

**Minutes  
Transylvania County Board of Education  
December 20, 2021**

INVOCATION/PLEDGE OF ALLEGIANCE

CALL TO ORDER/WELCOME

BUSINESS ITEMS (including amendments and rescissions):

1. Approval of Agenda
2. Public Comment
3. Good News Report
4. Former Students in the Military
5. Consent Agenda:
  - A. Minutes
  - B. Personnel Report
6. COVID Update and Review of Mask Policy
7. Bond Project Timeline
8. Policy: Fall 2021 Custom Updates
9. FY22 Budget Update
10. Topics for Planning/Work Session
11. Superintendent's Update
12. Important Dates
13. Other Items

The Transylvania County Board of Education met in regular session at 6:30 p.m. on Monday, December 20, 2021 at the Morris Education Center. Tawny McCoy led in a moment of silence and Ron Kiviniemi led the Pledge of Allegiance. Chairman McCoy called the meeting to order, welcomed everyone, and introduced the board members and staff. Attorney Chris Campbell introduced special guests Anna Gillespie from the Campbell Shatley law firm, and his son, Ben Campbell. In addition to approximately 15 other guests, the individuals listed below were in attendance.

**BOARD MEMBERS:**

Tawny McCoy, Chair  
Ron Kiviniemi, Vice Chair  
Courtney Domokur  
Marty Griffin  
Kimsey Jackson

**BOARD ATTORNEY:**

Chris Campbell, Campbell-Shatley

**MEDIA:**

Jordon Morgan, Transylvania Times

**STAFF:**

Dr. Jeff McDaris, Superintendent  
Jenny Hunter, Administrative Assistant  
Dr. Brian Weaver, Assistant Superintendent  
Missy Ellenberger, Director 9-12 Education  
Carrie Norris, Director K-8 Education  
Audrey Reneau, Director, Federal Programs  
Jen Heatherly, Public Information Officer  
Chris Whitlock, Director, Technology Services  
Chris Lambert, Technology Specialist  
Kelly Cook, School Resource Officer  
Jayson Rogers, School Resource Officer  
Mike Hall, School Resource Officer

1. **Approval of Agenda**  
ON A MOTION BY MR. JACKSON, SECONDED BY MR. GRIFFIN, the meeting agenda for December 20, 2021 was unanimously approved.
2. **Public Comment**  
Chairman McCoy reviewed the guidelines for public comment and informed the speakers that they would have three minutes each. Excerpts from the speakers' comments are listed below.

**Jamie Reese, parent** - I spent time today reviewing studies of the negative psychological effects of masks. I think it is time we take a look at the school system's mission and goals. Forcing masks is just one factor affecting student well-being. There are systems that have stayed open throughout the pandemic. We need a common sense plan to reduce quarantine and allow students to stay in school. If only we had DeSantis as governor instead of Cooper. It's a sad day in American when our system of checks and balances does not protect us from tyrannical leaders. It's the saddest day of all when a student chooses to end it. While they are forming their identities, we are covering their faces and their smiles and isolating them. By voting for masks to remain optional you are giving our kids a voice, a choice and their identity back.

**Tara McDonald, parent** - I am the mother of two students with muscular dystrophy and I am here to speak about why optional masking does not make sense. You cannot expect a maxi pad to absorb liquid from the outside. Likewise, you cannot expect my mask to absorb your droplets from outside. It just absorbs my droplets from the inside. My mask is protecting all of you. A surgeon's mask protects the patient, not the surgeon. I asked a breathing specialist about this. My pulmonologist wrote a letter saying that my high-risk child is safer if everyone else is masked. No one's child has the legal or moral right to infect the shared air space. It has been suggested that we let the virus run its course. That is eugenics and that is wrong. If you would not point a gun at my child's face, then don't breathe unmasked in his air space.

