

**Minutes
Transylvania County Board of Education
April 3, 2023**

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. Personnel Report
6. Summer Remediation and Retesting Plan 2023
7. Computer Science Requirement Update
8. Policy: Fall 2022 PLS Custom Updates
9. Capital Projects Status Report
10. Contract for PFES Piping Project
11. Budget Update
12. Resolution Opposing House Bill 219, "Charter School Omnibus"
13. Rosman Easement (*removed*)
14. Report from NCSBA Spring Law Conference
15. Superintendent's Update
16. Important Dates
17. Other Items
18. Closed Session

The Transylvania County Board of Education met in regular session on April 3, 2023 at 6:30 p.m. at the Morris Education Center. Kimsey Jackson 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 nine guests, the individuals listed below were in attendance.

BOARD MEMBERS:

Tawny McCoy, Chair
Kimsey Jackson, Vice Chair
Tanya Dalton
Ron Kiviniemi
Chris Wiener

BOARD ATTORNEY:

Kris Caudle, Campbell Shatley

STAFF:

Dr. Jeff McDaris, Superintendent
Jenny Hunter, Administrative Assistant
Dr. Brian Weaver, Assistant Superintendent
Missy Ellenberger, Director, 9-12 Instruction
Carrie Norris, Director, K-8 Instruction
Audrey Reneau, Director, Federal Programs
Jen Heatherly, Public Information Officer
Gabi Juba, Chief Finance Officer
Jason Merrill, Plant Operations Supervisor
Blake Tesnow, Technology Services
Mike Hall, School Resource Officer

1. Approval of Agenda

MRS. MCCOY MADE A MOTION to remove Item 13, Rosman Easement, because the easement had not yet been received from the Town's attorney. MR. WIENER SECONDED, and the motion passed unanimously. ON A MOTION BY MR. JACKSON, SECONDED BY MR. KIVINIEMI, the agenda for April 3, 2023 was unanimously approved as modified.

2. Public Comment

Chairman McCoy review the guidelines for public comment.

Susan Lefler - I previously spoke about concerns regarding a message and depiction of an assault weapon on a shirt worn by a parent and school board member. My question related to the responsibility of elected officials in carrying out their charge for student safety. On March 20 at the school board meeting, the shirt was worn again. On March 27, another mass shooting was carried out by a killer armed with two assault rifles. There are many opinions about the best way to address gun violence. Our kids are traumatized by the specter of gun violence. They have regular active shooter drills. I am shocked and saddened that a parent and school board member does not understand that the images of these guns is terrifying. I would ask that they think about the impact before wearing such a shirt in schools or at a meeting. Weapons of war have no place in our schools, nor should the images of those weapons.

3. Good News Report

Dr. McDaris recognized the student artwork from Brevard Middle School that was on display in the board room and thanked Officer Mike Hall for attending the meeting. He shared the following good news:

Employee Referral Bonus

Beginning this spring, all Transylvania County Schools employees (full-time and part-time) are eligible to earn a \$750 referral bonus if they refer a candidate who is hired by TCS and works a minimum of 90 days. There is no limit on the number of referral bonuses an employee may receive. This referral incentive is available from March 7, 2023 through December 31, 2023. To view vacancy listings or apply, visit www.tcsnc.org/careers.

TCSEF Creative Classroom Grant Winners

Congratulations to the 2023-2024 Creative Classroom Grant recipients. The projects listed below totaling \$8,000 were recommended for funding for the 2023-2024 school year through the Transylvania County Schools Educational Foundation in partnership with the Brevard and Pisgah Forest Rotary Clubs. These competitive grants are part of the funding that the Foundation makes available each year to enrich classrooms, provide scholarships and student leadership opportunities, and support teacher leadership initiatives. Our thanks to the Educational Foundation and Rotary Clubs for their fundraising efforts and the work of the Grants Committee in evaluating the proposals.

