

BUNCOMBE COUNTY BOARD OF EDUCATION REGULAR MEETING

4:00 p.m. – Call to Order – Beaucatcher Room

(Work Session Updates / Closed Session)

Thursday, August 3, 2023

5:30 p.m. – Minitorium

Broadcast live on BCS Communications YouTube Account

MINUTES

BE IT REMEMBERED: That the Buncombe County Board of Education met in a regular session on August 3, 2023, at 5:30 p.m. in the Minitorium located at 175 Bingham Road, Asheville, North Carolina and streamed live on YouTube, when the following business was transacted.

The following Board members were present:

Ann Franklin, Madam Chair

Peggy Buchanan, Member

Rob Elliot, Member

Judy Lewis, Member

Kim Plemmons, Member

Amanda Simpkins, Member

Amy Churchill, Vice-Chair

Staff present: Dr. Rob Jackson, Superintendent; Dr. Jennifer Reed, Associate Superintendent Curriculum & Instruction; Joseph Hough, Assistant Superintendent Auxiliary Services; Dr. Jamie Johnson, Assistant Superintendent of Educational Equity & Student Support; Dr. Shane Cassida, Director of Student Services; Robert Frisby, Director of Technology; Tim Fierle, Director of Facilities; Dr. Paula Pinkerton, Director of Elementary Education; Dr. Donna Lanahan, Director of Secondary Education; Jeremy Stowe, Director of Transportation; Shanon Martin, Assistant Director of Student Services; Scott Emory and Joshua Ponder, Technology Support Specialists; Dr. Stacia Harris, Director of Communications; Tim Reaves, Assistant Director of Communications; Hann Henson, Digital Communications Specialist; Tina Thorpe, Chief Finance Officer; Lisa Payne, Director of School Nutrition; Dean Shatley, Attorney and Kim Matthews, Executive Administrative Assistant

MOTION TO CLOSED SESSION

Ms. Simpkins made a motion to enter into closed session at 4:20 p.m. and Ms. Lewis seconded the motion – the motion was approved unanimously.

The Madam Chair entertained a motion for the Board of Education to enter into closed session pursuant to G.S. 143-318.11 for the following purposes:

- Under subsection (a)(1) to prevent the disclosure of privileged and confidential personnel information pursuant to G.S. 115C-319-321;
- Under subsection (a)(1) to prevent the disclosure of privileged and confidential student information pursuant to 20 U.S.C. 1232g (FERPA);
- Under subsection (a)(3) to discuss matters protected by the attorney-client privilege.

ADJOURNMENT

Ms. Plemmons made a motion to adjourn closed session at 5:10 p.m. and Ms. Churchill seconded the motion – the motion was approved unanimously.

WORK SESSION UPDATES

Dr. Jackson distributed the book, *Trust and Inspire*. This book has been given to all administrators. The Board was also given a copy of the draft proposal for BCS' Exceptional Children's Advisory Council. This council will have representation from all schools and experienced teachers. The Board was asked to review and give feedback. Mr. Elliot said that he had spoken with Stacia Harris, Communications Director, about outreach in the spring concerning the schools Advisory Council membership for the 2024-2025 school year.

CALL TO ORDER**PLEDGE OF ALLEGIANCE****MOMENT OF SILENCE****APPROVAL OF AGENDA**

Ms. Plemmons made a motion to amend the agenda and then approve the agenda as follows: move the item "Request to Name Central Services Meeting Room" to the first item on the action agenda; add the following items to the action agenda: Authorization to Award RFP#14-23: Security Guard Services and Board of Education Electoral District Discussion; add the following to the information agenda: Federal Programs Assurances to the Information Agenda; and Mr. Elliot seconded the motion – the motion was approved unanimously.

