

**MINUTES  
DURHAM PUBLIC SCHOOLS  
BOARD OF EDUCATION  
FEBRUARY 27, 2014**

The Durham Public Schools Board of Education held its regular monthly meeting February 27, 2014, at 6:30 p.m. in the Fuller Administration Building, 511 Cleveland Street, Durham, North Carolina.

**Board Members present:**

Heidi Carter, Chair; Minnie Forte-Brown, Vice Chair; Natalie Beyer; Nancy Cox; Omega Curtis Parker and Leigh Bordley were present. Pastor Fredrick Davis was absent due to a prior commitment.

**Administration present:**

Hugh Osteen, Interim Superintendent; and Dr. Stacey Wilson-Norman, Deputy Superintendent of Academic Services; and Ms. Chrissy Pearson, Chief Communications Officer were present.

**Attorney present:** Ken Soo

**Call to Order**

Chair Carter called the meeting to order and presided over a moment of silence.

**Be Our Guest**

Natalie Beyer shared comments and thanked the Northern High School Culinary students for the meal during Be Our Guests. She invited the Board Members and Interim Superintendent Osteen to join her on the red carpet to pay tribute to the parents/guardians of students at Y.E. Smith Elementary, Little River Elementary, W.G. Pearson Middle, Brogden Middle and Jordan High School.

**Celebrations**

Board Members recognized students, parents, and community partners including:

***Duke University's DPS Student of the Month*** – This program spotlights students who distinguish themselves with character and integrity.

**Bianca Decatur, Northern High School- February Student of the Month**

While maintaining a 5.1 GPA and first in her class, Bianca is also varsity cheer captain, a member of the cheer competition team, a member of the spirit club, President of the Spanish National Honor Society, a member of the National Honor Society, a member of the Science National Honor Society, a member of Northern's Student Council, and still finds time to work a part-time job several days a week. Bianca was also a semi-finalist for the prestigious Morehead Scholarship. She plans to attend either UNC or the University of Virginia in the fall and double major in neuroscience and nutrition.

**United States Naval Academy -**

In addition to numerous awards, Ryan Mansfield, a senior at Durham School of the Arts, was notified by Congressman Howard Coble that he will receive a letter of appointment to the United States Naval Academy (USNA). He also received a full appointment to the United States Coast

Guard Academy (USCGA) and received an invitation to the Coast Guard Academy in late February 2014 for another visit. In addition, Ryan interviewed at UNC Chapel Hill as a semi-finalist for the Morehead Cain (full) Scholarship, is a semi-finalist for the General Hugh Shelton (full) Scholarship for NC State and was accepted to Appalachian State Honors Program.

**Young Men of Distinction -**

A program at Lowe's Grove Middle School that focuses on developing leaders in 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade boys led by counselor Tamika Bierlein. Speakers are provided that focus on leadership, self-esteem and goal setting. The young men visit local colleges as well as participate in science programs. One of their goals is to encourage students to understand the world around them which led them here to their first school board meeting.

**Outstanding Young Educator Award -**

Hillside High School's Principal Dr. William Logan has received the 2014 Outstanding Young Educator Award from the N.C. Association for Supervision and Curriculum Development.

**Greater Triangle United Way Campaign -**

DPS top three schools are Neal Middle, Eno Valley and Pearsontown Elementary. A special thank you was extended to Ms. Latisha Judd for the video and to Mrs. June Snyder for coordinating the collection efforts and a job well done!

***Community Partners***

**Woodforest National Bank -**

Hillside High School's Business and Finance Academy and Woodforest National Bank have partnered to increase the knowledge of financing and banking. Students, staff, and families will be able to open and deposit to checking and savings accounts at Hillside. The program also provides internships and serves as a hands-on learning center for students to gain banking skills.

**Superintendent's Updates**

Interim Superintendent Osteen shared the following updates:

- **Child Nutrition** - A review of the USDA Commodity Foods Program administered by DPS was conducted. The review indicated that DPS is in compliance with USDA and NCDA&CS (North Carolina Department of Agriculture and Consumer Services) regulations and policies. Kudos to Mr. Keaten and staff!
- **Snow Days** - We endured two more snow days closed and one late afternoon that was more challenging than expected. Still, everyone was safe; it just took a little while. We always learn something every event and we will keep improving. One thing though that we learned well is that we have a lot of folks who went the extra mile! Thanks for all those who helped.
- **Realtor's Event** - On February 25, we showcased 6 schools as examples of options, choices and the great things in Durham Public Schools. I was so proud to hear students

share why they love about school and enjoy what they do. Realtors were blown away and I am sure they took away a positive view; one they will use when showing clients around.

### **Agenda Review and Approval**

Vice Chair Forte-Brown made a motion to approve the agenda as written. Natalie Beyer seconded and the motion passed unanimously.