| Name | School | Project |
|------------------|--------|---|
| Erica Courtine | BES | Bringing the Excitement of Life Cycles to Our Classroom |
| Emma Hughson | BES | I Like the Way you "Work" It |
| Elizabeth Gibbs | BES | Learning with Ukuleles |
| Matthew Tuckey | BHS | DC Derby |
| Jennifer Heaslip | BHS | Crafting Corner |
| Jennifer Heaslip | BHS | Mental Health Connection |
| Verna Jenkins | DRS | Makerspace Lab |
| Melissa Golden | RES | Shut the Box |
| Bethany Chapman | RES | LEGO |
| Heather McNeely | RHS | Stream Sampling |
| Sarah Reid | RMHS | "The Pride of the Tiger" - OCS |
| Sarah Justice | RMHS | Deal Me In! |
| Laura Smith | RMS | 3D Makes It Come Alive |
| Emily Taylor | RMS | Light Tracing Table & Mounted Drying Rack |

National Assistant Principals Week Apr. 3-7

National Assistant Principals Week is April 3-7, 2023. Please join us in celebrating our team of school leaders who work to bolster teachers, motivate students, support their principals, create a positive learning community, and handle the many unpredictable challenges that land on their desks.

| | |
|---------------------|-------------------------|
| Melonie Armano, BES | Wythe Newberry, BMS |
| Laurie Kleppe, BES | Dr. Roderick Brown, BMS |
| Mick Galloway, BHS | Tammy Greenawalt, PFES |
| Tonya Treadway, BHS | Jessica McCall, RHS/RMS |

April is Child Abuse Prevention Month

April is National Child Abuse Prevention Month and a time to reflect on families and communities working together to prevent abuse and neglect. Prevention services and supports can help to protect children and strengthen families. Communities have a role in ensuring that children have positive experiences and families have the resources they need when they need them—well before they are in crisis. To learn more, visit childwelfare.gov/preventionmonth/.

Public School Volunteer Week Apr. 17-21

The week of April 17-21, 2023 is the 27th Annual Public School Volunteer Week. It's the perfect time to recognize the important contributions of parents, grandparents, and community members in supporting student success. From donating time and assisting with classroom activities, to tutoring and mentorship, our volunteers spend countless hours nurturing and challenging students. Be sure to thank the dedicated volunteers in your child's school today.

National Administrative Professionals Day Apr. 26

National Administrative Professionals Day is celebrated on the Wednesday of the last full week of April and this year it is April 26. Administrative professionals can be the glue that holds an organization together. The duties of the office support professionals in the schools and the central office are incredibly diverse, but all of them wear multiple hats and stay abreast of the latest technologies and best practices in their field. Our thanks and appreciation to the Transylvania County Schools Office Support Professionals for all they do every day:

| | |
|-------------------------|--------------------------------|
| Penny Creasman, BES | Jill Barger, Plant Operations |
| Terri Upton, BES | Kim Bumgarner, Transportation |
| Teresa Raines, BHS | Lisa Osteen, MEC |
| Patti Lance, BHS | Lisa Kimzey, MEC |
| Kim Garrett, BHS | Dawn Anders, MEC |
| Wendy Berry, BMS | Sheila Byrd, MEC |
| Christy Rogers, BMS | Julie Roberts, MEC |
| Paula Fisher, DRS | Kelly Clark, MEC |
| Lisa Rogers, PFES | Micki Guinn, MEC |
| Sheila Burnette, PFES | Jenny Hunter, MEC |
| Cindy Ayers, RES | Pecolia Edwards, MEC |
| Elise Keever, RES & RMS | Kelly Estep, MEC |
| Tracie Owen, RHS | Denise Danos, MEC |
| Amanda Metcalf, RHS | Fena Daves, School Nutrition |
| Jennifer Orr, RHS | Tammy Shuler, School Nutrition |
| Tricia Holliday, RMS | |
| Ashlyn Orr, TCH | |

