

**Minutes
Transylvania County Board of Education
June 19, 2023**

INVOCATION/PLEDGE OF ALLEGIANCE

CALL TO ORDER/WELCOME

BUSINESS ITEMS (including amendments and rescissions):

1. Approval of Agenda
2. Public Comment
3. Board of Education Vacancy (*change*)
4. Good News Report
5. Former Students in the Military
6. Consent Agenda:
 - A. Minutes
 - B. Personnel Report
7. Tobacco 21 Resolution
8. School Nutrition Vendor Bids 2023-2024
9. SHARP Copier/Printer Contract
10. Budget Update
11. FY24 Interim Budget Resolution
12. Deed of Easement
13. Superintendent's Update
14. Important Dates
15. Other Items
16. Special Recognition
17. Closed Session

The Transylvania County Board of Education met in regular session on June 19, 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 55 guests, the individuals listed below were in attendance.

BOARD MEMBERS:

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

STAFF:

Dr. Jeff McDaris, Superintendent
Jenny Hunter, Administrative Assistant
Dr. Brian Weaver, Assistant Superintendent
Missy Ellenberger, Director, 9-12 Instruction
Jen Heatherly, Public Information Officer
Gabi Juba, Chief Finance Officer
Blake Tesnow, Technology Services
Kelly Cook, School Resource Officer

BOARD ATTORNEY:

Chris Campbell, Campbell Shatley

MEDIA:

Dan DeWitt, Brevard NewsBeat

1. **Approval of Agenda**
CHAIRMAN MCCOY MADE A MOTION to move Item 12, Board Vacancy, between Items 2 and 3. MRS. DALTON SECONDED and the motion passed unanimously. ON A MOTION BY MR. MCCOY, SECONDED BY MR. WIENER, the meeting agenda for June 19, 2023 as modified was unanimously approved.
2. **Public Comment**
Chairman McCoy reviewed the guidelines for public comment.

Larry Chapman, County Commissioner - Over the past weeks, the commissioners have received postcards in the mail saying, "You took our money, now fix our schools." Fixing the schools is the board of education's responsibility. It is the commissioners' responsibility to provide the funding. I am proud of the funding that the county provides. I think that the frustration of the citizens who sent the postcards is due to not understanding the process, which is that the board defines the plans, gets the bids, then the commissioners provide the money. I ask that the two boards better educate the public on this process and come up with a joint statement on the status of the school bond and where we are headed.

Steve Keate, Finance Chair, Transylvania GOP - I support and have confidence in the direction being provided by this board. I have seen an awakening of citizens regarding what is being taught in our schools. We learned that the education establishment was in the business of pushing transgenderism and indoctrination. Citizens put conservatives on the board. Improving infrastructure is important. We are owed a plan that is affordable. This requires detailed plans and budgets and a level of rigor lacking in previous boards. Throwing money is not the solution. The new board along with the new superintendent give me hope that our kids will receive the kind of education they deserve.

Sam Edney, Chair, Transylvania Democratic Party - Another qualified candidate has stepped forward. The Democratic Party unanimously approves William Hemphill as a sixth candidate for the vacant board seat. I am concerned about the future of education in this county. Investment in education in the 1960s transformed our state. Our children are our best investment. The current General Assembly and local board of commissioners are not governing with that in mind. The state legislature is considering massive cuts in public education to fund the voucher program. This board should be concerned. Our board of commissioners have refused to issue bonds that 60 percent of the citizens voted for. They brag that their funding level is fourth in the state. This board should be concerned and outspoken. Instead, a member of this board quibbled over the word "integrity." That is not leadership--that is self-aggrandizement. I hope the next election brings someone who respects the staff of TCS and agrees that children are our best investment.

Cassie Broshears, parent - I urge you to fill the vacancy so the board can move on. At the last meeting there were objections to the candidates from the Democratic party as unqualified. I have researched them. They have much more experience in education than you. You should have no objection to voting for one of them. Stop with the pageantry and move forward. We have a lot of work to do.

Katrina Spivey, parent - My family members are graduates of RHS. My daughter will attend RHS this coming year. The teachers at RMS were exceptional. However, the facilities were less than desirable. The proposed building for middle and high schoolers is not a top priority. It has been at standstill for years. There are several safety issues and threats to teachers, staff and students. Do what is best for the future and our students. A better functioning building is not a want but a need. Take care of our kids. One day they will be taking care of us.

Alice Wellborn, retired school psychologist/former board member - I am extremely concerned about the expansion of the voucher plan under consideration by the General Assembly. In the past vouchers were available for low income families. This expansion would provide taxpayer funded vouchers to any student regardless of family income. I would like to hear a discussion about the potential impact of this legislation on TCS.

Mike Hawkins reported a potential reduction in funding for traditional school systems if this passes. TCS could lose as much as \$600,000 in state funding per year. Other states with vouchers have supported school systems in other ways. North Carolina has not provided such a provision. Has anyone on the board communicated with the General Assembly regarding the potential impact on our system? I would like an update at the next meeting.

