our community to hear their thoughts. CMS input does not require Board approval.

Dr. Barnes provided an overview and background on the Every Student Succeeds Act.

- The Elementary and Secondary Education Act was signed into law in 1965 by President Lyndon Baines Johnson.
- The Act is traditionally reauthorized by Congress every five years.
- In 2001, ESEA was reauthorized by President George W. Bush, and was known as the No Child Left Behind (NCLB) Act.
- The Act was not reauthorized until December 2015 by President Obama. It is now called the Every Student Succeeds Act (ESSA).

Transitions with the Reauthorization:

- Transition language in ESSA indicates that 2017-18 school year is the “*first year*” for requirements in ESSA’s major formula programs.
- ESSA maintains the NCLB annual testing requirement for Reading and Math in grades 3-8 and once in high school, and grade-span testing in Science (Grades 5, 8 and once in high school).
- ESSA maintains NCLB subgroup reporting and the 95% testing requirement (States allowing opt-outs must still meet this requirement without excluding these students).

Accountability:

- States must develop a *differentiated accountability system* for all schools and subgroups, with long-term goals and interim progress measures.
- These accountability systems are state-defined in terms of the exact configuration, but there are federal parameters, with differentiation based on six factors:
 1. Proficiency,
 2. Growth or another academic indicator,
 3. Graduation rate (for high school),
 4. English Language Proficiency,
 5. Other non-academic indicator(s) of student achievement and school success, and
 6. 95% assessment participation
- Measures #1-4 in above list must be more heavily weighted than measure #5.

There are two decision points to be recommended. To support growth or another academic indicator, and what non-academic indicator to provide. Districts are being asked by the North Carolina Department of Public Instruction (DPI) to give input into the selection of two of the indicators:

NCDPI Proposed Indicators:

- Attendance
- Chronic Absenteeism
- Suspensions
- Digital Learning
- Access to the Arts Ed
- Physical Activity
- Student Engagement
- Teacher Engagement
- Parent Involvement
- Support Services
- AP/IB Performance
- ACT
- ACT WorkKeys
- EVAAS Growth
- EOG Science Proficiency
- High School Credit at Middle School
- On Track: Promotion from Grade 8 to Grade 9
- School Climate and Safety
- LEA Proposals

Criteria for Indicator Selection. NCDPI has given districts latitude in the indicators they recommend. However, for indicators to be considered they must be:

- Valid and reliable,
- Comparable,
- Collected statewide,
- Indicators that produce meaningful differentiation, and
- Available in the state determined grade spans of 3-5, 6-8 and 9-12

A 25-person district working group of various stakeholders was convened at the direction of the Superintendent. The district working group included teachers, principals, community partners and central office staff. Input sessions for targeted groups were also held. A recommendation of indicators was generated by the district working group for the following two categories.

- **Growth or another academic indicator**
- **Other non-academic indicator(s) of student achievement and school success**

NCDPI asked districts to express their opinion about the use of Growth in the state's accountability model.

- The vast majority of those engaged agreed that growth should be used in the accountability model for high schools.
 - There was concern voiced about the limited number of high school courses that are tested to serve as a basis for a high school growth determination.
- It was unanimously stated that growth should be used in the accountability model for elementary and middle schools.

The following are the top 6 indicators (in rank order) recommended by the district working team for elementary school accountability:

1. EOG Science Proficiency
2. K-2 Growth
3. Suspensions
4. School Climate and Safety
5. Parent Involvement
6. Attendance

The following are the top 6 indicators (in rank order) recommended by the district working team for middle school accountability:

1. EOG Science Proficiency
2. School Climate and Safety
3. High School Credit in Middle School
4. Chronic Absenteeism
5. On-track Promotion from Grade 8 to Grade 9
6. Teacher Engagement

The following are the top 6 indicators (in rank order) recommended by the district working team for high school accountability:

1. College and Career Readiness
2. ACT WorkKeys
3. School Climate and Safety
4. ACT
5. Chronic Absenteeism
6. Five-Year Cohort Graduation Rate

Emerging Issues and Concerns.

- Why provide rank ordering of academic indicators if we choose growth?
- Tension between being held accountable for:

- *inputs v. outputs* and
- *leading indicators v. lagging indicators*
- A need for transparency in the business rules of indicators and input on business rule selection
- How will equity be fostered or ensured in the accountability system?