Kindergarten Rally & Registration for 2023-2024

A reminder that Kindergarten registration for the 2023-2024 school year is coming up soon. A Kindergarten Rally will be held this Thursday, April 6, from 4:00 to 6:00 p.m. at Transylvania Parks and Recreation. Kindergarten registration will be available in all our elementary schools on Monday, April 17 through Friday, April 21 from 8:30 a.m. to 2:30 p.m., and also from 4:00 p.m. to 6:00 p.m. on Thursday, April 20. Starting school is an exciting experience for young children and we want to be sure it is a positive one. All children who will be five (5) years old on or before August 31, 2023 are eligible to start kindergarten this fall. For enrollment forms and more information visit [tcsnc.org/kindergarten registration](https://tcsnc.org/kindergarten-registration).

Back Pack Buddies

On March 31, central office staff, school nutrition staff, and school social workers met at the Morris Education Center to fill 290 bags with nutrient-dense foods for students to take home over Spring Break via the Back Pack Buddies program. The food items totaled approximately \$17,000. Special thanks go to all school staff who helped pack and deliver bags to our students. If you would like to support the Backpack Buddies program, please visit [tcsnc.org/back pack buddies program](https://tcsnc.org/back-pack-buddies-program) to make a donation. If you have questions or would like to volunteer, please contact Janette Broda, Director of School Nutrition, at 828-885-7377.

BHS Culinary Team Wins 6th Place in 2023 NC Junior Chef Competition

Congratulations to the BHS Culinary Team members Meleah Foster, Jordan Joyner, and Han Pham for winning 6th place in the North Carolina Junior Chef Competition with their dish, Thai Pineapple Fried Rice w/Chicken. Eight teams from across the state were selected as finalists in the statewide cook-off. They were tasked with developing a creative recipe for a school lunch entrée that meets National School Lunch nutrition standards, includes at least two North Carolina-grown products and one USDA Foods item, is replicable by School Nutrition programs, and appeals to student tastes. In round one, teams submitted their recipes, nutrient and cost analysis and photos. For the cook-off phase, the student chefs submitted a video of their teams preparing and plating their entrée and a work plan for preparing the dish within the 90-minute time limit. The teams presented their dishes on March 28 and 29 virtually to a panel of judges. Results were announced on March 30 in a virtual awards ceremony. Team members will receive NC Junior Chef coats, hats, and aprons along with certificates and medals based on team scores. Jessica Whitmire was the team's teacher advisor and Janette Broda was the School Nutrition advisor.

BMS Student Makes All-State Band

Congratulations to Brevard Middle School Student Naila Small for earning the 1st chair Bass Clarinet position in the 2023 North Carolina All-State Band. Naila auditioned on March 4th at Atkins High School (Winston-Salem) against the best players in the state. Students were scored on scales, a prepared solo, and sight reading and the top scorers were chosen for the band. All-State band members will travel to UNC-Greensboro on April 28-30 to rehearse and perform in concert in the UNC-G Auditorium.

Rosman High Students Win at FBLA Conference

The Rosman Chapter of the FBLA traveled to Greensboro for the state leadership conference on March 23-25. Advisors Tammy Hall and Lindsay Barton took seven students to compete in the areas of graphic design, public speaking, and social media strategies. Senior Johnathan Meeks placed in the Top 10 for Public Speaking. Freshmen Tristan Powell and Hope Cook placed in the Top Ten for Graphic Design.

This conference is an excellent opportunity for students to learn and grow in their leadership abilities.

Vice Chair Kimsey Jackson reported that a NC State doctoral candidate did a study on changes that the last election brought to the demographics of school boards across the state. According to the study, he is the oldest board member in North Carolina.

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 MR. KIVINIEMI, SECONDED BY MRS. DALTON, the consent agenda consisting of the personnel report for April 3, 2023 (see attached) was unanimously approved.