Susan Lefler, grandparent - I am here to speak in honor of Juneteenth (June 19), a federal holiday commemorating the end of slavery in the United States. This was not recognized in North Carolina history books in the southern states. At the end of the Civil War, the standing army in Texas did not surrender when others did. Many slaves did not know they were freed. It was only after Union soldiers arrived that former slaves could take their place as free people. It is our nation's second Independence Day.

Lisa Rodke, citizen - Thank you, Mr. Jackson, for your analogy of the learning curve for new school board members being like drinking from a firehose. Please don't let that firehose be turned on you by taking action on a replacement that the Democratic party does not agree with. None of you needs to lose your personal integrity because one member made a shocking motion to eliminate the word integrity from a policy. Integrity is a soundness of moral principle, uprightness, and honesty. You will not have to worry about a steep learning curve if you choose former board members Marty Griffin or Alice Wellborn for the vacant seat. You already know you can trust their integrity.

David Siniard, retired educator - I retired from the school system four years ago. I still get calls to help kids in need. Three-thousand three-hundred stands for the number of kids in this school system. When you ran for office you adopted 3,300 kids. It is your wants, but it is their needs. Two of you did not show up to the Davidson River School graduation. Those kids sacrificed their lives to graduate and you did not show? Wants and needs. When a young man came up on my porch I had to go save him. I've had to pick up kids at the airport to get them to school. I did a home visit and had to physically stop a kid from taking pills to kill himself. I hope you are not a parent who raises Cain at the school system to fix your child. What I see is a board who does not care about the kids--except for Tawny. The next time your wants outweigh their needs you should step down.

3. Board of Education Vacancy

Chairman McCoy reported that the board has received names of six candidates to fill the board seat that was vacated by Ron Kiviniemi. The position must be filled with a member of the same political party as the former seat holder, and the person must have been a member of that party for at least 90 days. The six candidates are William Hemphill, Bryan O'Neill, Marty Griffin, Alice Wellborn, Dr. Brandon Smith, and Dr. William Morton, Jr. Mr. Jackson asked the candidates present to please stand.

Chairman McCoy thanked everyone who put forth their names and opened the floor for discussion. Mr. Wiener stated that the board had opened the selection process to the general population. All six candidates meet the requirements and have been endorsed by the Democratic Party. MR. WIENER MOVED to appoint William Hemphill to the board effective immediately. MRS. DALTON SECONDED.

Attorney Campbell reported that a nominee must receive at least three votes to be appointed. Appointment would be effective immediately and the new member must be sworn in as soon as possible. Mr. Jackson stated that the school board faces a number

of problems for the next few years and new members have a huge learning curve. MR. JACKSON MOVED to nominate Marty Griffin.

CHAIRMAN MCCOY CALLED THE VOTE on Mr. Hemphill's nomination. Mr. Jackson's motion died for lack of a second. THE MOTION FAILED on a 2:2 vote (FOR: Dalton, Wiener; AGAINST: Jackson, McCoy).

MR. JACKSON MOVED to nominate Marty Griffin to the vacant board seat. MRS. MCCOY SECONDED. THE MOTION FAILED on a 2:2 vote (FOR: Jackson, McCoy; AGAINST: Dalton, Wiener). Chairman McCoy stated that the board could discuss now or wait until the next regular meeting. Mr. Jackson stated that he would not change his vote. Mr. Campbell advised the chair to asking for another motion, and if none, place this on the next meeting agenda. There were no other motions. The six candidates named will remain the current candidates.

The board took a brief recess at approximately 7:10 p.m. The meeting resumed at approximately 7:15 p.m.

4. **Good News Report**

Dr. McDaris Officer Kelly Cook for attending the meeting. He shared the following good news:

Congratulations, Class of 2023

The Class of 2023 celebrated the culmination of their K-12 educational careers with family and friends in three commencement ceremonies held at the Brevard Music Center earlier this month. Starting with Davidson River School on June 8; Brevard High School on June 9; and ending with Rosman High School on June 10, the graduations were an impressive tribute to the senior class of 2023 and all they have achieved. To view the livestreamed ceremonies, visit <https://youtube.com/tcsnc>.

Literacy at Home: Digital Children's Reading Initiative

In order to provide continuing support for North Carolina's youngest readers, The NCDPI Office of Early Learning has developed and released "Literacy at Home." This free digital resource provides literacy activities at each grade level, Pre-K through fifth grade. Activities specifically target phonemic awareness skills, phonics, fluency, vocabulary, reading comprehension, and oral language. When children grow in these foundational areas they are well on their way to becoming proficient readers. Parents may access the program from the TCS website or visit dpi.nc.gov/students-families/parents-corner/literacy-home-digital-childrens-reading-initiative.