The Question of Fostering Equity: An Example

School A

1,000 Students
 30 (3%) Chronically Absent Students
 10% of 30 = 3
 New Rate: 27 (2.7%)
 Pct. Pt. Change of .3

School B

1,000 Students
 300 (30%) Chronically Absent Students
 10% of 300 = 30
 New Rate: 270 (27%)
 Pct. Pt. Change of 3

What are we asking both schools to account for?

- The percentage of students that are chronically absent?
- The percent change in chronic absenteeism rates?
- The percentage point change in chronic absenteeism rates?

What would be equitable?

Chairperson McCray thanked staff for the report and invited Board members to ask questions and provide comments. Board members Jones, Bailey, Byers-Bailey, Lennon, Ellis-Stewart, McCray, Tate and Davis thanked staff for the report, asked questions, and provided comments.

Board member comments:

- Dr. Jones indicated a statement is needed to say let's look how we efficiently grasp the need for support services.
- Paul Bailey referenced the definition of insanity, to do the same thing over and over again and expect different results, and felt it sad and amusing to look at the Washington approach, i.e. change the name. He questioned if we are really doing anything different. The question should be what needs to be done differently? Perhaps get more aggressive.
- Thelma Byers-Bailey stated she immediately noticed elementary school attendance was one of the indicators suggested. Youngsters come to school bright eyed and bushy tailed and get upset if parents cause them to be absent. By the time they get to middle and high the measurement is flipped. More are chronically absent and are more likely to fall through the cracks and be lost altogether. She is concerned that we need to encourage a positive view and asked why a negative indicator was selected for middle and high school.
- Rhonda Lennon said the one word that is not included, but is overarching, is accountability. She compared student success to the parts of a three legged stool: one is the student, one is the parent and one is the teacher. If any one of those wobbles the whole thing falls over. JROTC is successful because those students are held accountable. The program changes the students because they are accountable on every level. Everything hinges on accountability. A child needs someone to shepherd them on their journey, then another adult can step in and take their place.

- Ericka Ellis-Stewart agrees that we must have partners to ensure well roundedness of students and encourages more conversation with the city and county to develop action plans to focus on the overall community. For the sake of this report she prefers these indicators: elementary school, EOG Science and Suspensions; middle school, EOG Science and High School Credit in Middle School; high school, College and Career Readiness and the ACT.
- Chairperson McCray would like to see an elementary school indicator of On Track: Promotion from Grade 5 to Grade 6 and Access to the Arts Ed. She would like to see an indicator added regarding constructive after school engagement for students.
- Ruby Jones believes, based on conversations with the Hispanic community, that School Safety and Climate should be one of the recommended indicators for all schools.
- Tom Tate selected the following recommended indicators: elementary school, Attendance and Suspensions; middle school, Chronic Absenteeism; and high school, Chronic Absenteeism.
- Ms. Ellis-Stewart asked Eric Davis what conversation, if any, the state board had moving toward the decision making process about what matrix will be used. Mr. Davis indicated there had been none, as they are still in the data gathering stage.
- Chairperson McCray requested all Board members be cognizant of the possibility of a dual accountability system.
- Eric Davis felt making a recommendation of a non-academic indicator would favor teacher engagement. He feels if we don't have our teachers engaged and we aren't able to improve teacher engagement then we aren't going to win this.

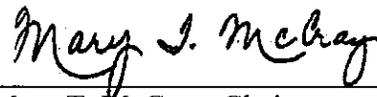
Superintendent Clark offered closing comments on the report and requested everyone, especially the members of the Intergovernmental Relationships Committee, really be thinking about a unitary rather than dual accountability system.

ADJOURNMENT

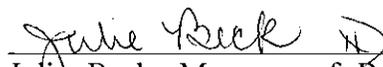
Chairperson McCray called for a motion to adjourn the Regular Board meeting.

Upon motion by Thelma Byers-Bailey that the Board adjourn the Regular Board meeting, seconded by Tom Tate, the motion passed upon 9-0 voice vote of the Board.

The Regular Board meeting adjourned at 8:59 p.m.



Mary T. McCray, Chairperson



Julie Beck, Manager of Board Services,
Served as Clerk to the Board