6. Summer Remediation and Retesting Plan 2023

Directors Carrie Norris and Missy Ellenberger gave an report on the 2023 summer remediation and retesting plan for elementary, middle, and high school students. MR. KIVINIEMI MADE A MOTION, SECONDED BY MRS. DALTON, to approve the 2023 summer remediation and retesting plan. Mrs. Norris and Mrs. Ellenberger addressed a series of questions from Mr. Wiener regarding proficiency achievement within a condensed amount of time and promotion to the next grade level. CHAIRMAN MCCOY CALLED THE QUESTION, and the motion passed unanimously.

7. Computer Science Requirement Update

Director Missy Ellenberger reported that North Carolina House Bill 8, which requires a student to earn passing grade in a computer science course to graduate from high school, has been approved by the House and is on track for Senate approval. She asked the board to modify the recently adopted Transylvania County Schools computer science requirement to align with the state requirement by changing the local requirement to begin with the class of 2024-2025 (current 7th graders) instead of the class of 2023-2024 (current 8th graders). ON A MOTION BY MR. WIENER, SECONDED BY MR. KIVINIEMI, the Transylvania County Schools local computer science graduation requirement was unanimously revised to begin with the class of 2024-2025 (current 7th graders).

8. Policy: Fall 2022 PLS Custom Updates

On March 6, Dr. Brian Weaver presented 29 revised policies from the NCSBA Fall 2022 PLS (Policies to Lead the Schools) Custom Updates and one locally revised policy as first- ead information. Some policies had only minor changes and others contained substantive changes. Board members had requested that the policies with minor changes be submitted for approval at the March 20 meeting, and the policies with substantive changes be submitted for approval on April 3. At the March 20 meeting, the board voted to postpone the first group of policies until this meeting. Dr. Weaver asked if there were any questions about the 20 policies with minor changes. Mr. Wiener cited several concerns and changes that he would like to see including:

- 3102, Online Instruction. Questioned whether online courses and NCVPS had any value and merited continuation. Dr. Weaver explained that we use NC Virtual Public School because of the increased course offerings they provide that we do not have the staffing to do. We also offer online courses from Blue Ridge Community College.

- 3420, Student Promotion and Accountability. Feels the policy should contain a periodic reporting requirement.
- 4155, Assignment to Classes. Feels that students who are coming in to the district from charter schools or home schools are not being treated equitably with regard to course assignment. Dr. Weaver pointed out that this is addressed in Section A of the policy. He discussed how the PowerSchool scheduler works and explained that it does not give priority in course assignments except for students in higher grades getting preference for limited classes.

Attorney Caudle explained that the broader revisions and/or rescissions being discussed by Mr. Wiener are very different from the technical changes that the board is being asked to vote on at this time. He reported that membership with NCSBA includes twice a year updates based on statutory changes and new laws passed by the General Assembly. All policies are thoroughly vetted by attorneys from NCSBA and Campbell Shatley before being submitted to local boards for consideration.

Chairman McCoy stated that If Mr. Wiener wants to make changes to policies other than those recommended, the board as a whole would need to decide if they would be willing to look at that. Mr. Wiener argued that if the board is being asked to vote on revisions, then the door should be open for any and all changes. Mr. Kiviniemi stated that the purpose at this meeting is to approve the minor technical revisions, not rewrite policies from scratch. Mr. KIVINIEMI MOVED to approve the 20 revised policies listed below as submitted. MR. JACKSON SECONDED and the motion passed 4:1 (FOR: Dalton, Jackson, McCoy, Kiviniemi; AGAINST: Wiener).