Heather McNeely is a Finalist for NCCAT CTE Teacher of the Year

Congratulations to Rosman High School teacher Heather McNeely for being selected as a finalist for the North Carolina Center for the Advancement of Teaching (NCCAT) 2023 NC Career and Technical Education (CTE) Teacher of the Year Award. Heather will be recognized at the NCCAT Summer Conference Awards Gala on July 18 in Winston-Salem and is invited to attend the NCCAT CTE Teacher of the Year Program the week of October 16-20 at Western Carolina University in Cullowhee.

Reminder: TCS Offers Summer Lunch Program

Summer break has begun, and students may not be in our buildings, but we continue serving them and their families. Transylvania County Schools will partner with several locations in our community as meal sites to help administer Free Summer Lunch for children and teens 18 and under. Children do not have to qualify for free or reduced

lunch to participate and do not have to attend TCS. For more information, contact the School Nutrition Office at (828) 884-6173.

5. **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.

6. **Consent Agenda**

ON A MOTION BY MR. JACKSON, SECONDED BY MRS. DALTON, the consent agenda consisting of minutes of the April 3, April 20, and May 1, 2023 meetings and the personnel report for June 19, 2023 (see attached) were unanimously approved.

7. **Tobacco 21 Resolution**

Director Missy Ellenberger presented a request from the TCS School Health Advisory Council (SHAC) to adopt a resolution in support of raising the minimum age to purchase tobacco products, including e-cigarettes and vaping devices, from 18 to 21. Speakers Beth Hyatt (Healthy Communities Coordinator for Transylvania Public Health), Tobin Lee (Regional Tobacco Manager for Mountain Wise), and Kristen Gentry (Program Director for the CARE Coalition) gave statistics on the number of kids using tobacco products and urged the board to join in supporting the NC Tobacco 21 Law. Mr. Wiener stated that he is a staunch advocate against smoking and reducing nicotine consumption in youth and adults, but feels that simply raising the legal age does not necessarily solve the problem and could create a black market for minors. Chairman McCoy thanked the SHAC for bringing this issue to the board's attention. ON A MOTION BY MR. JACKSON, SECONDED BY MR. WIENER, the board unanimously adopted the "Protecting Our Kids from Vaping and Nicotine Addiction Tobacco 21" resolution as presented (see attached).

8. **School Nutrition Vendor Bids 2023-2024**

Dr. McDaris presented the School Nutrition vendor bids for 2023-2024. He reported that School Nutrition Director Janette Broda was away at a professional conference. He and Finance Officer Gabi Juba reviewed the procurement process and answered questions from the board. ON A MOTION BY MRS. DALTON, SECONDED BY MR. JACKSON, the school nutrition vendor bids and renewals for the 2023-2024 school year were unanimously approved as presented.

9. **SHARP Copier/Printer Contract**

Attorney Chris Campbell reported that after the June 5 board meeting, the administration and legal counsel requested additional changes to the SHARP Business Systems contract documents for further clarification. Changes were agreed to by SHARP to address the following issues:

1. Local current expense appropriation: The obligation is a straight lease with no option to purchase. Thus, the school board retains the discretionary authority regarding the allocation of funds to continue the lease in future fiscal years. The school board can terminate as to any future term if the board determines that sufficient funds have not been received for local current expense obligations.
2. Per policy 6425, this is a straight lease and no formal bidding is required. However, staff has reviewed the value of the contract compared to existing service in making this final recommendation.
3. Agreement renews from month-to-month at the end of the term until a 30-day notice is given.
4. Contract changed to provide governed by North Carolina law.

ON A MOTION BY MR. WIENER, SECONDED BY MRS. DALTON, the board unanimously approved the Sharp Business Systems Master Lease Agreement, Schedule to Master Lease Agreement, Maintenance Agreement, and Terms to Maintenance Agreement beginning with the 2023-2024 year.

10. Budget Update

Finance Officer Gabi Juba presented an expenditure report for June year-to-date and three budget amendments for the 2022-2023 fiscal year. There were no questions, and ON A MOTION BY MR. JACKSON, SECONDED BY MR. WIENER, the budget amendments for the State Public School Fund, the Local Current Expense Fund, and the Federal Grants Fund were unanimously approved as presented (see attached).

Chairman McCoy asked for an update on the capital committee. Dr. McDaris reported that the committee comprised of himself, the school board attorney, the county manager, and the county attorney has met and the attorneys have corresponded. Both the county and the school system have selected the retired county manager and the retired former superintendent to serve on the committee. Progress was halted, however, when the county issued an RFQ for its capital reserve study. It is expected that the capital committee will reconvene once the data from the study is complete and available. Attorney Campbell clarified that the county decided on its own to put out RFQs for the reserve study. The board of education was not consulted or informed. No work can be done until the results of the reserve study come back. Chairman McCoy reported that the commissioners plan to discuss selecting a firm at their meeting on Monday night.

