

**MINUTES
DURHAM PUBLIC SCHOOLS
BOARD OF EDUCATION
DECEMBER 19, 2013**

The Durham Public Schools Board of Education held its regular monthly meeting December 19, 2013, 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; Pastor Fredrick Davis; Nancy Cox; Omega Curtis Parker and Leigh Bordley were present.

Administration present:

Dr. Eric J. Becoats, Superintendent; and Dr. Stacey Wilson-Norman, Deputy Superintendent of Academic Services; Hugh Osteen, Deputy Superintendent of Operational Services; Dr. Tina Hester, Chief Human Resource Officer; 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

Nancy Cox shared comments and thanked the Northern High School Culinary students for the meal during Be Our Guests. She invited the Board Members and Superintendent Becoats to join her on the red carpet to pay tribute to the parents/guardians of students at Sandy Ridge Elementary, E.K. Powe Elementary, Shepard Middle, Eno Valley Elementary, Hillside High Schools and City of Medicine Academy.

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. Tyler Booker is the December Student of the Month for City of Medicine High School. *(This celebration was moved to January due to unavailability of school staff and student.)*

Student Recognition

Riverside High School – On October 19, a team of Riverside High School Engineers competed in the 3rd Annual Creative Food Drive held at the American Tobacco Campus in Durham. The students planned and designed their 6x6x6 foot structure. The students completed test builds of their structure and prepared to compete against professional engineering, architectural and design firms at the Creative Food Drive. The students, in

conjunction with the National Technical Honor Society, collected the needed non-perishable food items to build their structure. The team donated more than 740 nonperishable food items through their participation in the event, most of which were used in the actual construction of their "Oceanside" display. All the food collected helped support the Food Bank of Central & Eastern NC. Dr. Becoats invited Patti McLendon, parent volunteer, and Adam Davidson, staff sponsor, to the podium to introduce the students. All the students were asked to walk the red carpet.

NC State Fair Art Show Winners- Durham Public Schools is proud to honor students from George Watts Elementary School who were the NC State Fair First Place Art winners. Mary Casey introduced the students and welcomed them to walk the red carpet.

NC Honors Chorus – Durham Public Schools had a number of students selected for the North Carolina Honors Chorus. NC Honors Chorus has three choirs made up of the best singers from across the state at the elementary, middle, and high school levels. They will perform a holiday selection. Mary Casey introduced the students and welcomed them to walk the red carpet.

International "Drawing for Peace" contest- Durham Public School's Club Blvd. had the 1st Place winner in the 10 year old division in the international "Drawing for Peace" contest for the Mahatma Gandhi Center for Peace. Mary Casey introduced the art teacher and student and welcomed them to walk the red carpet.

Southern School of Energy and Sustainability- This fall, the Southern School of Energy and Sustainability's CADA classes and Habitat for Humanity of Durham have worked in partnership to produce 150 birdhouse kits that Habitat will be using to raise awareness and resources to support our affordable housing mission. Dr. Becoats invited Rebecca Leonard to the podium to introduce the student participants. The students presented each Board Member with a birdhouse and thanked them for their dedication to DPS.

Community Partners – Celebrating community partners who provide support to our students and school improvement efforts.

Judge Webster- CourtCares, an initiative by Judge Joe L. Webster and staff of the United States District Court for the Middle District of North Carolina in Durham, was launched on April 11, 2013 to reach out to students in the Durham Public Schools. Middle school students are introduced to the federal court system, encouraged to stay on the right side of the law, and exposed to life-long strategies for leading successful and healthy lives. During the visit, students participated in a brief mock criminal trial, conducted by Judge Webster and his staff, followed by a tour of the judicial chambers, lock-up facility, and an informal question and answer period. Dr. Becoats invited Judge Joe L. Webster to the podium and presented the community partner certificate.

A motion was made by Pastor Fredrick Davis to hear Public Comment prior to Closed Session. Vice Chair Forte-Brown seconded and the motion passed unanimously.

General Public Comment: Eight people signed up to speak.