### **General Public Comment:** Ten people signed up to speak.

1. *Elois Johnson* – Ms. Johnson revisited the safety issue regarding the Red Mill Contractors at Holton Career and Resource Center. She stated the issue was brought to the Board's attention about eight months ago and the safe guards on the mowers continue to be lifted by the operators. She asked the Board to descend their contract if they could not follow the rules and regulations regarding this very dangerous and serious issue.
2. *James Chavis* – Mr. Chavis spoke on the same issue as Ms. Johnson. He is concerned about the lack of concern for the students, staff, and community in that no action has been taken. He stated that spring and summer is coming and this issue needed to be corrected. He shared a picture of the mower with the safe guard propped up.

Chair Carter stated that someone from Operations would follow-up with both Ms. Johnson and Mr. Chavis regarding their concerns.

3. *Dabney Hopkins* – Ms. Hopkins is a teacher at R. N. Harris Elementary School and stated that the staff is very concerned about the 25% contract legislation. They feel it is divisive and the worst way to ensure the best teachers in Durham Public Schools. She thanked the Board for the resolution that was passed but will support any other actions to change this law. She gave the Board Members a petition signed by staff at R.N. Harris Elementary School, declining to sign.
4. *Nicholas Graber-Grace* – Mr. Graber-Grace is a social studies teacher at Hillside High School and has a Kindergartener at E.K. Powe Elementary School. He presented E.K. Powe's petition to decline to sign to Board Members and asked that they continue to stand with teachers and students in this effort. He thanked the School Board for their support.
5. *Jachyn Turnwald* – Ms. Turnwald is a teacher at The School for Creative Studies. She stated that legislators are forgetting that the teacher's work environment is a student's learning environment. She said that recently Guilford County Board of Education voted not to comply with the 25% contracts and asked the Board to consider the same.
6. *Kim Onyekachi* – Ms. Onyekachi is a parent and knows what teamwork has done for her daughter. She stated that team building is not pitting team members against one another. She asked the Board not to support this law.
7. *Matt Stutzman* – Mr. Stutzman is speaking to the Board from the Fine Arts Department. He stated that the financial cuts in this department needs to be addressed and is asking the Board to consider inflation. He is asking for a 30% markup and the return of the instrument

replacement funds. He brought one of his students who shared the high costs of playing sports and is trying to use a school instrument that is not in good shape. He is not allowed to take it home to get better. He asked the Board to help the Musical Arts Department so they can purchase more instruments that are in better working condition for the students to enjoy playing.

8. *Andrea Underwood* – Ms. Underwood is the President of the Durham Association of Educators (DAE). She applauded the Young Men of Distinction from Lowes Grove Middle School; some are her former students from Southwest Elementary School. She stated that since October, she has stood before the Board of Education monthly and for the decline to sign events and recently a press conference. Tonight she stands on behalf of 100% of the students, staff, and parents; not just 25%. She commended the Board for approving the NCAE resolution against 25% contracts. She stated the counties who joined the statewide Decline to Sign campaign and their Boards have also passed a resolution. She listed the counties who have active petitions as well. She stated that there was only one county, Guilford County, who has made a historical move to refuse to implement the 25% contracts. She asked the Board Members to consider refusing to implement 25% contracts. She stated that ranking 48% in per pupil funding as a state just wasn't low enough and we are all aware of the school voucher program which the legislature has passed that will divert over \$11 million dollars out of public school funding. She was pleased to announce that last week Superior Court Judge Robert Hobgood granted the preliminary injunction sought in the lawsuit halting the voucher program because of NCAE, The NC Justice System and our State School Board Association.

Chair Carter stated that Durham Public Schools Board of Education was one of the victorious plaintiffs in that case and that the DPS was part of that lawsuit and litigation.

9. *Jeff Lang* – Mr. Lang is a faculty member from Riverside High School and he presented a petition signed by 103 teachers declining to sign. He asked the Board to follow Guilford County Schools and stand strongly against this statue.
10. *Leonardo Williams* – Mr. Williams stated that he is support of the Board and in the business sector it is ok to have one best business but in education, we want all schools to be the best so creating a divisive and competitive environment is not good for the students. He also stated that since there was extra cash around, he asked the Board to please reallocate funds cut over the past year and take the lead in our state and show our state how to give students in Durham what they deserve. Let's take a look at how we are investing in our students and reinvest in our arts department. We have the solution; let's help the folks in Raleigh interject the common sense behind it.

Chair Carter thanked all speakers and replied to teachers who are asking the Board not to comply with the Appropriations Act which identifies 25% of the most effective teachers without telling us how to identify them or fund this in coming years. She stated the Board agrees and did sign a resolution. She stated that the Board is behind teachers and is considering Guilford's approach to being defiant. She and Vice Chair Forte-Brown went to Greensboro and met with 10 other districts and their Boards across the state and with the Guilford County Schools attorney and

their chair. There is a lot of interest in this and people have e-mailed Board Members asking us to decline to comply. She asked attorney, Ken Soo to clarify what Guilford County has done and he is going to brief the Board later in Closed Session. She stated that the Board takes this matter very seriously. Mr. Soo stated that Guilford County passed a resolution similar to the one Durham's Board passed but directed their counsel for the school system to go forward to seek a declaratory judgment that the law is invalid. They haven't said they are not going to comply with the law, but have asked their legal counsel to go to court to get a judge's determination of the law that is not valid and they do not have to comply. The lawsuit has not been filed but could be as soon as tomorrow. Chair Carter stated that they are asking the judge for permission not to comply with the law and they should not be subject to criminal sanctions for failing to comply with the law because they see it as unconstitutional. They see retroactive elimination of career status as unconstitutional. Guilford's resolution makes it clear that they are not opposed to the elimination of all career status, just the retroactive; a prospective elimination of tenure might be and ok with them. Chair Carter stated these are things we have to consider and there are complexities here and we want to be sure that we are doing the best thing for our teachers and our public schools. We are also considering the litigation that NCAE had and they are opposed to the elimination of tenure in general. Chair Carter said these are two litigations that the Board is considering.