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SUPERINTENDENT'S COMMENTS

- Dr. Jackson stated that he had the honor of celebrating with thirty-five high school graduates and their families last night at the Summer Academy commencement ceremony. Dr. Jackson acknowledged the hard work of both students and staff across the summer programs in Buncombe County Schools.
- Dr. Jackson noted that Buncombe County Schools is hosting a support staff job fair on Tuesday, August 8, 2023 from 2-4pm in the Nesbitt Cafeteria at BCS Central Services. Currently full-time and part-time support staff vacancies are posted for the 2023-24 school year with competitive pay ranging from \$16-\$19 per hour plus a wide array of benefits. He said that BCS is hiring bus drivers, custodians, nutrition/cafeteria staff, clerical staff, instructional assistants, and substitute teachers.
- During the past two weeks as our student-athletes begin to prepare for the fall season, Dr. Jackson said that he has had the opportunity to blast-off with the Rockets cross country teams, soar with the Jets, gallop with the Warhorses, and just that morning, run with the Rams in the rain. Next week, he will run with the Blackhawks and the Warriors. In spending time with the teams, he has left each encounter extremely impressed with the character of our students and with the incredible dedication of our coaches. Whether it is academics, athletics, or the arts, our students and the adults who serve them are absolutely amazing!
- Dr. Jackson shared his appreciation for all of the work that Dr. Reed, Dr. Johnson, Dr. Pinkerton, Dr. Lanahan, and their teams, put into the annual administrators retreat. They planned and delivered an incredible opportunity for professional development and team building. He said that a highlight of the gathering was the district quiz bowl competition on Board Policy and new procedures. After a very competitive and fun event, with every team still mathematically capable of winning as they approached the final question, one district came out on top and claimed the very first "Spirit Stick". Dr. Jackson congratulated all of the teams for their study and for their performance and gave a special congratulations to the North Buncombe district for their winning performance!
- Students will return before our next board meeting and Dr. Jackson stated that one major change worth celebrating when they return is free breakfast and lunch for all students. This is a gamechanger and one that he is very grateful for.
- Dr. Jackson shared that BCS' theme for this new school year is #InspiringGreaterHeights. As Stephen M.R. Covey has said, "Truly great leaders can create the right conditions to awaken the potential within a person" and that "they curate conditions in which a person can flourish. As a result, they see that person rise beyond every imaginable expectation." That is our vision for the 2023-2024 school year, even in the midst of all of the challenges (budgetary and others), that we create and curate conditions where students, teachers, staff, and administrators all "rise beyond every imaginable expectation." We will do this through authentic relationships and deepening trust to inspire all those around us to greater heights. We will give our all because our students are worthy of our very best efforts. Dr. Jackson said that he is confident that this will be our finest year ever. He thanked the BCS team and Board members for all that they do for the students, families, teachers, and staff of Buncombe County Schools and welcomed all to an incredible new school year.

PUBLIC COMMENT

-Bill Robinson, a Buncombe County resident, quoted scripture and expressed concern regarding teen suicide, public education, and board response.

-Sara Wilcox, a local pastor with two daughters in the Reynolds District, thanked the Board and BCS staff for their work. She expressed concern over suicide due to gender issues and encouraged the Board to continue to advocate for all students.

ACTION AGENDA

- Request to Name Central Services Meeting Room in Honor of Superintendent, Dr. J. Frank Yeager, Jr.

Board members commented on the contributions made to BCS by the former Superintendent, Dr. J. Frank Yeager, Jr.

Ms. Plemmons made a motion to approve the request to name the Central Services meeting room in honor of Superintendent Dr. J. Frank Yeager, Jr. and Ms. Franklin seconded the motion – the motion was approved unanimously.

- Enka Health Center: Authorization to Award Contract

Ms. Simpkins made a motion to award a contract for construction of the Enka Middle School, School-Based Health Clinic in the amount of \$707,000.00 to J Bartholomew Construction and Ms. Plemmons seconded the motion – the motion was approved unanimously.

- Authorization to Award RFP#14-23: Security Guard Services (added to agenda)

Ms. Thorpe and Mr. Hough answered questions from the Board regarding the placement of the security guards and funding source.

Mr. Elliot made a motion to award contract for Security Guard Services to Signal of Asheville in the amount of \$250,041.00 and Ms. Churchill seconded the motion – the motion was approved unanimously.

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- Board of Education Electoral District Discussion (added to the agenda)

Mr. Shatley shared information with the Board of Education concerning House Bill 66 (HB66). Now that the bill has been voted into state law, Mr. Shatley reviewed what this would mean for Board of Education elections in the future. He displayed a current district school attendance map, which had aligned with the six district board representative seats on the Board of Education that any resident of Buncombe County was able to vote for. With the passage of HB66, the Legislature has determined that residents of Buncombe County may only vote for the representative of the electoral district that they reside in. The Legislature has also mandated that BCS draw out electoral district lines that would make each district have a more equal voting population in each district. Mr. Shatley explained the difficulties in redrawing these electoral districts. The outside law firm and demographer that the Board has hired to help with this issue began by using the latest census blocks from the 2020 Census Bureau. There is considerable difficulty in staying within the parameters of HB66 - making it nearly impossible to redraw electoral districts per the Legislature's mandate. Mr. Shatley said that the outside firm has spoken with the legislators concerning the difficulties and hurdles to following HB66. The General Assembly said that possible solutions to the issues could be to redraw Asheville City Schools (ACS) attendance lines, or some of BCS' lines. This could impact where students attend school and property taxes for individuals and businesses. There are some technical issues that would need to be corrected to be able to do this though and Mr. Shatley stated that there could be an issue of constitutional rights by moving people into a new tax assessment if residents are moved from BCS to ACS.