1. *Andrea Underwood* – The President of Durham Association of Educators, stated that the NCAE and six public school teachers filed a lawsuit challenging the repeal opposing the career status including lack of advanced degree pay. Over the past two years, the DPS Board of Education has developed a vision of leadership and learning promoting overall achievement for students and staff. Ms. Underwood requested the Board of Education to sign the NCAE's Resolution opposing the four-year contracts for 25 percent of teachers. Remember we are One Vision, One Durham; not One-Fourth. NCAE and DPS Board of Education is one in the same in promoting the teaching profession and quality of public education.
2. *Alexa Goff* – Ms. Goff read an open letter from the teachers at Club Blvd. Elementary School opposing the four-year contracts for 25 percent of teachers. There was a plea to unite teachers versus pitting them against one another. She stated that this is a divisive and harmful statute and twenty-seven of twenty-eight eligible teachers would decline the contract at Club Blvd. Elementary School.
3. *Tyrone Melton* – Mr. Melton asked the Board of Education to help the public understand the lack of consistency in giving raises to system administrators as well as other employees. He reiterated his past comments regarding turnover rates, salary increases in the Fuller Building, unequitable pay grades, audits in the Personnel Department, and bullying in the Fuller Building. He stated that he has not received a response to date. He asked the Board of Education not to be challenged by power and not to allow these situations to take place.
4. *William Anyu* – Mr. Anyu is a student at NCCU working on a Master's in Public Administration. He chose to pass remarks at this time.
5. *Page McCullough* – Ms. McCullough held a sign with the number 355 indicating the number of teachers who would qualify for the four-contract with bonus. She asked who would tell the number 356 teacher that they didn't qualify. She reminded the details of the contract: \$500 bonus the first year; however the second, third, and fourth years are not funded. She asked the Board of Education to consider the Resolution opposing the new law and reminded them that teachers are not temporary employees but professionals. She asked for courage and leadership on this issue and to follow the path of New Hanover and Guilford County Board of Educations.
6. *Nicholas Graber-Graves* – Mr. Graber-Graves, a teacher at Hillside High School, participated along with greater than 70 schools in the Walk-In events on November 4. He stated that he was excited about the open letter that had just been shared by the teachers at Club Blvd. Elementary School and that he had a son who was in Kindergarten at E.K. Powe Elementary School. He asked the Board to consider a Resolution to appeal this law regarding teacher employment and felt that the

legislature has abandoned our teachers. Teachers require mastery, creativity and autonomy to work with students. Along with the NCAE, we call on people to say no to these policies which divide teachers against one another.

7. *Leci Steele and Ariana Steele* – Ms. Steele expressed a deep appreciation for the Lowes’ Grove Citizens School program. A valuable program in a time of budget constraints. She attended the “WOW” and is so thankful. Ariana, a student at Lowes’ Grove Citizens School, stated this was the best program which promotes fun, education, and preparation for the future.

Nancy Cox recognized Jin Ellington, the Director of Citizens Schools program in Durham Public Schools.

8. *Kadira Hagos* – Ms. Hagos, a parent of a student at Lowes’ Grove Citizens School, expressed thanks for a valuable program. Her 8th grade daughter has increased her self-esteem and her grades increased to straight A’s. She is now excited about college and I’m grateful for the valuable time in “WOW”.

Closed Session

On a motion by Leigh Bordley, seconded by Natalie Beyer, the board convened in closed session to consider confidential personnel matters under NCGS 143-318.11(a)(6) and 115C-319, 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 7:20 p.m.

Open Session

The board reconvened in open session at approximately 8:21 p.m.

Nancy Cox made a motion to accept the Superintendent’s resignation on the terms negotiated between the Superintendent and the Board of Education’s attorney. Leigh Bordley seconded the motion.

Omega Curtis Parker made a substitute motion to change the language to” majority of the Board”, from full Board. Vice Chair Forte-Brown seconded the substitute motion.

After much discussion between Board Members and the attorney regarding the language in the contract, it was determined that the language must remain in the best interest of the school system.

Chair Carter called for a vote of the Substitute motion to change the language from full Board to majority and the motion failed 2 to 5; Heidi Carter, Leigh Bordley, Nancy Cox, Pastor Fredrick Davis, and Natalie Beyer opposed.

Chair Carter called for a vote on the original motion to accept the Superintendent's resignation on the terms negotiated between the Superintendent and the Board of Education's attorney. The motion was seconded and passed 4 to 3; Vice Chair Forte-Brown, Pastor Fredrick Davis, and Omega Curtis Parker opposed.

Chair Carter stated that the Superintendent's resignation contract is now public record.