Mr. Wiener asked for a chronology of the bond dating back to before he and other members joined the board. Mr. Campbell stated that he would provide that. Mr. Wiener asked about the scope of work defined by the bond. Dr. McDaris gave an overview. Mr. Jackson stated that the school board's architects did a comprehensive facilities study prior to 2016 in preparation for a bond referendum. The study identified the schools with the most critical needs--BHS, RHS, and RMS. Mr. Wiener stated that the language on the bond ballot indicates that improvements do not have to be limited to those three schools. Dr. McDaris reported that every piece of promotional material, every community meeting, every signed agreement, and every architect rendering focused exclusively on BHS, RHS, and RMS. He predicted that this new capital reserve study will identify the same issues and that whatever they find will cost more than it did in 2016.

11. FY24 Interim Budget Resolution

Each June, the board must adopt an interim budget resolution in order to pay salaries and normal operating expenses for the period beginning July 1st of the new fiscal year until the final budget resolution is approved. ON A MOTION BY MR. WIENER, SECONDED BY MRS. DALTON, the interim budget resolution for the period beginning July 1, 2023 until adoption of the 2023-2024 budget resolution was unanimously approved (see attached).

12. Deed of Easement

On June 5, the board reviewed a deed of easement to allow the Town of Rosman to construct a walking path between the exterior fencing at Rosman Elementary School and the French Broad River. Attorney Campbell addressed the concerns from board members that were raised at that meeting. He assured Mr. Jackson that the document's title, "Deed of Easement," does not grant ownership of the property. The easement covers water, sewer lines, pump station and the proposed walking path; the town has the

duty of maintenance and repair as its sole expense; and the board retains governmental immunity regarding the property. He presented a revised easement containing clarifications that were agreed to by the Town. ON A MOTION BY MR. JACKSON, SECONDED BY MR. WEINER, the revised easement was unanimously approved.

13. Superintendent's Update

Dr. McDaris gave a summary of the ever increasing burden on America's public schools. Our nation's public schools can be traced back to 1640 when Puritans established schools to teach basic reading, some writing and arithmetic skills, and values that serve a democratic society (some history and civics implied). The founders assumed that families and churches bore the major responsibility for raising a child. Gradually science and geography were added, but the curriculum was limited and remained so for 260 years. At the beginning of the twentieth century, societal leaders saw public schools as a logical site for the assimilation of immigrants and citizens as workers for the new industrial age. They began to expand the curriculum and assign additional duties. That trend has accelerated ever since.

- From 1900 to 1910, we added nutrition, immunization, and health.
- From 1910 to 1930, we added PE, home economics, vocational education, and mandated school transportation.
- In the 1940s, we added business education, art and music, speech and drama, half-day kindergarten, and school lunch programs.
- In the 1950s, we added expanded science and math education, safety education, driver's education, expanded music and art education, and stronger foreign language requirements.
- In the 1960s, we added Advanced Placement (AP), Head Start, Title I, consumer education, and career education.
- In the 1970s, we added drug and alcohol abuse education, special education, Title IX (greatly expanded athletic programs for girls), environmental education, and school breakfast programs.
- In the 1980s, we added keyboarding and computer education, global education, English as a Second Language and bilingual education, teen pregnancy awareness, early childhood education, Jump Start, Early Start, Even Start, and Prime Start, full-day kindergarten, preschool programs for children at risk, after-school programs for children of working parents, alternative education in all its forms, "stranger danger" education, antismoking education, sexual abuse prevention education, expanded health and psychological services, and child abuse monitoring (legal requirement for all teachers).
- In the 1990s, we added conflict resolution and peer mediation, CPR training, America 2000 initiatives, inclusion, expanded computer and internet education, distance learning, tech prep and school-to-work programs, more assessments, post-secondary enrollment options, concurrent enrollment options, Goals 2000 initiatives, expanded talent and gifted opportunities, at-risk and dropout prevention, homeless education, bus safety, bicycle safety, gun safety, and water safety education.
- In the first decade of the 21st century, we added No Child Left Behind, bullying prevention, anti-harassment policies, expanded early childcare, personal financial literacy, entrepreneurial and innovation skills development, health and wellness programs, and Race to the Top.

Today, June 19, is Juneteenth. With the arrival of Union soldiers in Galveston, Texas on June 19, 1865, the state's residents finally learned about the Emancipation

Proclamation of 1863. June 19 became the annual holiday known as Juneteenth to celebrate the end of slavery in the United States.

On June 19, 1846, Alexander Joy Cartwright arranged a baseball game between the New York Knickerbockers and the New York Nine at Hoboken, New Jersey. This was the first baseball game to use the set of rules on which today's game is based.

This is my last school board meeting. It has been an honor and a pleasure to work for the board and the school system.

14. Important Dates

Jun. 19	4-day summer schedule begins		
Jul. 3	NO MEETING		
Jul. 4	Independence Day holiday		
Jul. 17	REGULAR MEETING	6:30 p.m.	MEC
Aug. 7	REGULAR MEETING	6:30 p.m.	MEC
Aug. 21	Regular 5-day schedule resumes		
Aug. 21-25	Teacher workdays		
Aug. 21	REGULAR MEETING	6:30 p.m.	MEC
Aug. 28	First pupil day		
Sept. 4	Labor Day holiday		
Sept. 4	NO MEETING		
Sept. 18	REGULAR MEETING	6:30 p.m.	MEC

Chairman McCoy recommended moving the July 17 meeting to July 24 to accommodate vacation schedules. There were no objections, and ON A MOTION BY MRS. MCCOY, SECONDED BY MRS. DALTON, the July 17 board meeting was unanimously changed to July 24, 2023.