**Olivia Tiner, BHS junior** - When the board removed mask mandates, it forced me to stay home. I have a genetic disease. So do my father and brother. I have heard others speak about how masks make them unhappy. That's not really true. It makes them temporarily uncomfortable. What makes them unhappy is things like survivor's guilt. You could knowingly and voluntarily kill someone who is medically fragile. Without a mask mandate you have made us choose between getting a good education or killing our family members. We are children. That is not a choice that we should have to make. No one should have to make that choice. Keep us all safe instead. Keep us innocent. Keep us unscarred.

**Chris Wiener, parent** - Regarding COVID, I am submitting documents from Anthony Fauci's own publications and from the current data from Ontario CN. I would continue to urge the board to maintain the mask-optional environment. Fauci's own words say the vaccinations are not working, and that masks and other preventative measures are only partially effective. There are three possibilities for infections among the vaccinated: (1) The vaccines have failed completely; (2) Omicron prefers to infect vaccinated people; and (3) Vaccinations not only fail but provide a false sense of security, causing people to make poor decisions. All of the cases that I personally know of in the past month in Brevard are among the fully vaccinated population. Regarding school infrastructure, any decision by this board must never be to the detriment of students. The board wisely chose to table the property sale as this would negatively impact the FFA and the Ag Sciences department. I believe the proposal for moving forward with Option 1 at BHS is equally detrimental to the performing arts department. Arts departments in many systems are historically underfunded and often subject to ridicule and bullying of student participants. My opinions aside, students must have a safe and secure environment. We must allow for public and private space for students to hear our voice. The BHS arts department must have continued access to the stage building and work space they currently have or one of equal accommodation.

**Alice Wellborn** - I have been going to the schools so that teachers can have a duty-free lunch. I want to wish our teachers, staff, and administrators a wonderful and relaxing

holiday season. The last 21 months have been hard on everyone. I am so appreciative of all the hard work. This community owes its teachers a debt of gratitude. They carry a heavy load. Let's keep our students safe and learning in 2022.

**Larry Chapman, county commissioner** - I got an email today saying that the overhead vents in the RHS auditorium are black. Is it mold? Next, it is critical to have a joint meeting. We are going to demand that meeting be held before we move forward with next steps. It will take 90-100 days to put the thing together for the bond to be issued. We can't break ground in the spring. Architectural fees and other costs are going up. We have serious decisions to make. For what little we are going to get for \$68 million, we owe the taxpayers some details on what we plan to do. I encourage you to set up the joint meeting ASAP. The bond does not legally obligate us to do the three projects. We may need to reassess the plan for all nine schools.

**Rodney Holcomb** - It has been a little over a month since the mask mandate was eliminated. Currently we have 55 students and staff with COVID and approximately 90 in quarantine. Now we have the Omicron virus. We've heard from those opposing masks. When you look at the data, the data tells us that masks work. The last four weeks show an eight-fold increase in COVID cases and a six-fold increase in quarantines. This virus has been politicized from day one. COVID will not stop. The board of education can play a role in reducing the spread and help our vulnerable kids from the effects of staying home. I ask that the board immediately re-implement the mask mandate based on guidance from the CDC and until Transylvania Public Health says it is safe to stop. The number of cases support what is a very practical request.

### 3. Good News Report

Dr. McDaris recognized the student artwork from Pisgah Forest Elementary School that was on display in the board room and thanked School Resource Officers Kelly Cook, Jayson Rogers, and Mike Hall for attending the meeting. He reported the following items:

#### ***Rosman High School Recognized for Outstanding Graduation Rate***

Congratulations to Rosman High School for being recognized by the Department of Public Instruction and the State Board of Education for achieving an outstanding graduation rate of 96% for the 2020-2021 school year.

