

**Minutes
Transylvania County Board of Education
October 16, 2023**

INVOCATION/PLEDGE OF ALLEGIANCE

CALL TO ORDER/WELCOME

WORK SESSION ITEMS:

1. Approval of Agenda
2. Public Comment
3. Parents' Bill of Rights Policies
4. District Strategic Plan
5. Update on Capital Reserve Study

The Transylvania County Board of Education held a work session on October 16, 2023 at 6:00 p.m. at the Morris Education Center. Chairman McCoy led in a moment of silence and Chris Wiener led the Pledge of Allegiance. Chairman McCoy called the meeting to order and welcomed everyone. In addition to approximately four guests, the individuals listed below were in attendance.

BOARD MEMBERS:

Tawny McCoy, Chair
Kimsey Jackson, Vice Chair
Tanya Dalton
Bryan O'Neill
Chris Wiener

STAFF:

Dr. Lisa Fletcher, Superintendent
Jenny Hunter, Administrative Assistant
Dr. Brian Weaver, Assistant Superintendent/HR
David Wright, School Resource Officer

BOARD ATTORNEY:

Kris Caudle, Campbell Shatley

MEDIA:

Nick Haseloff, Transylvania Times

1. Approval of Agenda

ON A MOTION BY MR. JACKSON, SECONDED BY MR. O'NEILL, the work session agenda for October 16, 2023 was approved as presented.

2. Public Comment

Chairman McCoy reviewed the guidelines for public comment.

Claudia Hawkins – I would like to repeat my request that the board issue an explanation as to how decisions are going to be made about the \$68 million bonds from this point forward. At the last meeting, I got the impression that you have questions. The public deserves to know the step by step process as to how we spend the \$68 million.

Alice Wellborn – We have a good school system with many excellent teachers and administrators--if we can keep them. If the Parents' Bill of Rights is abused, we will have great difficulty recruiting and retaining teachers in Transylvania County Schools. Teachers and administrators are tired of disrespect, second guessing, and blame. Teaching is an art as well as a science and a strong teacher-student relationship is necessary for excellent classroom learning. Teachers cannot function well if they are afraid of talking to students and answering students' questions. Why would teachers stick around and be maligned when they can go to South Carolina or Georgia and instantly make thousands of dollars more a year? We are all tired of "Moms for Liberty" propaganda delivered from this podium that is nationally generated and has nothing to

do with the Transylvania County Schools. Most parents here want their children to have an excellent education based on mainstream American values. An education that will allow their children to think for themselves and compete in a capitalist economy. Indoctrination is defined as teaching students a particular set of facts and beliefs that they never have the opportunity to question, and denying students the opportunity to hear different perspectives and form their own opinions. The only group in Transylvania County that is interested in indoctrinating students is “Moms for Liberty.” Students are mostly exposed to inappropriate content online, on social media, on TV and movies—not in books at school. Violence, vulgarity, cruelty and sex are in all those things, but it’s served up at home, not at school. If parents are concerned about protecting their children from inappropriate content, then they are responsible for monitoring and controlling what their children see and do at home.

Susan Lefler – I would like share a story about how school policy worked in the past to respect parents’ rights. When one of our children was in fourth grade at Brevard Elementary, the teachers planned an event to celebrate Mother’s Day. The moms were asked to meet their children at the school with a bag lunch. The teachers, students, and moms would then walk to Silvermont Park for a picnic. However, two of the children in the class were from a family whose faith religion taught that celebrations of birthdays or holidays were sinful because they were rooted in pagan tradition. The parents of those children requested that their children not participate. So a teacher’s aide made plans to have lunch in the classroom with the two children while the others walked to the park. The thing that did not occur was that those parents did not pressure the school to cancel the Mother’s Day celebration for the entire school. It has been declared repeatedly from this podium that parents and teachers are to be sure that students are safe, that material is age appropriate, and that parents can opt their children out of a class or request an alternative book assignment. As one of the newly elected school board members pointed out at the candidate forum a year ago, blaming books or assignments or classroom discussions for questionable material is a bit absurd when the Internet is a constant in the lives of any student, certainly by the time they are in middle school. I hope the board will be mindful of making certain that families that want professional teachers guiding their children’s education have their parental rights protected. Any attempt by one parent to restrict books or educational materials must be made public so that other students will still have the right to read, speak and ask questions as they should in a democracy. In every family, team, office, church, or group of any kind, the rights, beliefs and choices of each person must be heard and respected, but cannot be allowed to eliminate the rights of other people or otherwise cause harm to them.