15. Other Items

None

16. Special Recognition

Board members gave individual farewells to Dr. Jeff McDaris:

Chris Wiener - "It has been a unique pleasure working with you for the past six months and I appreciate all that you have done for us."

Tanya Dalton - "Thank you for your patience with my questions and your updates. You will be missed."

Kimsey Jackson - "It has been great, enjoyable, challenging and rewarding working with you. I will tell everyone the secret that Jeff and I are distantly related. And we both pull for NC State."

Tawny McCoy - "I have had the privilege of working with Jeff for my entire tenure on the board. I am proud to have been part of the board that hired him as superintendent. I thank you for doing an exemplary job, for all the things that no

one knows, and for all the times you stood between the school system and things trying to come into our schools. For all the times that you rebuilt your leadership team. And for the help that you gave to me and our system. You are my friend and will remain my friend long after you leave.”

Attorney Chris Campbell - “I had the joy of sitting in on Dr. McDaris’ interview for superintendent. When he was done, the board knew immediately they had their superintendent. It was the most impressive interview I ever saw. You did everything that you said you would. I look forward to getting together to eat barbecue with you soon. I am proud to call you friend.”

On behalf of the board, Chairman McCoy presented a plaque to Dr. McDaris that read, *“In sincere appreciation and gratitude for his outstanding vision, dedicated leadership, and exemplary leadership as Superintendent of Transylvania County Schools from 2009 to 2023.”*

17. Closed Session

ON A MOTION BY MRS. MCCOY, SECONDED BY MRS. DALTON, the board voted unanimously to go into closed session pursuant to N.C.G.S. § 143-318.11 for the following purpose(s): under subsection (a)(3) to consult with an attorney employed by or retained by the public body in order to preserve the attorney-client privilege between the attorney and to discuss the lawsuit of *John Doe, by and through guardian ad litem, Jami Reese, v. Transylvania County Board of Education, 22 CVS 1168*. Following a brief recess, the closed session convened at approximately 8:20 p.m. Present in the closed session were board members Tawny McCoy, Chair; Kimsey Jackson, Vice Chair; Tanya Dalton; and Chris Wiener; and Attorney Chris Campbell. No action was taken in the closed session and at approximately 9:01 p.m., BY MOTION MADE BY MRS. MCCOY, SECONDED BY MR. WIENER, the board voted unanimously to adjourn closed session and return to open session.

There was no further business, and ON A MOTION BY MRS. MCCOY, SECONDED BY MRS. DALTON, the meeting was adjourned at 9:01 p.m.

Respectfully submitted,

Chairman

Secretary

**PERSONNEL REPORT
June 19, 2023**

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

Licensed Personnel

Elizabeth Shober, Teacher, PFES, effective June 30, 2023

Classified Personnel

Ashley Banning, Teacher Assistant, BMS, effective June 13, 2023

Carolyn Sharon Cagle, Teacher Assistant, BES, effective June 13, 2023

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

Licensed Personnel

Avery Rooney, Teacher, BES, effective August 21, 2023

Classified Personnel

Abby Buchanan, Teacher Assistant, BES, effective August 22, 2023

Gabrielle Juba, Chief Finance Officer, MEC, effective July 1, 2023

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

Licensed Personnel

Linda Underwood, from Teacher, TCH, to Teacher, PFES, effective August 21, 2023

Classified Personnel

None

- 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

Elizabeth "Kate" Shober

Cassandra Smatana

Substitute School Nutrition Workers

None

Protecting Our Kids from Vaping and Nicotine Addiction

Tobacco 21

WHEREAS, one of every five deaths in North Carolina is associated with cigarette smoking,¹ and for each death, 30 more people are sick or live with a disability²; and

WHEREAS, 95% of tobacco users start before the age of 21³; and

WHEREAS, as of 2019, 27.3% of high school students in North Carolina report tobacco use. E-cigarette use has significantly increased among youth since 2011⁴; and

WHEREAS, nicotine is harmful to developing brains, and its use during adolescence can disrupt the formation of brain circuits that control attention, learning, and susceptibility to addiction⁵; and

WHEREAS, in a 2020 study among NC schools, a high proportion of school administrator and teacher respondents believed that e-cigarette use among students is somewhat or very problematic (91%), and that student e-cigarette use it is a somewhat or high priority issue for their school administration (90%)⁶; and

WHEREAS, most North Carolina young people obtain tobacco products, including e-cigarettes, from retailers. NC young people who get e-cigarettes from friends primarily get them from friends who are under 21⁷; and

