

Henderson County Board of Public Education
MINUTES
June 30, 2021

The Henderson County Board of Public Education met in a regularly scheduled meeting on Wednesday, June 30, 2021, beginning at 4:00 pm, at 414 4th Avenue West, Hendersonville, NC.

The Board received public comment via email prior to the meeting and during open session. All Public Comment emails were shared with each board member prior to the meeting and then posted to the HCPS website for public access on July 1, 2021. The meeting was accessible to the public via a livestream link at, <http://hcpsnc.org/live>.

Board Members Present: Blair Craven, Chairperson; Amy Lynn Holt, Vice Chairperson; Robert Bridges; Dot Case; Stacey Caskey; Jay Egolf and Kathy Revis.

Administrative Staff Present: John Bryant, Ed.D., Superintendent; Wendy Frye, Ed.D., Assistant Superintendent for Curriculum & Instruction; Scott Rhodes, Assistant Superintendent for Human Resources; Rick Fender, Chief Technology Officer; Bernie Sochia, Chief Finance Officer and Carl Taylor, Chief Administrative Officer.

Attorney Present: Chris Campbell

Board Clerks: Stephanie Alfrey

CALL TO ORDER

Mr. Blair Craven called the meeting to order at approximately 4:19 pm and led all those in attendance in the pledge of allegiance.

AGENDA APPROVAL

Mr. Blair Craven acknowledged receipt of the meeting agenda and asked for a motion to approve. Mrs. Amy Lynn Holt moved that the agenda be approved with the removal of item G from consent agenda. Seconded by Mr. Jay Egolf. *(Unanimously approved.)*

PROGRAM HIGHLIGHT

Ms. LoriKay “LK” Paden, Executive Director of the Hendersonville Family YMCA, presented Safety Around Water (SAW). She shared a video that told a family’s story of their child being pulled under a bridge in a body of water. The child was saved by utilizing safety information she learned through Safety Around Water at the YMCA. According to the CDC, drowning is the leading cause of unintentional injury death among children aged 1–4 years and one of the top three causes among persons aged ≤29 years. USA Swimming Foundation Data:

- 80% of low income families have children who cannot swim
- 64% of African American children have little to no swimming ability
- 45% of Hispanic/Latino children have little to no swimming ability
- 64% of Caucasian children have little to no swimming ability
- Swim lessons reduce the likelihood of drowning by 88%
- 10 people in the US die by drowning each day
- Drowning is the 2nd leading cause of unintentional injury or death in children under 14
- 87% of non-swimming youth plan to visit a beach, pool, or lake at least once during the summer

Ms. Paden noted that drowning concerns hit too close to home. About 10 people drown every day in the United States, where drowning is the fifth-leading cause of unintentional injury death, according to the CDC. About one in five people who die from drowning are children 14 and younger, and for every child who dies from drowning, another five are rescued. The NC Medical Examiner reported the following childhood drowning accidents: 2019: 31; 2018: 31; 2017: 26; 2016: 28. The YMCA offers a wide range of aquatic programs to improve health and well-being, build skills and confidence in the water, and teach personal safety. Safety Around Water is a unique entry in that portfolio because it specifically targets underserved youth, particularly those from African American and Hispanic communities, who are at the highest risk of drowning. In addition, the program mobilizes partners and resources to ensure access for all. The Safety Around Water program helps YMCAs across the country deliver