| Fall 2022 Custom Updates Minor Changes | |
|---|---|
| 1510/4200/7270 | School Safety |
| 2123 | Board Member Opportunities for Development |
| 2130 | Board Member Compensation and Expenses |
| 3102 | Online Instruction |
| 3420 | Student Promotion and Accountability |
| 3460 | Graduation Requirements |
| 4110 | Immunization and Health Requirements for School Admission |
| 4125 (local change) | Homeless Students |
| 4155 | Assignment to Classes |
| 4240/7312 | Child Abuse and Related Threats to Child Safety |
| 4270/6145 | Concussion and Head Injury |
| 4334/5035/7345 | Use of Unmanned Aircraft (Drones) |
| 4400 | Attendance |
| 6125 | Administering Medicines to Students |
| 6140 | Student Wellness |
| 6220 | Operation of School Nutrition Services |
| 6230 | School Meal and Competitive Foods Standards |
| 6305 | Safety and Student Transportation Services |
| 7360/8225 | Crowdfunding on Behalf of the School System |
| 7510 | Leave |

9. Capital Projects Status Update

Dr. Brian Weaver gave an status update on capital projects in the schools. He reviewed new formatting changes to the project list and addressed questions from the board. Mr. Jackson reported reading that some of the ESSER money may be extended to 2025. Dr. Weaver reported that the category of ESSER funding being used for the air handler projects has not changed. That funding must be used by December. He has met with

the engineers and is awaiting final contracts with sequences and staging of the proposed work. Board members requested additional formatting changes to better reflect project status.

10. **Contract for PFES Piping Project**

Dr. Brian Weaver presented a contract and supporting documents with Superior Mechanical Services, Inc., to proceed with the piping project at Pisgah Forest Elementary School. He reported that the contractor is has worked on similarly large projects in multiple school systems and is very experienced. Once the contract is approved, staging can begin during spring break so that work can be completed this summer. Mr. Wiener had questions regarding retainage, warranty periods, defects liability periods and holding the warranty amount against the guarantee of the work. Attorney Caudle stated that most of the terms are already bid upon and included in the contract amount. Certain items are included in amendments and general terms and conditions. Extended warranties could increase the price of work for all bids. The board does not have the ability to withhold money except in certain circumstances. The contract and supporting documents have been vetted by the board attorneys for the board's protection. ON A MOTION BY MR. KIVINIEMI, SECONDED BY MR. JACKSON, the contract with Superior Mechanical Services, Inc., in the amount of \$1,625,000 to perform the piping project at Pisgah Forest Elementary School was unanimously approved.

11. **Budget Update**

Finance Officer Gabi Juba presented the latest draft documents for the FY24 budget request for questions and discussion. Chairman McCoy recommended voting on the budget request at the May 1st meeting. A special called work session was set by consensus agreement for April 20, 2023 at 6:30 p.m. Board members discussed potential priorities for the capital outlay request. Mr. Wiener recommended including lighting for the RHS baseball field.

12. **Resolution Opposing House Bill 219**

North Carolina law recognizes that local school districts receive certain funds that should not be apportioned or "shared" with charter schools because 1) the charter school does not provide the program or service for which the funds are received, 2) the funds are simply a reimbursement to the local school district for unrestricted monies already spent including revenues previously shared with the charter schools, and/or 3) the monies are legally restricted and cannot be shared. Dr. McDaris reported that House Bill 219, "Charter School Omnibus," removes the list of protected funds that public schools do not have to share and noted that removing these protections would create unequal rather than equal funding for K-12 education. If the bill passes, the negative financial impact to local school districts would be substantial. For example, if a private donor gave money to a specific school, a portion of that donation would have to go to the charter, even though that was not the intent of the donor. Or if a school system applied for and received a competitive grant, a portion of the grant money would have to go to the charter even though the charter had no part in obtaining the grant. Additionally, the sharing would not be two-way. Any private donations, grants or monies awarded to the charter would not have to be shared with the school system.