WHEREAS, in 2019, Congress increased the federal minimum legal sales age of all tobacco products, including e-cigarettes, from 18 to 21. While a majority of states (41 states, as of September 2022) have increased their minimum tobacco sales age to 21 to match federal law, North Carolina's minimum sales age remains 18⁸; and

WHEREAS, having the same legal sales age at 21 for alcohol and tobacco products reduces the burden on retailers; and

WHEREAS, North Carolina is one of only 10 states in the country that do not require tobacco retailers to obtain a license or permit⁹; and

WHEREAS, the North Carolina ABC Commission is capable of implementing an efficient and effective tobacco retailer permitting system based on the system also in place for alcohol retailer permitting; and

WHEREAS, establishing a retailer permitting system AND raising the minimum legal sale age to 21 will:

- Allow the state to know where tobacco products are being sold
- Improve merchant education efforts

- Allow the state to inspect for responsible retail practices
- Protect law-abiding retailers by holding non-compliant retailers accountable
- Prevent and reduce youth use of highly addictive nicotine products
- Help eliminate the use of e-cigarette and other emerging nicotine products in schools
- Reduce any confusion among retailers and consumers by having one legal sales age for state and federal law^{10, 11}; and

WHEREAS, Under the Federal Synar law, states are expected to reduce the illegal sale of tobacco products to individuals under the age of 21. NC could lose over \$4 million in annual funding from the Substance Abuse Prevention and Treatment Block Grant money (money NC uses to pay for drug treatment) through penalties under the federal Synar amendment if sales to underage youth are too high in required annual inspections¹²; and

WHEREAS, current NC state law G.S. 14-313 preempts local authority to adopt evidence-based regulations regarding the sale, distribution, display and promotion of tobacco products; this preemption should be removed to allow local governments to protect minors¹³; and

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the **Board of Education for Transylvania County Schools** strongly support that North Carolina must protect our kids from vaping and nicotine addiction by establishing a tobacco retailer permitting system, raising the minimum age of sales from 18 to 21, restoring local authority, and adopting other needed provisions of legal sales of tobacco products to match federal law.

Adopted this 19th day of June, by Transylvania County Schools.

Chairman, signature: _____

Saamy McCoy

Administrative Assistant, signature: _____

Jenny Hunter

Sources:

- 1) Centers for Disease Control and Prevention. Best Practices for Comprehensive Tobacco Control Programs—2014. 2014.
https://www.cdc.gov/tobacco/stateandcommunity/best_practices/index.htm.
- 2) National Center for Chronic Disease Prevention and Health Promotion (US) Office on Smoking and Health. Reports of the Surgeon General. The Health Consequences of Smoking-50 Years of Progress: A Report of the Surgeon General. 2014.
- 3) Source: U.S. Department of Health and Human Services. Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General. Atlanta: U.S. Department of

- Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2012.
- 4) Source: Tobacco Prevention and Control Branch, North Carolina Department of Health and Human Services. North Carolina Youth Tobacco Survey Middle & High School Fact Sheet.
<https://tobaccopreventionandcontrol.dph.ncdhhs.gov/data/yts/docs/YouthTobaccoSurveyFactSheet-2019.pdf>.
 - 5) U.S. Department of Health and Human Services. E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.
 - 6) Tanz, L., Heck, C., Herzig, C., Ranney, L., Herndon, S., Martin, J., Hast, M., McGowan, E., Baler, G., Shamout, M., King, B., Tynan, M., Kansagra, S. (2020). Rapid Assessment of the Impact of E-cigarettes on Schools as Reported by School Staff and E-cigarettes Confiscated by Schools — North Carolina, 2019. Unpublished manuscript.
 - 7) CDC Foundation. North Carolina Cross-Sectional, Online Survey Summary Tables. 2021: 1-104.
 - 8) Preventing Tobacco Addiction Foundation, Tobacco 21, (2021), <https://tobacco21.org/>.
 - 9) State Tobacco Activities Tracking and Evaluation (STATE) System Licensure Fact Sheet, Ctr. For Disease Control (last reviewed: May 18, 2021),
https://www.cdc.gov/statesystem/factsheets/licensure/Licensure.html#anchor_1562854161.
 - 10) Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General, U.S. Dept of Health and Hum. Serv. (2014),
https://www.ncbi.nlm.nih.gov/books/NBK99237/pdf/Bookshelf_NBK99237.pdf.
 - 11) Roe L. Astor, et al., Tobacco Retail Licensing and Youth Product Use, Pediatrics (Jan. 7, 2019),
<https://pediatrics.aappublications.org/content/pediatrics/143/2/e20173536.full.pdf>.
 - 12) Revision to SAMHSA Guidance on Tobacco Regulation, Substance Abuse and Mental Health Services Administration (June 13, 2022).
 - 13) N.C. Gen. Stat. § 14-113 (2014).