#### ***NCSBA Silver Bell Award***

The Transylvania County Board of Education has been awarded the Silver Bell Award by the *North Carolina School Boards Association (NCSBA) Academy of School Boardsmanship* for training excellence and commitment during the 2020-2021 school year. The NCSBA Academy provides high-quality training programs to help school board members effectively fulfill their responsibilities as leaders of public education. In addition, the program provides opportunities to meet the requirement of G.S. 115C-60 mandating 12 clock hours of training every two years. Local board members must also receive 2 hours of ethics training within 12 months of initial appointment or election and again within 12 months of each subsequent reappointment or reelection.

#### ***Transylvania County to Donate Food Warmer to RHS***

The Transylvania County Board of Commissioners intends to donate a food warmer to Rosman High School. The Sheriff's office is no longer using the food warmer, and the county manager has declared it as surplus. N.C.G.S. 160A-280 allows a county to donate surplus personal property to another governmental unit or nonprofit organization. Prior to the donation, the County must post public notice of its intent to donate the

property. The donation will be approved through the adoption of a resolution during the commissioners' regular meeting on January 10, 2022.

***TCS Teacher Selected as Finalist for NCCAT Beginning Teacher of the Year Award***

Rosman Middle School teacher Ashlee O'Dwyer has been selected as a finalist for the North Carolina Center for the Advancement of Teaching's 2022 NC Prudential Beginning Teacher of the Year Award. She has been invited to attend NCCAT's Beginning Teacher of the Year Program, scheduled for February 14-18 on the WCU campus in Cullowhee. The week-long program will offer numerous leadership sessions, opportunities for discussion, sharing of best practices, and an interview. Ms. O'Dwyer's portfolio and interview scores will be used to determine her final score for the state-wide process. The winning candidate will be announced on February 17.

**4. Former Students in the Military**

The board recognized the list of former students from Brevard High School, Rosman High School, and Davidson River School who are currently serving or have previously served in the U.S. Military. There were no new names on the list.

**5. Consent Agenda**

ON A MOTION BY MRS. DOMOKUR, SECONDED BY MR. GRIFFIN, the minutes of the December 6, 2021 meeting and the personnel report for December 20, 2021 (see attached) were unanimously approved.

**6. COVID Update and Review of Mask Policy**

Dr. Brian Weaver presented the latest COVID-19 data for the school system. The Student numbers increased from 7 cases on November 29 to 60 cases on December 20. The number of cases for staff rose from 64 to 74 over the same period. The numbers of students and staff in quarantine and isolation have also increased. Since August 2 there have been 577 total cases in the schools. Dr. Weaver reported that 150 students and 16 staff members were out of school today.

Mr. Griffin observed that the numbers started rising again when masks were made optional. He asked about the impact on end-of-semester exams. Dr. Weaver reported that high schools are the only ones finishing up exams at this time. Not all subjects are tested, and some students are exempt. There have been no issues with online testing.

Dr. Weaver shared 7-day metrics and a snapshot for the county overall. On December 20 there were 119 COVID cases in our county. This represents 346.08 cases per 100k and a 14.91% rate of positivity. There have been zero deaths in the county. The percent of population aged 5 years and up and fully vaccinated is 54.5%. Community transmission is high. Everyone is recommended to wear a mask in public, indoor settings.

The TCS staff vaccination rate (fully vaccinated) is unchanged at 81.4%. County-wide, 17% of children ages 5-11 are at a minimum partially vaccinated and 36% of children ages 12-17 are at a minimum partially vaccinated. To date there have been 6 identified COVID clusters in the schools.

Mrs. Domokur stated that right now she does not support mandating masks. She thinks numbers will go down over the Christmas break, and will be interested to see the data after schools re-open in January. Mr. Kiviniemi pointed out that the data shows a steady drop in cases and quarantines after the board instituted a mask mandate and an increase in numbers after masks were made optional. He expressed frustration that the

board as a corporate body seems to be saying that it knows more than the public health officials. He gave a reminder of the letter sent to board members in August from a group of local physicians strongly urging masks in the schools. He thinks not resuming a mask mandate is a serious mistake. MR. KIVINIEMI MADE A MOTION to reinstate the mask mandate in all instructional spaces beginning on January 6, 2022. MR. GRIFFIN SECONDED.