Superintendent's Comments

Dr. Eric J. Becoats thanked his supporters and his non-supporters. He read a long list of accomplishments that took place during his 3.5 years as Superintendent and gave special thanks to Minnie Forte-Brown, who was Board Chair at the time he was hired in April 2010. He thanked Ms. Forte-Brown for her leadership, guidance, support, and unwavering devotion for public education. In addition, he thanked his principals, teachers, students, Executive Leadership Team, and Superintendent's Business Advisory Council for their support and commitment to public education. Dr. Becoats stated that his journey with Durham Public Schools strengthened his faith and he will continue to be an active community member in Durham. He thanked the Board of Education for the opportunity he was given to serve.

Chair Carter thanked Dr. Becoats for his service to Durham Public Schools.

Closed Session

On a motion by Natalie Beyer, seconded by Nancy Cox, the board convened in closed session to consider confidential personnel matters under NCGS 143-318.11(a)(6) and 115C-319, 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 8:44 p.m.

Open Session

The board reconvened in open session at approximately 8:53 p.m.

Natalie Beyer made a motion to appoint Hugh Osteen, Deputy Superintendent of Operations, to be Acting Superintendent until an interim is chosen. Pastor Fredrick Davis seconded and the motion passed unanimously.

Chair Carter thanked Mr. Osteen and invited him to join the Board Members on the panel. She stated there may be a bit of uncertainty in the community and assured them that Durham Public Schools is strong and will meet this challenge. Principals, teachers, and staff are strong and devoted to students and staff. The Executive Leadership Team works, plans and implements to support and empower our schools. Each Board Member is committed to the best interest of all children in our schools and we move forward with resolve.

Agenda Review and Approval

Natalie Beyer made a motion to add a new item “c” to add Fund Balance Resolution and to add a new item “f” for a Vouchers Resolution. Nancy Cox seconded and the motion passed unanimously to approve the agenda with changes.

Board of Education Meeting Minutes

Presented for approval:

- o November 21, 2013 – Regular Meeting – Open and Closed Sessions
- o November 25, 2013 – Special Meeting – Open Session

The minutes were approved as written by unanimous consent.

Consent Agenda

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

- a. **Sale of Morris Street Facility**
- b. **Child Nutrition Services – Funding for Equipment Upgrades**

Natalie Beyer made a motion to approve Consent Agenda. Vice Chair Forte-Brown seconded and the motion passed unanimously.

Reports of the Committees

I. Support Services Committee

a. Professional Learning Communities Early-Release 2014-2015

Recommendation: Action

Public Comment: None

Mr. James Key, Area Superintendent for High Schools, presented a proposal to increase the early-release days from 3 to 8 for the 2014-15 school year. Because of the new standards, assessments, and expectations, it is necessary to provide teachers more professional time to collaborate and share within PLC Teams. Mr. Key stated that teachers and staff will maintain a normal day with no after school events until 4:15 p.m. so all teachers can participate.

Mr. Key shared that the grades K to 5 After School Program remain open while grades 6 to 8 will not operate. Ongoing research will look at feasibility and cost, and will be brought back to the Board at a later date.

Omega Curtis Parker made a motion to approve the additional Professional Learning Communities Early-Release days. Vice Chair Forte-Brown seconded and the motion passed unanimously.

II. Administrative Services Committee

a. 2012-2013 Comprehensive Annual Financial Report

Recommendation: Action

Public Comment: None

Natalie Beyer recognized Aaron Beaulieu, Chief Financial Officer, who introduced the item and began the presentation. Mr. Beaulieu stated that an extensive overview was presented at the Administrative Services Committee meeting.

Natalie Beyer made a motion to approve the fiscal year 2012-13 Durham Public Schools Board of Education Comprehensive Annual Financial Report (CAFR) prepared by the Durham Public Schools Financial Services Staff and audited by the certified public accounting firm of Rives and Associates. Leigh Bordley seconded and the motion passed unanimously.

b. Initial Budget Resolution (2013-2014)

Recommendation: Action

Public Comment: None

Natalie Beyer recognized Aaron Beaulieu, Chief Financial Officer, who introduced the item and began the presentation. Mr. Beaulieu stated that the Fund Balance had been corrected. Chair Carter thanked Mr. Beaulieu for greater clarity in this resolution.

Nancy Cox made a motion to approve the Initial Budget Resolution (2013-2014). Vice Chair Forte-Brown seconded.