The Board had several questions and scenarios posed over this issue and discussed at length the difficult position that the Board of Education has been put in. Ms. Simpkins expressed concern that a student athlete that currently lives in one district and then forced into attending the other district, would be negatively impacted in their eligibility to play a sport under the high school athletic association guidelines. Mr. Elliot stated that it seemed this law gives the Board the authority to redraw the election lines, but not to redraw the attendance lines for another system, such as ACS. Mr. Shatley questioned the constitutionality of moving a household from one taxing district to the other. Ms. Simpkins stated that HB66 is now law and that the Legislature has given us a task to redraw electoral lines that is fundamentally impossible the way the law is written. She expressed her concern that the community and the Board of Education was not given an opportunity to give input into this decision. Mr. Shatley said that in speaking with state legislators some technical adjustments may be called for. Ms. Simpkins asked if a technical correction could be to remove this electoral district amendment from the bill? Mr. Shatley said that yes, the Legislature could repeal that part or all of the bill. Ms. Simpkins expressed frustration over expending school funds to comply with this law. Ms. Plemmons asked about how the electoral districts might be assembled. Mr. Shatley stated that the districts would have to be as closely equal in voters as possible and most likely be a numbered system, not using the attendance district name. It might mean that someone lives in one attendance district, but not able to vote for the person that would represent that district. Ms. Churchill stated that since the Board works to make the best decisions for all of the students in Buncombe County Schools, that all of the residents in Buncombe County should have the right to vote for all of the members. This is the way it has always operated and feels strongly that it has worked well. Ms. Plemmons agreed, saying that voters should hold each board member accountable for all students, not just the district that they represent. She feels it's very important for people to understand what this statute means to voters. Mr. Elliot said that the law calls for a fixed number of district representatives, six and one at-large. He asked Mr. Shatley if we can use our communities as a starting point. Mr. Shatley gave an example of what an electoral district might look like based on the statute's restrictions. Mr. Elliot also pointed out the law requires the electoral lines to be redrawn by February 2024 and wants to know if this can be completed by then? Mr. Shatley said as it stands right now, the task is impossible to do and stay within the law's framework. He said we need a technical correction, such as more time, to be able to complete the task. He said the General Assembly has floated the idea of redrawing the ACS attendance district lines but doesn't see how that could be completed by February either. Mr. Elliot asked about the primary in March and how that would affect us since we are a non-partisan board. Mr. Shatley stated that that part of the bill doesn't go into effect until 2026. Mr. Elliot stated that he feels that the time and resources being spent on this issue would be better spent on the needs of our children, the Board's been put in an unfair position by this law. Mr. Elliot asked Mr. Shatley for a brief update on the calendar law. Mr. Shatley said that none of the calendar laws that did pass will impact BCS. The ones that would have, did not make the crossover to the Senate. Mr. Elliot thanked the local delegates that supported our resolution even though it didn't pass.

CONSENT AGENDA

- Minutes: June 29, 2023 – Special Called Meeting Open Session
- Personnel Report
- 2023-2024 Academic Calendar Revision
- Advisory Council Members for 2023-2024
- Buncombe County Schools' Proposed Federal Programs for 2023-2024
- Technology Department Sole Source Procurement Request: Imagine Learning, Kami Limited and Seesaw Learning Incorporated
- Federal Programs Sole Source Procurement Request: Benchmark Education, DreamBox Learning, Flyleaf Publishing, Great Minds, IXL Learning Incorporated, Just Right Reader and Wilson Language Training Corporation

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- North Buncombe Middle School: Request to Use Athletic Capital Outlay Funds
- North Buncombe High School: Request to Use Athletic Capital Outlay Funds
- North Windy Ridge Intermediate School: Request to Change Banking Institution

Ms. Simpkins made a motion to approve the items on the Consent Agenda and Ms. Churchill seconded the motion – the motion was approved unanimously.

INFORMATION AGENDA

- **POLICIES FOR FIRST READING**
 - Policy 3101 Dual Enrollment
 - Policy 3620 Extracurricular Activities and Student Organizations
 - Policy 4310 Integrity and Civility
 - Policy 5028/6130/7267 Automated External Defibrillator
 - Policy 5040 News Media Relations
 - Policy 6315 Drivers
 - Policy 7130 Licensure
- Federal Programs Assurances (added to the agenda)

ANNOUNCEMENTS / FUTURE MEETINGS

- The next Board of Education Regular Meeting will be held on September 7, 2023, with Work Session Updates, and Closed Session beginning at 4:00 p.m. in the Executive Conference Room and the Open Session beginning at 5:30 p.m. in the Minitorium at 175 Bingham Road, Asheville, NC 28806.

ADJOURNMENT

Ms. Plemmons made a motion to adjourn the meeting at 6:35 p.m. and Ms. Lewis seconded the motion – the motion was approved unanimously.

Rob Jackson, Superintendent &
Ex Officio Secretary

Ann B. Franklin, Madam Chair

Minutes for Approval: September 7, 2023
klm