a program focused on building skills that save lives. Ms. Paden mentioned the program targets children ages 4 to 14, especially those from African American and Hispanic communities, because children of color experience disproportionately high rates of drowning. The tools and resources associated with the program help YMCA's partner with school districts, apartment complexes, and other organizations to spread the message and lessons of water safety outside the YMCA's four walls. The YMCA offers a wide range of aquatic programs to improve health and well-being, build skills and confidence in the water, and teach personal safety. Safety Around Water is a unique entry in that portfolio because it specifically targets underserved youth, particularly those from African American and Hispanic communities, who are at the highest risk of drowning. In addition, the program mobilizes partners and resources to ensure access for all. The YMCA's Safety Around Water program teaches children of all ages and from all backgrounds that water should be fun, not feared. It is designed to reach children at risk of drowning and teach them basic water safety skills. The program is offered to the community at little or no cost to students. It often results in students registering for other YMCA programs, such as swim lessons. The Safety Around Water program uses a proven program model (based on a former YMCA program called *SPLASH*). It focuses on water safety and self-rescue skills that help prevent drowning, rather than stroke development. Students demonstrate basic competency by first learning to be comfortable in the water (via the build-up skill of submerge) and then focusing on two benchmark skills:

- Jump, push, turn, grab
- Swim, float, swim—sequencing front glide, roll, back float, roll, front glide, and exit

Ms. Paden said they are working together with the school to provide one in classroom visit and three 45-minute in the water sessions for every second grader in the county. The program is in the initial stages of planning. The Henderson County Public Schools and the YMCA will work together to promote, implement and evaluate this program. She noted the YMCA will provide basic introduction to water safety during school hours to second grade students, one on site visit to each classroom for the first introductory session of SAW, a safe and welcoming environment for all students and teachers, certified instructors and lifeguards during all programs, certificates of completion for all children, and training for all PE teachers. Henderson County Public Schools will provide transportation of students to the YMCA Center (Hendersonville or Patton), provide one teacher to aid during each session, provide supervision of students entering and leaving the center, provide one liaison to communicate with YMCA Aquatics Director, communication to parents. Ms. Paden talked about sustainability. The goal is to create a sustainable long-term program. She spoke of coordinated efforts of staffing, transportation and facility use & instruction. The cost of SAW is \$60 per child not including transportation, teachers/aid, swim suits, etc.

Mrs. Stacey Caskey asked why second graders instead of younger students who are in the one to four year old range. Ms. Paden said there is no magic number. In her past experience, second graders tend to retain more and fewer courses would need to be provided. Mrs. Caskey would like the program to be considered for kindergarten students instead of second grade students. Mr. Robert Bridges asked if the program would be year around. Ms. Paden said the program would start in September and would end late April in order to get all students through the program. The YMCA has children as young as three years old in their SAW program. Ms. Dot Case mentioned a school had taken students to Patton pool during summer learning. A teacher mentioned to her the number of students who didn't know how to swim. Ms. Case noted how this program would be an excellent way to ensure our students know safety around water. Mr. Blair Craven asked about the cost of the program and the items needed such swim attire. Dr. John Bryant noted that later in the Board meeting under new business the Board will have an opportunity to approve the Safety Around Water Program. He said in short it would be a \$60,000 commitment from the school system for the participation. The school system would be allocating currently funded dollars for this program as well as providing the transportation and teacher supervision. The YMCA would commit to doing the actual training for the program. If the Board chooses to approval the program, they would be saying this program is an important step to provide a necessary survival education for every child in our community. Community support will also be involve in order to provide the materials such as swim attire that some children will need assistance to acquire. Mr. Craven asked about how the lessons are designed. Ms. Paden said there is one classroom lesson where the instructor goes over the curriculum, plays games, and gets the children familiar with the material. Then three consecutive weekly lessons in the swimming pool for about 45 to 50 minutes. Mr. Bridges asked about liability concerns. Ms. Paden noted that the YMCA would be responsible for the children while they are taking the program. There are lifeguards at the pool that would be there to ensure child safety and to prevent accidental drownings. Dr. Kathy Revis is excited about this program. However, she is inquiring as well as to why second grade. Ms. Paden said she would be happy to get that data together for the Board to see why second grade

would be the optimal age for the program. The length of the lessons speaks to why second grade is a better age for children to be trained. The lessons would need to be shortened if the program was done in kindergarten or first grade. Mr. Jay Egolf asked if parents can opt their child out of the program. Dr. Bryant noted that it would be an offering and parent could choose to have their child participate. Ms. Paden has spoken to the County Commissioners and showed them the program. The County Commissioners want to make sure children attending homeschool and charter schools are included in the program as well.