Nancy Cox withdrew her motion and Natalie Beyer moved to approve the 2013-14 Budget Resolution which is required by the North Carolina General Statutes Article 31, 115C-425 "Annual Budget Resolution". Each local school administrative unit shall operate under an annual budget resolution adopted and administered in accordance with this article. A budget resolution is balanced when the sum of estimated net revenues and appropriated fund balance is equal to appropriations. Pastor Davis seconded and the motion passed unanimously.

c. Fund Balance

Recommendation: Action

Public Comment: None

Natalie Beyer made a motion to approve the Committed Fund Balance in the amount of \$7,455,975 for salaries and benefits in the 2013-14 Budget Resolution. This portion of fund balance can only be used for a specific purpose and must be approved by the Board of Education. Any changes or removal of specific purpose requires majority action by the governing body that approved the original action. Pastor Fredrick Davis seconded and the motion passed unanimously.

d. Teacher Tenure and Contract Process

Recommendation: Action

Public Comment: None

Natalie Beyer recognized Dr. Tina Hester, Chief Human Resource Officer, who introduced the item and began the presentation. Dr. Hester's presentation captured the changes in the tenure law and the impact on license personnel. It included a description of the proposed methodology for identifying 25 percent of the staff who are eligible to receive a four-year contract effective July 1, 2014.

Dr. Hester shared the changes in Tenure Law as follows:

SB 402: Session Law 360 9.6(g)

- No career contracts awarded this year
- Identify 25% of teachers employed for at least 3 years in DPS; award 4-year contracts 2014-15
- If career, must agree to relinquish
- \$500 added to teacher's base salary each year of contract

2018-2019

- No career status for anyone
- 3 types of contracts: 1-year, 2-year & 4-year
- Salary implications not spelled out (ex. if move to another district after four years)

Dr. Hester shared how the changes in Tenure Law will be implemented:

2013-2014 **Choosing DPS' 25%**

- 1) Identify eligible teachers (3 years or more): 1422; 25% of 1422= 355.5; 355 four-year contracts can be offered for 2014-15 (must round down).
- 2) Identify eligible staff at each school; compute 25%.
- 3) Identify eligible instructional support personnel; sort by category; compute 25%.
25% counselors; 25% psychologists; 25% SLP; 25% social workers; 25% media specialists; 25% technology facilitators; 25% content specialists; 25% area facilitator; 25% instructional facilitators; 25% CD counselors/special pops coordinator; 25% licensed coordinators, etc.
- 4) Survey DPS staff regarding the proposed methodology and their interest in accepting the four-year contract if offered.
- 5) Review evaluations of eligible staff (3 years or more) and eliminate staff who are not proficient on any standard. If narrative evaluations or no evaluations are available a committee of 3: HR Administrator, TOY and POY will use a point system and determine proficiency and numerical ratings.
- 6) Assign numerical value to standards included in the teacher summary rating form: Not Demonstrated-0; Developing-1; Proficient-2; Accomplished-3; Distinguished-4 for past two years (2011-12 & 2012-13); divide total by number of ratings; sort highest to lowest.
- 7) Identify staff with highest ratings that fall within the 25% who are eligible for the four-year contracts.

- 8) If there is a tie, apply numerical value to elements under each standard.
- 9) Apply the same principle for computing a numerical value for instructional support staff and determine eligibility for four-year contract. If there is a tie and the evaluations do not have rated elements, seniority will be used.
- 10) If evaluations are not available, the following criteria will be used: educational leadership in school/district/community; attendance; seniority, discipline/reprimands; advanced degrees; multiple certifications, national board certified; school/district recognitions/awards. If there is a tie and the evaluations do not have rated elements, seniority will be used.
- 11) Compile 25% list and submit to the BOE for approval.
- 12) Offer contracts to eligible 25% staff; staff must accept or reject offer.
 - Career status teachers who are not offered four-year contracts in June 2014 or reject a four-year contract will retain career status under the existing law until July 1, 2018.
 - Non-career status teachers who did not attain career status prior to 2013-14 and are not chosen for four-year contracts in June 2014 are only eligible to receive one year contracts until July 1, 2018, and are subject to new teacher employment provisions.