Mr. Jackson stated that he was not surprised by the spike in numbers but had hoped it would be less. Chairman McCoy expressed concerns about quarantine numbers and students being out of school. Mr. Griffin stated that there will be another spike in numbers after the holidays, so why bring students back into that when we can mask and protect them? He suggested requiring masks for the 9 days from January 6 until the next board meeting on January 18, at which time the board will vote again. Chairman McCoy indicated that if the board decides to stay mask-optional and the numbers go up after students return from break, the board could call a special meeting. A VOTE WAS CALLED ON THE MOTION, and the motion was defeated on a 2:3 vote (FOR: Griffin, Kiviniemi; AGAINST: Domokur, Jackson, McCoy). Chairman McCoy announced that masks will remain optional at this time.

#### 7. **Bond Project Timeline**

At the meeting on December 7, the board heard a presentation from the architect on options to reduce the scope of the school bond construction projects. Estimates show that between December 2020 and December 2022, construction costs will increase by at least 35% due to the COVID-19 pandemic and supply chain shortages. This unforeseen and unpredictable escalation is not expected to reverse; therefore, without additional funds, the amount of renovation and construction that can be done with the \$68 million school bond will be reduced. At the December 7 meeting, the board approved Option 1 changes for the RHS/RMS campus and Option 1 changes for the BHS campus.

Dr. McDaris and Attorney Chris Campbell presented a school bond chronology/fact sheet and revised timeline for moving forward. Mr. Campbell reported that contract amendments will be needed for additional services to accommodate the Option 1 changes for both campuses. Without approval by both the school board and county commissioners, the projects will not happen. His office is preparing the contract amendments.

During discussion, it was noted some county officials want to see the bond funds redirected from the high schools to all nine schools. Attorney Campbell stated that changing the stated use of the bond proceeds after the vote by the citizens is something for which the county's attorney would have to advise the commissioners. He reported that if the planned renovations are abandoned, the whole process would have to start all over again. That could add as much as two years to the project with actual construction not occurring until more than five years after the voters approved the issuance of bonds for the benefit of BHS, RHS, and RMS. Mr. Jackson stated that he thinks the ballot said the bond could be used for the benefit of all schools. Mr. Campbell stated that the ballot designated the bond for school construction and repair at BHS, RHS, and RMS. He added that in January 2020, both boards voted for all of the money to be spent at those campuses.

Mr. Kiviniemi stated that no one should think that nothing has been accomplished with the money spent so far. The board has gained considerable pre-construction work on utility systems, design, and water and soil studies. Mr. Griffin stated that the board made sure to improve safety by creating one main school entrance.

Mr. Jackson asked how we plan to use ESSER money at the other schools. Dr. McDaris gave a reminder that ESSER funds cannot be used for school construction or general repairs. ESSER money is restricted to the COVID response and the only allowable facility-related use is renovation of HVAC systems.

Mr. Campbell reported that the architect is seeking approval from both boards by January 18. Chairman McCoy recommended that the board ask the commissioners for a joint meeting and have staff work out a date/time. Mr. Jackson stated that it seems the architects will take a long time to do the redesign at RHS and thinks the board should ask them to speed things up. Chairman McCoy reported that the county would need more documentation before they can issue the bonds; it is a long process. Mrs. Domokur added that the redesign must be resubmitted to DPI and the Department of Insurance for approval.

Mr. Campbell stated that if both boards agree to move forward with Option 1, the next step would be an immediate meeting of all parties involved to make the schedule mesh. A formal vote on this schedule would not be needed. Mrs. Domokur stated that she would prefer to meet when the board has concrete numbers. Mr. Campbell indicated they could have numbers by the first week in January. Chairman McCoy announced a consensus to contact the board of commissioners tomorrow and request a joint meeting. Mr. Jackson asked if his list of pros and cons from teachers had been sent to the architect. Chairman McCoy confirmed that this had been done.