3. **Parents’ Bill of Rights Policies**

The board discussed the Parents Bill of Rights’ policies and potential changes. Dr. Brian Weaver and Attorney Kris Caudle gave clarifications and addressed questions.

- **1310/4002, Parental Involvement.** Substantially revises the policy to address the new requirements of the Parents’ Bill of Rights

Board members recommended the broadest possible visibility and access for the list of parent rights. All were in agreement that the term written consent would also refer to electronic consent as recommended by Attorney Caudle. There was consent agreement to replace “will” with “shall” in line 81.

- **3210, Parental Inspection of and Objection to Instructional Materials.** The school system must have a written process for parents to inspect and review all

textbooks and supplementary instructional materials that will be used in their child's classrooms.

Mr. O'Neill recommended that parents be informed when a challenge is issued regarding specific materials in their child's classroom. Mr. Wiener questioned whether the intent would be to bring public awareness to the challenge or to target the person bringing the challenge. Mr. O'Neill stated that it is important to have transparency when items are being considered and before action is taken and it is too late. Dr. Weaver and Attorney Caudle explained that there is already an existing Media/Technology Advisory Committee (MTAC) and review process for challenging instructional materials as outlined in current policy regulations. Mr. Wiener cautioned that publicizing that an item is under review before the committee does its work could create potential tension in the community. Mr. O'Neill argued that once the committee receives a referral, then parents need to be notified so that they and not just the complainant can give input. If the committee does not deem the complaint worthy of consideration, the challenge would die at that point. Dr. Weaver noted that TCS has had only two book challenges over the last 5-6 years. The MTAC vetted the materials in question and made recommendations to the superintendent. Both books remained in the school media centers and procedural changes were made regarding access. Mr. O'Neill pointed out that 5-6 years ago we did not have the same current events in our world that we do now. Chairman McCoy recommended that if the volume of challenges increases significantly, the administration can recommend changes to the regulations.

- **3540, Comprehensive Health Education Program.** Adds a provision prohibiting instruction on gender identity, sexual activity, or sexuality in grades K through 4.

Dr. Weaver reported that he and Missy Ellenberger are vetting some options pertaining to Mr. O'Neill's concerns about general body safety and awareness for grades K-4 and will share that information with the board soon.

- **4335, Criminal Behavior.** Changes the requirement for reporting to parents when their child is suspected to be the victim of a crime.

There was consent agreement to replace "should" with "shall" in line 54.

- **4720, Surveys of Students.** Changes parental notification and consent requirements based on new state law requirements. Adds a new section about well-being questionnaires and health screening forms.

Board members discussed the need for an administrative regulation to ensure secure written/electronic consent. Mr. Wiener requested a mechanism to let parents be aware and able to review ahead of time any third-party surveys.

- **6120, Student Health Services.** The new G.S. 90-211.10B contains language that prohibits health care practitioners, which includes school employees authorized under state law to perform health care services as part of their job, from providing, soliciting, or arranging medical procedures or treatments for a minor without first obtaining written or documented consent from the parent. This law goes into effect on December 1, 2023.

Mr. Wiener expressed concern about one-time blanket consent. He would prefer a more granular mechanism for parents to ensure they know what they are signing. Dr. Fletcher reported that the only thing parents do not give individual consent for are life-saving procedures. Dr. Weaver and Mr. Caudle reported that DPI may provide templates for school systems to adapt and use. Mr. Wiener recommended that it should be noted every time a child sees a clinician.

- **7300, Staff Responsibilities.** Adds an employee responsibility to support parental involvement and never encourage a student to withhold information from their parents.