### **Board of Education Meeting Minutes**

Presented for approval:

- January 14, 2014 – Special Meeting – Open and Closed Sessions
- January 23, 2014 - Regular Meeting – Open and Closed Sessions
- February 11, 2014 – Special Meeting – Open Session

By unanimous consent, the Board Minutes were approved as written.

### **Consent Agenda**

Chair Carter noted that all Consent Agenda items were thoroughly discussed in committee.

- a. 2013-14 Budget Amendment #1**
- b. Information Technology – Durham Public Schools Technology Plan**
- c. Hillside High School – Bids for Chiller Replacement – Phase 2**
- d. Sale of Morris Street Facility**

Omega Curtis Parker made a motion to approve Consent Agenda. Vice Chair Forte-Brown seconded and the motion passed unanimously.

## **Reports of the Committees**

### **I. Administrative Services Committee**

#### **a. 2014-15 Budget Priorities/Guiding Principles**

**Recommendation: Action**

**Public Comment: None**

Natalie Beyer, Committee Chair, recognized Aaron Beaulieu, Chief Financial Officer, who introduced the item and began the presentation. Mr. Beaulieu presented the 2014-15 Budget Priorities/Guiding Principles and the administration recommended adopting the following priorities and principles:

- Provide funding that directly impacts our students and teachers.
- Provide accurate projections of student membership.
- Maintain current funding level in county appropriation.
- Maintain current staffing formulas across the district and continue our investment in classroom teachers and staff.
- Maintain current non-salary allotments to individual schools.
- Reduce the dependency on lapsed salaries to balance the budget.
- Reduce the dependency on committed fund balance to cover salary and benefits.
- Absorb within current resources any fixed cost and inflationary increases for operational expenses.
- Absorb within current resources any increased enrollment within Durham Public Schools.
- Absorb within current resources any increases in charter school growth.
- Absorb any state mandates to cover salary and benefit increases.
- Review all contracts within the district for appropriateness and potential savings.
- Review all operational expenditures to maximize efficiency and potential savings.

Mr. Beaulieu stated that bullet #1, provide funding that directly impacts our students and teachers, sets the tone. He said that this is a living document and as we progress in building the budget, it will be made known and transparent to all.

There was continued discussion by Board Members and they agreed that the first bullet precludes everything else. The Board understands that these guiding principles are parameters set in the development of the 2014-15 budget.

Vice Chair Forte-Brown made a motion to approve the list of budget priorities and guiding principles. Nancy Cox seconded and the motion passed unanimously.

### **Closed Session**

On a motion by Natalie Beyer, seconded by Vice Chair Forte-Brown, the board convened in closed session to consider confidential student information protected under NCGS 115C-402 and

the Family Education Rights and Privacy Act (FERPA), 20 USC 1232g, confidential personnel matters under NCGS 143-318.11(a)(6) and 115C-319, and to consult with the board attorney to preserve the attorney-client privilege as provided in NCGS 318.11(a)(3).

The board convened in closed session at approximately 7:45 p.m.

**Open Session – Personnel Recommendations**

The board reconvened in open session at approximately 9:15 p.m.

**Personnel Approval**

Interim Superintendent Osteen recommended approval of the February 27, 2014, Personnel Reports for Information, Approval, and the Substitute List. On a motion made by Natalie Beyer to approve the Personnel Reports for Information, Approval, and the Substitute List dated February 27, 2014; seconded by Omega Curtis Parker, the motion passed unanimously.

Natalie Beyer made a motion to authorize the Chair to cooperate with the attorney for NCAE to provide support in the form of an affidavit in the litigation that seeks to maintain the tenure rights of teachers, and instruct the Board attorney to communicate with the attorneys from Guilford County Schools Board of Education if it would be practical or helpful for the Durham Board of Education to join any lawsuit they might file regarding a lawsuit to offer contracts to 25% of teachers to give up their tenure rights in the form of a lawsuit that requests declaratory relief. Vice Chair Forte-Brown seconded and the motion passed unanimously.

Chair Carter stated that Pastor Fredrick Davis was away on business but he is in support of anything that supports teachers. She said that by taking these two steps, it shows the Board's strongest support of teachers.

Having no further business, the meeting adjourned at approximately 9:21 p.m.



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Heidi Carter, Chair  
Durham Public Schools Board of Education



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Hugh Osteen, Interim Superintendent  
Durham Public Schools