#### 8. **Policy: Fall 2021 Custom Updates**

On December 6, the board approved as first-read information 46 revised policies from the NCSBA Fall 2021 Custom Policy Updates. Mrs. Domokur asked if the kindergarten reading plans referenced in policy 3420 would be in addition to current plans. Carrie Norris reported that the plans should be the same. Mr. Griffin asked where the funding for summer literacy interventions would come from. Mrs. Norris reported that some funding would be from ESSER and some would come from DPI. There were no further questions, and ON A MOTION BY MR. GRIFFIN, SECONDED BY MR. JACKSON, the 46 revised policies listed below were unanimously approved as presented.

Fall 2021 Custom Updates	
1310/4002	Parental Involvement
1510/4200/7270	School Safety
1720/4030/7235	Title IX Nondiscrimination on the Basis of Sex
1725/4035/7236	Title IX Sexual Harassment - Prohibited Conduct and Reporting Process
1726/4036/7237	Title IX Sexual Harassment Grievance Process
2125/7315	Confidential Information
2127	Board Member Technology Use
2302	Remote Participation in Board Meetings
2310	Public Participation at Board Meetings
3100	Curriculum Development
3225/4312/7320	Technology Responsible Use
3410	Testing and Assessment Program
3420	Student Promotion and Accountability
3460	Graduation Requirements
4050	Children of Military Families
4120	Domicile or Residence Requirements
4150	Student Assignment
4152	Unsafe School Choice Transfer

4300	Student Behavior Policies
4316	Student Dress Code
4329/7311	Bullying and Harassing Behavior Prohibited
4400	Attendance
4700	Student Records
4720	Student Surveys
5020	Visitors to the Schools
5022	Registered Sex Offenders
5030	Community Use of Facilities
5210	Distribution and Display of Non-School Material
6305	Safety and Student Transportation Services
6320	Use of Student Transportation Services
6340	Transportation Service/Vehicle Contracts
7100	Recruitment and Selection of Personnel
7110	Information Provided by Applicant or Employee
7130	Licensure
7262	Communicable Diseases - Employees
7340	Employee Dress and Appearance
7400	Job Descriptions
7503	Teleworking
7510	Leave
7520	Family and Medical Leave
7530	Military Leave
7820	Personnel Files
8305	Federal Grant Administration
8310	Annual Independent Audit
9000	Planning to Address Facility Needs
9020	Facility Design

## 9. **FY22 Budget Update**

Dr. McDaris reported that the new state budget includes significant changes to the Needs-Based Public School Capital Fund (NBPSCF). The NBPSCF is funded with revenue from the NC Education Lottery and is designed to address critical K-12 school facility needs across North Carolina. Due to increased lottery revenues, \$395 million will be available for NBPSCF grants in the FY2021-22 award cycle. These changes include:

- New maximum grant amounts -- \$30m for elementary schools, \$40m for middle schools, and \$50m for high schools.
- Grant funds can now be used for new buildings, additions, repairs, and renovations.
- Local matching requirements now range from 0% to 35%, based on property tax data.
- New eligibility criteria based on property tax data -- 95 counties are now eligible.
- Elimination of the 5-year period of ineligibility for receipt of annual PSBCF capital funds.
- Elimination of the 5-year restriction for prior recipients to re-apply for another NBPSCF grant.
- Prior NBPSCF grant recipients who have not started construction may apply for increased grant funding.
- DPI will publish new program guidance and application materials on Friday, December 17, 2021. The application deadline will be Tuesday, March 15, 2022.

Dr. McDaris noted that these funding formulas have not favored Transylvania County in the past. Attorney Campbell stated there are significant dollars available for repair and

renovation that our district may be eligible for and encouraged the board to consider applying.