Mr. O'Neill expressed concerns that someone who has been arrested must report to his/her employers before being allowed to return to work. Chairman McCoy recommended adding "after his or her release and before returning to work, whichever occurs first," in line 36. Mr. Wiener discussed adding "electronic" after "written" on line 26. Mr. Caudle noted that emails and texts are considered to be written consent. The term "written consent" encompasses electronic methods.

Dr. Lisa Fletcher gave a presentation on the Parents' Bill of Rights legislation and changes to current procedures. Parents have legal rights including the following:

- *The right to consent or withhold consent for participation in reproductive health and safety education programs.* See policy 3540, Comprehensive Health Education Program. Parents will **opt-in** their child to any health and safety education program curricula related but not limited to 1) sexually transmitted diseases and 2) reproductive health and safety education. The previous process was an **opt-out**. The difference is:
 - OPT-OUT means every student will participate unless a parent notifies the school they do not want their child to participate.
 - OPT-IN means only students whose parents have completed the OPT-IN form or survey will be allowed to participate.
- *The right to seek a medical or religious exemption from immunization requirements, consistent with the requirements.* Parents may request exemption on medical or religious grounds by providing a written statement stating their *bona fide* objection. This process has always been in place.
- *The right to review statewide standardized assessment results as part of the State Report Card.* The State Report Card and all standardized assessment results are available on the NCDPI website <https://www.dpi.nc.gov/data-reports>. The link is listed on the TCS website. Access has always been available to the public.
- *The right to request an evaluation of their child for an academically or intellectually gifted program, or for identification as a child with a disability, as provided in Article 9 of this Chapter.* The TCS AIG plan addresses evaluation for academically or intellectually gifted programs. The plan is available at [AIG Plan 2023-2024](#). The right to request an evaluation has always been in place.

- *The right to inspect and purchase public school unit textbooks and other supplementary instructional materials, as provided in Part 3 of Article 8 of this Chapter.* Parents wishing to review/or purchase textbooks or instructional materials should make a request, in writing, to the principal. The right to inspect textbooks has always been in place.
- *The right to access information relating to the unit's policies for promotion or retention, including high school graduation requirements.* We have links to the policies on our website <https://www.dpi.nc.gov/districts-schools/classroom-resources/academic-standards/standard-course-study> and <https://www.dpi.nc.gov/districts-schools/high-school-graduation-requirements>. TCS has specific promotion and retention standards which have always been listed in the student handbook.
- *The right to receive student report cards on a regular basis that clearly depict and grade the student's academic performance in each class or course, the student's conduct, and the student's attendance.* Our report cards go out every nine weeks. Our progress reports go out every 4.5 to 5 weeks. Currently, only grades K-5 have conduct on their report cards; we are working to put conduct/office referrals/discipline on the grade 6-12 report cards as well.
- *The right to access information relating to the State public education system, State standards, report card requirements, attendance requirements, and textbook requirements.* A link to this information is available on the DPI website <https://www.dpi.nc.gov/>. This has always been available to the public.
- *The right to participate in parent-teacher organizations.* All parents, though voluntary, are encouraged to participate in parent-teacher conferences. Every school has an opportunity for parents to participate at their child's school (for example, Parent Teacher Organizations available at every school; high school booster clubs; volunteering on field trips or in the classroom; fundraising; cookouts; arts nights; School Improvement Teams; etc.). These opportunities have always been available.
- *The right to opt-in to certain data collection for their child, as provided in Part 5 of this Article and Article 29 of this Chapter.* Parents must opt-in before a student can participate in surveys that contain protected topics such as but not limited to:
 - Political affiliations or beliefs of the student or the student's parent;
 - Mental or psychological problems of the student or the student's family;
 - Sex behavior and attitudes;
 - Illegal, anti-social, self-incriminating, or demeaning behavior;
 - Critical appraisals of other individuals with whom respondents have close family relationships;
 - Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - Religious practices, affiliations, or beliefs of the student or the student's parent; or
 - Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

- *The right for students to participate in protected student information surveys only with parental consent, as provided in Part 5 of this Article.* Currently, the superintendent has been reviewing surveys from teachers to students before the survey goes to the child. Principals can also review the surveys prior to being sent to the student. We are looking for a secure program that will allow parents to view the questions first, and then opt-in for their child to take the survey. This requirement is the same as the previous item.
- *The right to review all available records of materials their child has borrowed from a school library.* Parents can view all books checked out through the library via the child's Destiny account. We are working to make sure every student has an account and will provide access information once this is in place. Parents can ask the principal to view all classroom materials as well.