BOARD CHAIR OBSERVATIONS

Mr. Blair Craven noted it's been a crazy sports season. This past weekend several of our schools wrapped up state championships. Our schools had two state champion winners this year. The Hendersonville High School women's tennis team won the state championship again this year. Triston Norris from North Henderson High School won state championship in wrestling.

BOARD OBSERVATIONS

Board members noted they do not have any observations.

PUBLIC COMMENT

Mr. Blair Craven stated that eight pre-submitted public comment were received for the June 30, 2021 meeting. The email was shared with Board members prior to the meeting and will be posted to the Henderson County Board of Public Education website for public access on Thursday, July 1, 2021.

Ms. Kim Frost spoke about her concern for students returning to school in August with masks still being required. She asked for masks to be optional for students.

Ms. Gloria Kimzey spoke against a mask requirement for students in schools.

Ms. Janice Parker talked about why masks should not be required for students and staff in the schools.

Mr. David Noch talked about why vaccines should not be required for students to attend school.

Ms. Karen Oldenburg spoke about Critical Race Theory and why it should not be taught in schools.

Ms. Kathy Yurista talked about her concern for a COVID-19 vaccine campaign.

Mr. W.P. O'Conner spoke against Critical Race Theory being taught in schools.

Mr. Ryce McCall, a student in Henderson County Public Schools, talked about the mask requirement. He does not to be required to wear a mask when he starts middle school in August.

CONSENT AGENDA

A. Meeting Schedule

1. HCBPE Workshop [Tuesday, July 20, 2021, 12:00 pm., (Mills River Academy)]
2. HCBPE Administrator Visit [Wednesday, August 4, 2021, 12:00 p.m., (Blue Ridge Community College)]
3. HCBPE Regular Business Meeting [Monday, August 9, 2021, 4:00 pm., (Closed Session at 3:00 pm.) (Boardroom)]

B. Minutes

1. May 10, 2021 (Regular Business Meeting)

C. Personnel (as presented in closed session)

D. Student Acceptances/Releases (as presented in closed session)

E. Budget Amendments

F. BRCC – Baseball Field MOU

G. Contract Amendments

Mr. Blair Craven called for a motion to approve the consent agenda as presented. Mrs. Amy Lynn Holt made a motion to approve the Consent Agenda as presented in Closed Session with the removal of item G. Dr. Kathy Revis seconded the motion. (*Unanimously approved.*)

OLD BUSINESS

None.

NEW BUSINESS

A. Approval – Alternative Accountability Model Options 2021-2022 – *(Dr. Wendy Frye, Assistant Superintendent)*

Dr. Wendy Frye stated the North Carolina Department of Public Instruction is requesting input as to the accountability option the Board wishes to utilize at our alternative school, the Career Academy. This determination is made and reported on an annual basis. We are recommending that the School Board continue to use Option B: Alternative Schools Progress Model that rewards student persistence and weighs heavily on academic growth. This model also allows three years of data for achievement reporting.

Mrs. Stacey Caskey made a motion that the Henderson County Board of Public Education Option B: The Alternative Schools Progress Model as the accountability model for the Career Academy for the 2021-2022 school year. Mr. Jay Egolf seconded the motion. *(Unanimously Approved.)*

B. Approval - Career and Technical Education Local Plan - *(Dr. Wendy Frye, Assistant Superintendent)*

Dr. Wendy Frye mentioned the Career and Technical Education Plans are now submitted every two years. Last year, June 2020, was the year the plan was officially approved and submitted. This year, local boards are asked to approve the continuation of the plan. Dr. Frye shared the apprenticeship program had 20 students from this year's graduating class who have already been accepted in apprentice positions in advanced manufacturing and automotive. The drone technology program that started at North Henderson High school has expanded to Hendersonville High school. That program continues to increase focus in middle schools. Dr. Frye noted as well that we are looking forward to returning back to STEM camps.