The board reviewed a resolution opposing House Bill 219, "Charter School Omnibus." MR. JACKSON MADE A MOTION, SECONDED BY MR. KIVINIEMI, to adopt the resolution as presented. Mr. Wiener stated that he found it difficult to find the legislative text that supports the assertions in the resolution and that his research indicates the concerns are not as valid as the NCSBA would have boards believe. He therefore

MOVED TO AMEND THE MOTION to stipulate that the board do a deeper dive for additional clarification and revised language before taking action on the resolution. THE MOTION TO AMEND FAILED for lack of a second. Mr. Wiener requested a roll call vote on the surviving motion and the motion to adopt the resolution passed 3:2 (FOR: Kiviniemi, Jackson, McCoy; AGAINST: Dalton, Wiener). The resolution is attached.

13. Report from NCSBA Spring Law Conference

On March 23-24, Mr. Jackson attended the NCSBA Virtual Spring Law Conference. He gave a report on the topics that were presented and stated that it was a very informative conference.

14. Superintendent’s Update

Dr. McDaris reported that leaders in the technology field have begun calling for a six-month pause in AI (artificial intelligence) systems development due to concerns about security. This seems to be another warning to education to get ready and get ready fast. Consider that it took Netflix 41 months to reach 1 million users. Twitter took 2 months. Facebook 10 months. Instagram 2.5 months. ChatGPT reached 1 million users in just 5 days. That rapid rate has already resulted in ChatGPT version 4, with version 5 just around the corner. Artificial intelligence will challenge all existing educational practices. It has the potential to disrupt over 97 million jobs in just a few years. However, the things ChatGPT cannot develop are things our students can—interpersonal skills, self-leadership, and problem solving. Those, along with understanding and expertise in computer science and AI, are critical. We are already behind. We need to get ahead.

15. Important Dates

| | | | |
|------------|--|---|-------------------------------|
| Apr. 6 | Kindergarten Rally | 4:00 - 6:00 p.m. | Trans. Co. Parks & Recreation |
| Apr. 7 | Remote learning day | | |
| Apr. 10-14 | Spring break | | |
| Apr. 17-21 | Kindergarten Registration | M, Tu, W, Th, F 8:30am - 2:30pm; Th 4:00 - 6:00pm | BES, PFES, RES, TCH |
| Apr. 18 | “Of the Year” Awards Ceremony | 5:30 p.m. | Trans. Co. Library Rogow Room |
| Apr. 24 | TCS STEAM Expo | 4:00 - 7:00 p.m. | Trans. Co. Parks & Recreation |
| Apr. 25 | National Technical Honor Society Induction - BHS | 9:30 a.m. | BHS Auditorium |
| Apr. 26 | National Technical Honor Society Induction - RHS | 10:45 a.m. | RHS Auditorium |
| Apr. 28 | Remote learning day | | |
| Apr. 30 | All-County Chorus Concert | 3:00 p.m. | Porter Center |
| May 1 | REGULAR MEETING | | |
| May 15 | REGULAR MEETING | | |
| May 18 | TC Scholars Recognition Evening | 5:00 p.m. | BHS Cafeteria & Auditorium |
| May 29 | Memorial Day holiday | | |
| Jun. 5 | REGULAR MEETING | 6:30 p.m. | MEC |
| Jun. 8 | DRS Graduation | 10:00 a.m. | Brevard Music Center |

| | | | |
|------------|--|------------|----------------------|
| Jun. 9 | Last pupil day; students dismissed at noon | | |
| Jun. 9 | BHS Graduation | 6:00 p.m. | Brevard Music Center |
| Jun. 10 | RHS Graduation | 10:00 a.m. | Brevard Music Center |
| Jun. 12-15 | Teacher workdays | | |
| Jun. 19 | REGULAR MEETING | 6:30 p.m. | MEC |

16. Other Items

Mr. Wiener expressed concerns about the phase-out of incandescent light bulbs and the potential impact on sports field lighting. He recommended that this be considered in the FY24 budget.

Ron Kiviniemi reported that today is the 50th anniversary of the first wireless telephone call.