Dr. Fletcher reported that the administration is looking for a program to access student surveys in PowerSchool. Currently, this can be achieved through the Daily Bulletin in PowerSchool, but each school's data manager would have to post each survey for the teachers. We are looking for a simpler solution that would not put extra work on staff. Once in place, parents would be able to review questions before granting permission for their child to participate. Until this program/process is in place, the superintendent will continue to preview surveys before they are released to students.

In summary, parents' rights to information include:

- Education records – process has not changed
- Medical records – process has not changed
- State Report Card – process has not changed
- Promotion and Retention policies – process has not changed
- State Standards – process has not changed
- Reproductive Health and Safety Education materials – process has not changed
- Parents' Guild to Student Achievement – Current *Back to School* guide on our website will be updated to meet all requirements by January 1, 2024 utilizing a template provided by DPI.
- Expanded Student Report Cards – No change for K-5. Grades 6-12 report cards will be updated by January 1, 2024.
- Protected information surveys – An OPT-IN process will be implemented by January 1, 2024.
- Suspected criminal offenses committed against child – Continue to use SROs to report criminal behavior. Principal will notify parents.
- Textbooks, instructional materials, and supplementary materials – Provide request, in writing, to principal.
- Clubs and activities – A list of clubs available, with a description, at each high school will be provided on our website by January 1, 2024. They will be designated as school-sponsored, student-led, and extracurricular opportunities.
- Health care services – A list of services will be provided by the December 1, 2023 deadline.
- Changes in "services or monitoring" related to a child's mental, emotional, or physical health or well-being. A list of services will be available by the deadline.

- Well-Being Questionnaire and Health Screening Forms – OPT-IN process will be available by December 1, 2023.
- Name change requests – Any changes after August 16, parents will be notified
- Pronoun change requests – Any changes after August 16, parents will be notified
- Responding to parent requests for information – A request in writing from the parent will be needed.

4. **District Strategic Plan**

Dr. Lisa Fletcher discussed plans for updating the district strategic plan. The project will involve focus groups, an audit, and an analysis of social media within the Transylvania County Schools community; provide an analysis and white paper; create planning and action teams; and deliver a strategic to plan to serve internal and external audiences in moving the district forward in the years to come. District goals will be in alignment with state goals. Discussion with the district leadership team will take place later this week and work will begin soon after to form committees. Board members are welcome to attend committee meetings.

5. **Update on Capital Reserve Study**

Dr. Lisa Fletcher gave a report from the October 12 meeting of the ad hoc capital reserve study group. The Axias representatives reported that roof repairs would need to be total replacements. They suggested pricing out metal roofs. They also suggested updating hearing and air conditioning units at the same time the roofs are off. They looked at improving safety and security in terms of structure only. They suggested replacing carpeting with tile or other flooring.

Mr. O'Neill stated that this sounds as if they are walking back the safe campuses and other goals of the bond and moving away from major renovations or remodels. Dr. Fletcher reported that the single point of entry was a major component of the Clark Nexsen plans and feels that may still happen. She reported that once the committee gets all the data, they will come up with options as to how to proceed. The board would present those options to the county commissioners. If the commissioners agree, they will issue the bonds. The committee will meet again in a couple of weeks. They hope to receive a full report by the end of January.

The board briefly discussed the new fencing at BHS.

There was no further business, and ON A MOTION BY MR. WIENER, SECONDED BY MR. O'NEILL, the meeting was adjourned at 7:46 p.m.

Respectfully submitted,

Chairman

Secretary