Mr. Jay Egolf made a motion that the Henderson County Board of Public Education approve the approve the continuation of the Career and Technical Education local plan for school year 2021-22. Dr. Kathy Revis seconded the motion. *(Unanimously Approved.)*

C. Approval – Resolution Authorizing the Chairman to Execute Contracts and Options for the Acquisition of Property and Memoranda Thereof – *(Campbell Shatley)*

Mr. Chris Campbell presented the annual resolution allowing the Board Chair to execute options on properties as opportunities arise. He noted that no property is under consideration at this time. Mr. Campbell added, the Chair cannot purchase any property without Board approval.

Mrs. Amy Lynn Holt made a motion that the Henderson County Board of Public Education approve the resolution authorizing the Chairman to execute contracts and options for the acquisition of property and memoranda thereof as presented. Mrs. Stacey Caskey seconded the motion. *(Unanimously Approved.)*

D. Approval – Joint Resolution for Berkeley Park/Edwards Park – *(Dr. John M. Bryant, Superintendent)*

Dr. John Bryant said the Hendersonville City Council and Board of Public Education have been working for several months on a property exchange. The joint resolution establishes the framework for the exchange. Staff recommend the adoption of the resolution authorizing the Superintendent, School Board Attorney, City Manager, and City Attorney to draft an exchange agreement to bring back to the Board of Education and City Council for final approval. Mr. Blair Craven clarified that the resolution is not a contract. It allows us to continue to move forward. A final contract will come back to the Board for approval.

Mrs. Amy Lynn Holt made a motion that approve the joint resolution authorizing the Superintendent, School Board Attorney, City Manager, and City Attorney to negotiate and develop an exchange agreement between the City of Hendersonville and Henderson County Board of Public Education. Mr. Robert Bridges seconded the motion. *(Unanimously Approved.)*

E. Approval – Safety Around Water (SAW) – *(Dr. John M. Bryant, Superintendent)*

Superintendent John Bryant noted that as presented in the Board Highlight, the Safety Around Water (SAW) is a

youth educational program designed to teach water safety skills to “school age children who cannot jump into the water and safely exit the pool on their own or have not received formal swim instruction.” Specifically for HCPS, the SAW program will be offered to all Grade 2 students during the course of the 2021-2022 school year at no cost to students or families. Mrs. Amy Lynn Holt noted that she wrote a United Way grant to help with the cost of swim suits and towels. The items were delivered directly to the YMCA for this program. Mr. Jay Egolf would like to say that to graduate you would need to know how to swim. However, since we don’t have that policy in place, he would like follow up with parents who opt their child out to ensure children get every opportunity to learn to swim. Mr. Blair Craven would like to find ways to grow this program. Dr. Kathy Revis asked where the funding will come from. Dr. John Bryant said it will be reallocating local expense to cover the cost. Mrs. Stacey Caskey would like for it to start younger, but she’s excited to see this program be implemented. Mr. Craven’s goal is to have a swimming facility in Henderson County. There are only two schools with swim teams (Hendersonville High School and West Henderson High School) due to the lack of facilities. Ms. Dot Case noted that doing this program through the schools provides equity for all second-grade students to learn safety around water.

Mrs. Amy Lynn Holt made a motion that the that the Henderson County Board of Public Education approve the implementation of Safety Around Water (SAW) education for all Grade 2 students (or if data shows another grade is better) in partnership with the Hendersonville Family YMCA. Mr. Jay Egolf seconded the motion. (Unanimously Approved.)

F. Approval – North Carolina Lottery Application – *(Mr. Bernie Sochia, Chief Finance Officer)*
Mr. Bernie Sochia noted Public School Building Capital Fund/N. C. Education Lottery Application is to request funds currently available (\$391,851.39) to pay debt service on the 2008 Installment Financing Contract debt issue for the Hillandale and Mills River Elementary School construction projects. All funds received from the N.C. Education Lottery are currently being used for debt service on these school building projects. Mrs. Amy Lynn Holt asked if all the funds from the lottery come straight to the schools. Mr. Sochia said it is just a percentage of the proceeds that comes to the schools.