17. Closed Session

ON A MOTION BY MRS. MCCOY, SECONDED BY MR. JACKSON, the board voted unanimously to go into closed session pursuant to N.C.G.S. § 143-318.11(a)(1) to prevent the disclosure of privileged or confidential personnel information pursuant to G.S. § 115C-319-321; subsection (a)(5) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; and subsection (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney client privilege between the attorney and the public body. Following a brief recess, the closed session convened at approximately 8:55 p.m. The following board members were present: Tawny McCoy, Chair; Kimsey Jackson, Vice Chair; Tanya Dalton; Ron Kiviniemi; and Chris Wiener. Board Attorney Kris Caudle was also present. No action was taken in the closed session, and ON A MOTION BY MR. KIVINIEMI, SECONDED BY MR. WIENER, the board adjourned the closed session and returned to open session at 9:55 p.m.

There was no further business, and ON A MOTION BY MRS. MCCOY, SECONDED BY MRS. DALTON, the meeting was adjourned at 9:56 p.m.

Respectfully submitted,

Chairman

Secretary

**PERSONNEL REPORT
April 3, 2023**

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

Licensed Personnel

Tammy Greenawalt, Assistant Principal, PFES, effective June 30, 2023
Kerriane Hartell, Teacher, BES, effective June 15, 2023
James Myers, Teacher, BMS, effective June 15, 2023
Katherine Reinhart, Teacher, BHS, effective June 15, 2023
Rhonda Walsingham-Colonna, Teacher, DRS, effective April 16, 2023
Mary Ann Winslow, Teacher, BMS, effective June 30, 2023

Classified Personnel

Gabrielle Juba, Chief Finance Officer, MEC, effective April 14, 2023

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

Licensed Personnel

Sonya Jenkins, Teacher, BHS, effective August 21, 2023

Classified Personnel

Jack Tomlinson, Custodian and Bus Driver, BES, effective April 4, 2023

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

Licensed Personnel

None

Classified Personnel

None

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

Licensed Personnel

None

Classified Personnel

Linda Daves, School Bus Driver, BHS, Short-term Disability, effective May 23, 2023 through May 22, 2024
Christopher Zaludek, School Bus Driver, RES, Short-term Disability, effective May 19, 2023 through May 18, 2024

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

Substitute Teachers

None

Substitute School Nutrition Workers

None

**Resolution by the Transylvania County Board of Education
Opposing House Bill 219, "Charter School Omnibus"**

Current Law Provides Equal Local Funding for all K-12 Public School Students

WHEREAS, North Carolina operates two (2) primary systems of public education, charter schools and public schools operated by local school boards ("local school districts");

WHEREAS, charter schools are not legally required to pay any funds to local school districts regardless of the source of revenue including federal funds, grants, and gifts;

WHEREAS, over the past twenty (20) years the courts of North Carolina and the General Assembly have confronted the issue of fair funding for students attending charter schools and local school districts in a manner that has created equal K-12 funding and put an end to contentious litigation caused by the original charter funding model;

WHEREAS, local funding given to local school districts and placed in the district's Local Current Expense Fund (designated by the State as Fund 2) is shared with charter schools on an equal per pupil basis including county appropriations, fines and forfeitures, and special school tax dollars flowing to a charter school located in the taxing district;

WHEREAS, the current law recognizes that local school districts receive certain funds that should not be apportioned or "shared" with charter schools because 1) the charter school does not provide the program or service for which the funds are received, 2) the funds are simply a reimbursement to the local school district for unrestricted monies already spent including revenues previously shared with charter schools, and/or 3) the monies are legally restricted and cannot be shared;

WHEREAS, N.C. Gen. Stat. § 115C-426(c) contains the list of funds not shared with charter schools as follows: reimbursements, indirect costs, tuition, fees for actual costs, sales tax revenues distributed using the ad valorem method pursuant to G.S. 105-472(b)(2), sales tax refunds, gifts and grants restricted as to use, trust funds, federal appropriations made directly to local school administrative units under G.S. 160A-700, and funds received for prekindergarten programs; in addition, the appropriation or use of fund balance or interest income by a local school administrative unit shall not be construed as a local current expense appropriation;