Example: 2013-14 teacher's base pay for 10 years= \$35,800

Teacher is offered and accepts four-year contract

- 2014-15- base pay + \$500 \$35,800 + \$500 = \$36,300
- 2015-16- base pay + \$1000 \$35,800 + \$1000 = \$36,800
- 2016-17- base pay + \$1500 \$35,800 + \$1500 = \$37,300
- 2017-18- base pay + \$2000 \$35,800 + \$2000 = \$37,800

Total \$5000

Actual raise to salary at the end of 4 years is \$2000; \$500 each year (\$500 X 4=\$2000)

Dr. Hester shared that based on a new law designed to end tenure in North Carolina's Public Schools, Durham Public Schools will offer 355 teachers and other support personnel four-year contracts. This number represents 25% of the 1,422 people eligible for a four-year contract. She stated that of the 355 people to be offered those contracts, the majority (292) will come from the ranks of the district's 1,167 eligible teachers. In order to qualify for the contracts, staff must be employed by Durham Public Schools for at least 3 consecutive years and found to be proficient in their last two annual reviews.

Dr. Hester explained that if a teacher is already tenured, they would have to agree to give up their "tenure status" in exchange for a four-year contract. Dr. Hester shared that teachers who have not been granted tenure or "career status" as it has been called before the 2013-14 school year, will be offered one-year contracts under the new law. She stated that by the 2018-19 school year, there will not be "career status" for anyone in the state's public schools and districts will only be allowed to offer one, two, or four-year contracts.

Dr. Hester shared feedback from the anonymous survey from DAE, principals, and teachers. Chair Carter stated that this presentation is to approve the methodology not the law. Vice Chair Forte-Brown attended the District III Meeting where the new legislation was discussed. It is embarrassing that it would take a North Carolina teacher 16 years to reach a salary of \$40,000. She stated that the law has been passed but doesn't have to be liked.

Pastor Fredrick Davis made a motion to proceed to support the administration and approve the methodology. Vice Chair Forte-Brown seconded. This new legislation was thoroughly discussed among Board Members and Dr. Hester responded to all questions.

Chair Carter restated the motion to approve the methodology for the Teacher Tenure Process for 25% of staff effective July 1, 2014. The motion was seconded and passed unanimously.

e. Teacher Tenure – Board Resolution

Recommendation: Action

Public Comment: None

The Resolution against the General Assembly's Mandate for School Board to Offer Four-Year Contracts to Only 25 Percent of its Teachers proposed by the North Carolina School Board's Association was discussed.

Leigh Bordley made a motion to approve the Resolution against the General Assembly's Mandate for School Board to Offer Four-Year Contracts to Only 25 Percent of its Teachers proposed by the North Carolina School Board's Association. Vice Chair Forte-Brown seconded and the motion passed unanimously.

f. Vouchers Resolution

Recommendation: Action

Public Comment: None

Vice Chair Forte-Brown shared information from the NSBA Board of Directors Meeting asking the 115 districts to pass the resolution to oppose the voucher system in Senate Bill 402 to stop virtual school legislation. These vouchers would take tax payer dollars and give to children in private schools. There was discussion regarding the lack of accountability and financial obligations.

Leigh Bordley made a motion to accept the Resolution to join as a plaintiff the pending litigation, captioned *Reverend Robert Richardson, III, Michael and Delores Galloway, Steven W. Sizemore, and the North Carolina School Boards Association v. the State of North Carolina, the North Carolina State Board of Education, and the North Carolina State Education Assistance Authority*, and authorizes the attorneys engaged by the NCSBA and other plaintiffs to represent the Board of Education in the litigation, with the litigation costs to be borne by the NCSBA's Legal Assistance Fund. Natalie Beyer seconded and the motion passed unanimously.

Closed Session

On a motion by Natalie Beyer, seconded by Nancy Cox, the board convened in closed session to consider confidential personnel matters under NCGS 143-318.11(a)(6) and 115C-

319, 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 9:47 p.m.

Open Session – Personnel Recommendations

The board reconvened in open session at approximately 10:24 p.m.

Personnel Approval

Acting Superintendent Osteen recommended approval of the December 19, 2013, Personnel Reports for Information, Approval, and the Substitute List. On a motion made by Omega Curtis Parker to approve the Personnel Reports for Information, Approval, and the Substitute List dated December 19, 2013; seconded by Natalie Beyer, the motion passed unanimously.

Chair Carter wished everyone warm wishes and happy holidays. Having no further business, the meeting adjourned at approximately 10:26 p.m.



Heidi Carter, Chair
Durham Public Schools Board of Education



Hugh Osteen, Interim Superintendent
Durham Public Schools