Mr. Robert Bridges made a motion that Henderson County Board of Public Education approve the Public School Building Capital Fund/North Carolina Education Lottery Application as presented. Dr. Kathy Revis seconded the motion. (Unanimously Approved.)

G. Approval – 2021-2022 Contracts – *(Mr. Bernie Sochia, Chief Finance Officer) - Contract Details*
Mr. Bernie Sochia said that Pursuant to board policy 6420, Contracts with the Board, any contract in excess of \$90,000 must be approved by the Board. The following is a list of such contracts for approval of execution.

- Bayada Home Health, LLC
- Consolidated Waste Services, LLC
- Dunlap Construction
- Omnia/Daikin
- Public Consulting Group, Inc
- Rutherford Heating & Air, Inc.
- Sharing the Warmth, Inc

Dr. John Bryant noted the contract for Mountain Professionals needs to be included in the contracts to consider for approval. The Board was provided a copy of the contract. Mr. Chris Campbell asked if any of the contracts for HVAC or ESSER funds. Mr. Sochia confirmed that none of the contracts are for HVAC or using ESSER funds. Mrs. Amy Lynn Holt commented that waste service removal is expensive. She asked about the contract length. Mr. Sochia noted that it’s for the full three-year contract. Mrs. Holt asked how the service with Bayada works. Mr. Sochia said the amount comes from the maximum amount of service the school system would need to use. That figure is the contract amount. The service is on an as needed basis.

Mrs. Amy Lynn Holt made a motion that Henderson County Board of Public Education approve the attached contracts with the list of specified vendors. Dr. Kathy Revis seconded the motion. (Unanimously Approved.)

H. Approval – Sole Source Purchases with Federal Funds – *(Mr. Bernie Sochia, Chief Finance Officer)*
Mr. Bernie Sochia noted the Office of Budget and Management (OMB) issued new Uniform Guidance Procurement Standards (UG) for local governments that receive and expend federal financial assistance. These new guidelines were effective July 1, 2018. All purchases of goods and services that exceed \$10,000.00 require issuing a bid solicitation using the Uniform Guidance ‘micro-purchase’ procedures. One exception to these new guidelines is for ‘noncompetitive procurement’ which means that the item is only available from a single source provider or that a specific item is necessary for continuity of equipment. Procurement under this exception requires annual NCDPI and local Board approval. Letters of DPI approval are attached for the following vendors:

- Books International Inc. dba Letterland
- Boys and Girls Club of Henderson County
- Committee for Children
- Curriculum Associates
- ELLevation
- Franklin Covey
- Panorama Education
- Rosetta Stone
- Striven Media

Mr. Craven recused himself from voting. He is on the Board of the Boys and Girls Club of Henderson County. Mr. Jay Egolf made a motion that Henderson County Board of Public Education approve the list of specified vendors as vendors under the sole source exemption guidelines. Mrs. Amy Lynn Holt seconded the motion. (Unanimously Approved.)

I. Approval - 2021-2022 Continuation Budget Resolution - *(Mr. Bernie Sochia, Chief Finance Officer)*
Mr. Bernie Sochia presented the attached 2021-22 Henderson County Public Schools’ Interim Budget Resolution for approval. Based on projections at the new 2021-22 levels, it authorizes payment of salaries and benefits in addition to other reasonable and customary expenses associated with the start of a new fiscal year which begins on July 1, 2021. He noted this is intended to be for the interim period until details for implementation of the State, Local and Federal budgets are finalized and a formal 2021-22 Initial Budget Resolution can be adopted. Mr. Sochia noted the only addition is the amount of the ESSER funds listed in the federal budget even though we have not submitted the application yet for the funding. Also, he mentioned the capital outlay fund is the full amount for the year and not just half.

Mrs. Stacey Caskey made a motion that Henderson County Board of Public Education approve the 2021-22 Interim Budget Resolution as presented. Mr. Robert Bridges seconded the motion. (Unanimously Approved.)