WHEREAS, House Bill 219, Part VII, deletes the list of protected funds with the exception of trust funds, federal grants restricted as to use, and special programs;

WHEREAS, **by deleting the list of protected funds, House Bill 219 creates unequal rather than equal local funding for K-12 education**, including but not limited to, the following revenues:

1) Fund Balance: Charter schools do not have to share their savings account (i.e., Fund Balance) with local school districts. This is money saved by local school districts from prior years during which eligible revenues were already shared with charter schools. "Sharing"

such funds a second time would be **double-dipping and a windfall to charter schools** at the expense of local school district students;

2) Federal Reimbursements: **Charter schools do not have to share** any federal reimbursements with local school districts. **By law, many federal programs require schools to spend unrestricted revenues on specific purposes before getting reimbursed that amount by the federal government.** Thus, no new money is received and any unrestricted revenues used for the federal program derive from funds that have already been shared with charter schools. "Sharing" such funds a second time would be **double-dipping and a windfall to charter schools** at the expense of local school district students;

3) Pre-K Classroom Funds: Charter schools can **apply for these funds directly** and they **do not have to share them with a local school district.** By law, NC Pre-K dollars and Smart Start dollars cannot be given to charter schools directly by a local school district. Thus, if HB 219 passes school districts would be forced to use even more unrestricted local dollars to pay charter schools a proportionate share of these funds, resulting in charter school students getting a higher amount of K-12 dollars simply because the local school district chose to assist the community by operating one or more Pre-K classrooms. "Sharing" such funds a second time would be **double-dipping and a windfall to charter schools** at the expense of local school district students;

4) Tuition and Fees for Actual Costs: If a charter school chooses to allow public use of its facilities, operate a summer program, before school program, or after school program it can charge fees that are **not shared with the local school district.** Local school districts charge such fees to cover the additional costs of facility use and/or extra programming because these activities are beyond the normal operating costs for K-12 education. "Sharing" such funds would be a **windfall to charter schools** at the expense of local school district students; and

5) Sales Tax Refunds: **Charter schools are reimbursed 100% of state and local sales tax amounts** they pay and **do not have to share these funds with local school districts.** Local school districts only receive a reimbursement of local sales tax amounts paid by the school district. This is another reimbursement. "Sharing" such funds a second time would be **double-dipping and a windfall to charter schools** at the expense of local school district students;

WHEREAS, if HB 219 passes, the total financial impact to the Transylvania County Schools in lost K-12 operating funds based on FY 2022-23 will be substantial;

WHEREAS, if HB 219 passes, the **total financial impact to all local school districts could expand significantly over time** and lead to egregious results based on future increases in charter school enrollments of both in-person and virtual school students; and

WHEREAS, HB 219 contains other provisions that will cause uncertainty and encourage future litigation in a currently, well-settled area of the law, such as the current law prohibiting supplemental school tax dollars from leaving the tax district approved by voters.

NOW THEREFORE BE IT RESOLVED, that the Transylvania County Board of Education opposes House Bill 219, and favors the current law that fairly and equally apportions local funding.

BE IT FURTHER RESOLVED that:

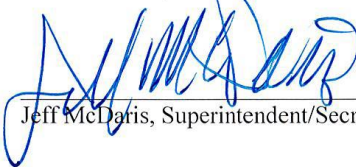
1. The Chair and Superintendent are authorized to disseminate this Resolution to members of the North Carolina General Assembly and the Governor; and
2. The Board encourages parents, students, and other community members to contact their North Carolina legislators to oppose House Bill 219.

Adopted by the Transylvania County Board of Education this 3rd day of April 2023.



Tawny McCoy, Chair

Attest:



Jeff McDaris, Superintendent/Secretary