**10. Topics for Planning/Work Session**

Dr. McDaris reported that the board will hold its annual planning/work session on February 7, 2022 at the Morris Education Center beginning at 5:30 p.m. A light supper will be provided. Board members were asked to email suggested topics to the superintendent.

**11. Superintendent's Update**

Dr. McDaris wished everyone a Merry Christmas and Happy Holidays.

**12. Important Dates**

Dec. 22	Students dismissed at noon
Dec 23-Jan 3	Christmas break
Jan. 3	NO MEETING (holiday for staff and students)
Jan. 4, 5	Teacher workdays
Jan. 6	Students return from break
Jan. 17	MLK Day (annual leave day, no students)
Jan. 18 (Tue.)	REGULAR MEETING, 6:30 p.m., MEC
Feb. 7	PLANNING SESSION, 5:30 p.m., MEC
Feb. 21	REGULAR MEETING, 6:30 p.m., MEC
Feb. 24, 25	Remote learning days
Mar. 7	REGULAR MEETING, 6:30 p.m., MEC
Mar. 11	Students dismissed at noon
Mar. 14	Teacher workday
Mar. 15	Remote learning day
Mar. 21	REGULAR MEETING, 6:30 p.m., MEC

**13. Other Items**

Mr. Jackson asked when the new finance officer begins work. Dr. McDaris reported that Ms. Frost's first day will be January 4. Mr. Jackson asked if she could give the board more frequent budget updates because he feels that no one is keeping track of how much is being spent or whether we are over budget. Dr. McDaris explained that the budget contains over 19,000 different purpose codes that are mandated by the state. By law, the board cannot overspend its budget. Chairman McCoy clarified that the board is not over budget. Mrs. Domokur gave a reminder that Mr. Barger routinely provided budget updates to the board. Mr. Jackson stated that he needs the new finance officer to present the budget in a different format.

There was no further business, and ON A MOTION BY MR. GRIFFIN, SECONDED BY MRS. DOMOKUR, the meeting was adjourned at 8:23 p.m.

Respectfully submitted,

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Chairman

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Secretary



**PERSONNEL REPORT  
December 20, 2021**

- I. ACCEPT THE REPORT OF RESIGNATIONS/TERMINATIONS ACCEPTED/INITIATED BY THE SUPERINTENDENT FROM/FOR THE FOLLOWING PERSONS:

Licensed Personnel

Melony Hipp, Teacher, PFES, effective January 3, 2022

Terry Craig Pritchett, Head Football Coach and Teacher, BHS, effective January 13, 2022

Classified Personnel

Tracy Calla, Teacher Assistant, RES, effective December 31, 2021

- II. APPROVE THE EMPLOYMENT RECOMMENDATIONS MADE BY THE SUPERINTENDENT FOR THE FOLLOWING PERSONS:

Licensed Personnel

Rena Overby, Teacher, RMS, effective January 4, 2022

Classified Personnel

Rachel Oneill, NC Education Corps Part-time Reading Tutor, BES, effective January 10, 2022

- III. ACCEPT THE REPORT OF TRANSFER OF ASSIGNMENT MADE BY THE SUPERINTENDENT FOR THE FOLLOWING PERSONS:

Licensed Personnel

None

Classified Personnel

James Coulter Burch, from Counselor/SELF Therapist, BES, to Counselor/SELF Therapist, BHS, effective January 4, 2022

Jennifer Maupin, from NC Education Corps Part-time Reading Tutor, BES, Full-time SELF Therapist, BES, effective January 4, 2022

- IV. APPROVE THE LEAVES OF ABSENCE RECOMMENDED BY THE SUPERINTENDENT FOR THE FOLLOWING PERSONS:

Licensed Personnel

None

Classified Personnel

None

- V. APPROVE THE SUPERINTENDENT'S RECOMMENDATION FOR THE FOLLOWING SUBSTITUTE EMPLOYEES:

Substitute Teachers

Stacie Dotson

Samuel Evans

Linda Peeples

Substitute School Nutrition Workers

Sharon Smith