J. Discussion – Innovative High Schools Extracurricular Activities Eligibility – (Dr. John M. Bryant, Superintendent)

Dr. John Bryant presented information for Board discussion regarding the Innovative High Schools (IHS) being eligible for extracurricular activities. Dr. Bryant noted the current guidelines state that students who are enrolled full-time at the Henderson County Early College (HCEC) or the Henderson County Career Academy (HCCA) are not eligible for extracurricular activities at their respective home school districts. While the IHS experience does include clubs, student activities, proms, and unique campus events, students are not eligible for participation in athletics, band, strings or chorus. In July and September of 2019, school district leadership, high school principals, members of the Board of Education, and a representative of BRCC leadership convened to discuss the merits of the current guidelines and deliberate over a change in current practice. The committee identified pros/cons of extracurricular eligibility, discussed each at some length, evaluated the implications of a change in practice, and posed questions for consideration if such a change were made. Ultimately, the consensus of the committee was to

leave the extracurricular eligibility guidance for IHS students unchanged. Pros from that discussion were all kids can try out, infinite possibilities, increased enrollment for HCCA, sense of belonging/less likely to drop out, motivator to attend, resume builder, leadership eligibility, right thing for all kids, engagement, removes barriers, and student advocacy. The cons from that discussion were missed cultural experiences (pep rallies, spirit week etc.), schedule conflicts, ratio of students that actually participate vs. overall ADM that the base school will get, three weeks of practices during school while HCEC is in session, transportation (IHS kids will miss more instructional time), is that fair to his/her team if they miss practices, possible tensions coach/player, student/BRCC, student/school staff, different school calendar, and leaving school early for events. The following questions come from that discussion.

- Can IHS students participate in Band, Chorus, etc.?
- Should all students be allowed to participate OR by a case-to-case basis-demonstrate no conflicts? (ex. schedule?)
- Is what's best for a few, best for all?
- Who will be the point of contact to determine eligibility concerns?
- Transportation when leaving early for ball games?
- Are we setting kids up for failure by allowing them to miss college classes?
- Is dual enrollment with base school an option?
- What if they miss their college class? Issues?
- Can IHS offer a small number of sports? Cross Country, Swimming etc.
- Expectations for missed classes, missed practices?
- Unintended consequences?

Dr. Bryant noted that is a 30,000-foot view of the previous discussion before opening up for current Board discussion.

Ms. Dot Case had the following questions to be consider in making a decision: how the schools will know that a student was attended two classes to be able to attend, how will that be coordinated, some sports leave early and how would that work for a student at HIS, what extracurriculars would be included (such as band, strings, cheerleading, etc), would it be open to Early College and Career Academy, how would we handle the number of kids to attend. She noted that Blue Ridge Community College will not excuse kids from missing class for sports participation.

Mrs. Amy Lynn Holt was on the previous committee and was disappointed in the discussion made at that time. She mentioned it is not fair to make a student choose between sports and academics. In her opinion, it would be open to any extracurricular that is after school. She said the requirement is to attend the college class first and the extracurricular would come second to those classes. She noted that we can control the Career Academy missing classes.

Mr. Craven said college courses and classes should take precedence. He noted we are already getting the students back to their districted high school to go home. That takes care of a portion of the transportation component.

Dr. Kathy Revis said she is all for students having access to college courses. She asked if the College and Career Promise Program is still available. Dr. Bryant acknowledged that program is still in place. Dr. Revis noted that she was part of the design of the Early College. She mentioned the purpose was to engage first generation college goers. The school was designed for students who did not want the comprehensive setting. It was intended to be different. She said she is all about access to community college courses. She thinks that a student can have extracurricular activities in a traditional school and participate in the College and Career Promise. Program to get college level courses. Dr. Revis asked if we are going to allow students at a high school without swim team to transfer to a school that has a swim team. She thinks that is the same as what is being considered with IHS. She said the students need a sense of belonging to the high school that they attend. The students need to be able to be all in at their high school. She said she is okay with looking at it. She doesn't want to destroy the integrity and intent of the IHS.