Budget Amendment - State Public School Fund

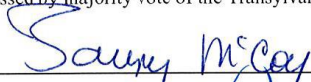
Amendment no. 7


Function Code	Description	Current Budget	Increase (Decrease)	Amended Budget
	REVENUES			
	Revenues	\$27,259,589	\$82,594	\$27,342,183
	EXPENDITURES			
5100	Regular Instructional	16,662,673	(616,958)	\$16,045,714.62
5200	Special Instructional	3,507,313	175,468	\$3,682,781.76
5300	Alternative Programs	663,835	(115,127)	\$548,708.18
5400	School Leadership	1,753,884	72,554	\$1,826,438.60
5800	School-Based Support	1,409,443	301,814	\$1,711,257.42
6100	Support And Development	284,283	(10,615)	\$273,668.25
6200	Special Population Support And Dev	0	0	\$0.00
6300	Alternative S & D	0	0	\$0.00
6400	Technology Support	70,031	1	\$70,031.59
6500	Operational Support	2,147,124	250,486	\$2,397,609.45
6600	Financial And Human Resources	333,094	79,728	\$412,822.35
6900	Policy And Leadership	329,149	(62,611)	\$266,538.29
7100	Regular Community Service	0	0	
7200	Ancillary Services	98,761	7,852	\$106,612.78
8100	Pay To Oth Govt & Tfirs Of			
8400	Interfund Transfers			
	TOTAL EXPENDITURE BUDGET	\$27,259,589	\$82,594	\$27,342,183

EXPLANATION:

To reflect actual (see attached for additional allotment).

Passed by majority vote of the Transylvania County Board of Education this 19th day of June, 2023.


 Tawny McCoy, Chairman


 Jeff McDaris, Secretary

PRC	Description	Amount	Reason
001	Classroom Teachers		
002	Central Office Administration		
003	Non-Instructional Support Personnel		
004	K-5 Program Enhancement Teachers		
005	School Building Administration		
006	School Psychologist - Position		
007	Instructional Support		
008	School Psychologist Conversion to Dollars		
012	Driver Training		
013	CTE-Months Of Emplment		
014	CTE-Program Support		
015	School Technology Fund	1	Additional Allotment
016	Summer Reading Camp	55638	Additional Allotment
019	Small County		
024	Disadvantaged Student Supp		
027	Teacher Assistants		
029	Behavioral Support		
032	Exceptional Children		
034	Academic/Intellectually Gifted		
039	School Safety Grant		
045	Compensation Bonus		
046	Test Result Bonus		
048	Test Result Bonus - (Ap/Ib, CTE, Principal)		
054	Limited English (LEP)		
056	Transportation	1642	Additional Allotment
061	Classroom Material, Instr Supplies, Equipment		
063	Special Program Funds - Ec		
064	CTE Grade Expansion Program Grant		
067	Assistant Principal Interns-MSA		
069	At-Risk Student Ser/Alternative Schools		
071	Supplemental Funds for Teacher Compenstation		
073	School Connectivity		
085	Early Grade Reading Proficiency	4250	Additional Allotment
120	LEA Financed Purchase Of School Buses		
121	CRF Summer Learning Program		
122	CRF-School Health Support		
123	CRF - Nondigital Resources		
124	CRF-Student Computers And Devices		
125	CRF-Student Devices		
126	CRF-Personnel Computers And Devices		
127	CRF-Connectivity School Buses		
128	CRF-Home And Community Wifi		
130	Textbooks	21063	Additional Allotment
131	Textbook & Digital Resources (Dollar Transfer)		
132	CRF-Exceptional Children		
135	CRF-Cybersecurity		
137	CRF-Personal Protective Equipment		
141	ARRA - Title 1		
154	Covid-19 Supplemental Funds		

Budget Amendment - Local Current Expense Fund


Amendment no. 3

Function Code	Description	Current Budget	Increase (Decrease)	Amended Budget
	REVENUES			
	Revenues	\$ 13,199,152	\$0	\$ 13,199,152
	Appropriated Fund Balance	123,720		123,720
	EXPENDITURES		0	
5100	Regular Instructional	\$ 4,384,053	140,276	\$4,524,328.79
5200	Special Instructional	295,316	3,457	\$298,773.07
5300	Alternative Programs	235,899	(1,700)	\$234,198.72
5400	School Leadership	1,223,094	(32,645)	\$1,190,448.57
5500	Co-Curricular	357,208	(28,287)	\$328,921.52
5800	School-Based Support	1,031,582	32,599	\$1,064,180.25
6100	Support and Development	454,336	26,947	\$481,283.33
6200	Special Population Support and Development	62,779	(1,027)	\$61,752.03
6400	Technology Support	153,337	16,225	\$169,562.52
6500	Operational Support	2,780,629	(136,320)	\$2,644,308.58
6600	Financial And Human Resources	572,825	(21,007)	\$551,818.19
6700	Accountability S & D	9,551	(8,878)	\$673.06
6900	Policy And Leadership	345,264	8,897	\$354,160.57
7100	Regular Community Service	1,953	0	\$1,953.00
7200	Ancillary Services	2,876	1,462	\$4,338.80
8100	Pay To Oth Govt & Tfirs Of	1,412,171	0	\$1,412,171.00
	TOTAL EXPENDITURE BUDGET	\$13,322,872	\$0	\$13,322,872

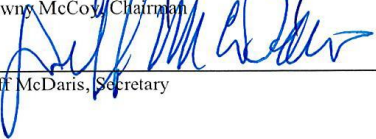
EXPLANATION:

To reflect actual expenditures.

Passed by majority vote of the Transylvania County Board of Education this 19th day of June, 2023.



 Tawny McCoy, Chairman



 Jeff McDaris, Secretary

Budget Amendment - Federal Grants Fund

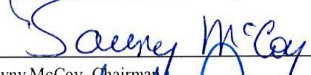
Amendment no. 5

Function Code	Description	Current Budget	Increase (Decrease)	Amended Budget
	REVENUES			
	Revenues	\$10,131,561	(\$5,582)	\$10,125,979
	EXPENDITURES			
5100	Regular Instructional	2,335,496	(85,758)	\$2,249,738.73
5200	Special Instructional	1,293,031	144,552	\$1,437,582.94
5300	Alternative Programs	1,879,518	21,930	\$1,901,447.46
5400	School Leadership	36,097	(7,670)	\$28,426.90
5500	Co-Curricular	0	0	
5800	School-Based Support	957,097	3,166	960,263
6100	Support and Development Services	6,077	(1,227)	4,850
6200	Special Population Support And Dev	74,746	(73,650)	1,097
6300	Alternative S & D	0	0	0
6400	Technology Support	2,028	(404)	1,625
6500	Operational Support	2,454,181	8,217	2,462,398
6600	Financial And Human Resources	6,085	(1,211)	4,874
6700	Accountability S & D	0	0	
6900	Policy And Leadership	4,382	(726)	3,656
7100	Community Services	1,623	(323)	1,300
7200	Ancillary Services	52,662	(4,199)	48,463
8100	Pay To Oth Govt & Tfrs Of	1,028,488	(8,280)	1,020,208
8200	Unbudgeted Reserves	50	0	50
	TOTAL EXPENDITURE BUDGET	\$10,131,561	(\$5,582)	\$10,125,979

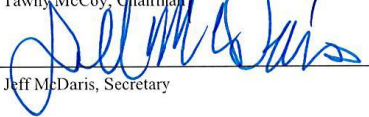
EXPLANATION:

To reflect actual (see attached for additional allotment).

Passed by majority vote of the Transylvania County Board of Education this 19th day of June, 2023.



 Tawny McCoy, Chairman



 Jeff McDaris, Secretary

PRC	Description	Amount	Reason
017	Vocational Ed - Program Improvement		
026	Homeless Grant		
049	IDEA Pre-School Handicapped Grant		
050	IASA Title I - LEA Basic Program		
053	Sch Improvement		
060	IDEA VI-B Handicapped		
102	Sch Repair & Renovation - Tech		
103	Improving Teacher Quality		
104	Title III Language Acquisition		
105	Title I - School Improvement		
108	Student Support and Academic Enrichment		
109	Rural and Low Income Schools		
111	Title III Language Acquisition Increase	322	Additional Allotment
115	TSI School Improvement		
118	IDEA Preschool Targeted Assistance		
119	IDEA VI B Special Needs		
163	Cares Act 2020		
167	ESSER I EC Grant	(982)	Reversion*
169	GEER-Student Health Support		
170	GEER-Supplemental Instructional Services	(4,923)	Reversion*
171	ESSER II - K-12 Emergency Relief Fund		
173	ESSER II - Supplemental Contracted Instructional Support		
174	ESSER II - School Nutrition COVID Support		
176	ESSER II - Learning Loss Funding		
177	ESSER II - Cummmer Career Accelerator Program		
178	ESSER II - Competency-Based Assessment		
181	ESSER III - K-12 Emergency Relief Fund		
183	ESSER III - Homeless I		
184	ESSER III - Homeless II		
185	ESSRT III - ARP IDEA Grant to States		
186	ESSER III - IDEA Preschool		
192	Cyberbullying & Suicide Prevention Grant		
193	Gaggle Grant		
194	ESSER III - CTE - Hospitality		
203	ESSER III - Teacher Bonuses		
205	ESSER III - Driver Training		
		(5,583)	

* Reversion - This was due to spending down very specific grants by the window. We were able to spend a majority of these grants.

TRANSYLVANIA COUNTY BOARD OF EDUCATION

INTERIM BUDGET RESOLUTION

2023-2024

BE IT RESOLVED BY THE TRANSYLVANIA COUNTY BOARD OF EDUCATION that interim appropriations be made available for the purpose of paying salaries and the usual and customary expenses of the Transylvania County Schools for the period beginning July 1, 2023 until adoption of the 2023-2024 Budget Resolution. Interim appropriations so made and expended shall be charged to the proper appropriations in the Budget Resolution.

Passed by majority vote of the Transylvania County Board of Education on the 19th day of June 2023.



Chairman



Secretary