Mr. Jay Egolf said the students' commitments are attending the college course first. However, he thinks students should still be allowed to participate in the extracurricular activities at other high schools.

Mr. Craven noted that the Career Academy students need to be included in the conversation. He said there are no barriers at HCCA with classes like with the HCEC's college classes.

Ms. Case asked for a discussion with coaches, principals, and BRCC to look at it again. Dr. Bryant said we would be glad to bring people back together to look at with the stakeholders. Mrs. Stacey Caskey asked that the extracurricular activities be defined.

Dr. Bryant acknowledged that no one is saying it can't be done. You have to understand what it means and what the choices will be at that time. It is about making sure the board has all the pieces to the puzzle and a clear picture of all the aspects.

Mrs. Holt asked if it can be considered for fall sports. Dr. Bryant noted that fall sports start in August and the Early College is on different calendar. Unfortunately, the tryouts are during that time. He said that it's not the splash, it's the ripple. He prefers transition time of more than 30 days. Mrs. Holt asked if it could be considered for second semester. Dr. Bryant said we would need a timeline that would give time for effective communication. Mr. Robert Bridges said we need to look at priorities of the students. He noted that sometimes we can't do both and a choice has to be made.

Mrs. Caskey asked how many students are we talking about. Dr. Bryant said it's hard to determine because of small number right now, but there is a potential for a higher number later once students are aware of the change in extracurricular eligibility. Mr. Craven said he would like for further discussion at the July Board Workshop. Dr. Bryant noted that we would try to get it on the agenda for the workshop. It would depend on availability of stakeholders. Mr. Craven mentioned that he wanted people to know he voted for it in 2019 and it's not about his kid.

BOARD / SUPERINTENDENT'S REPORTS

A. RETURN TO LEARN UPDATE

Superintendent John M. Bryant shared we have two schools on the Flex calendar. Hendersonville Elementary School and Bruce Drysdale Elementary School students will start school on July 8, 2021. He mentioned the local health pandemic indicator numbers from the Harvard Global Health Institute. He reminded everyone that research data from the Harvard Global Health Institute (HGHI) indicates risk levels that are calculated based on daily cases per 100,000 people using a seven-day rolling average. As of June 24, 2021 the rolling average in Henderson County was 1.3/100,000 people. Henderson County is in the Low/Green tier on the NC DHHS County Alert System Report.

Dr. Bryant stated Executive Order 215 provides our current restrictions for operations. Face covering Requirements Subject to NCDHHS Guidance the following establishments, businesses, and institutions are required to follow NCDHHS Guidance with respect to indoor face covering requirements and all other COVID-19 related restrictions and recommendations:

- Schools
- Child care facilities
- Children's day or overnight camps
- Public or private transportation regulated by the State of North Carolina and North Carolina airports, bus and train stations or stops

He shared the specifics of Senate Bill 173.

- SB 173: Free the Smiles Act allows local school boards to determine the use of face masks for the 2021-2022 school year.
- It also permits the Governor to require masks for individual schools to reduce the transmission of COVID-19 but does not permit a statewide mask mandate for all schools.
- As of June 28, SB 173 passed the House 66-44 and was sent to the Senate for concurrence with House changes. It is not yet law.

The StrongSchoolsNC Public Health Toolkit states that, ***Operational Flexibility and Planning for Different Scenarios:*** *Schools have flexibility in how they choose to operationally implement the public health requirements in this toolkit. Further, school leaders should continue to maintain plans for three different potential scenarios, depending on what restrictions are deemed necessary by state public health leaders at any time in the school year to control the spread of the disease.*

Dr. Bryant shared the Local boards of education shall have the authority to make day-to-day decisions concerning whether shifting individual schools or individual classrooms that are providing in-person instruction to remote instruction if necessary due to COVID-19 exposures that result in insufficient school personnel or required student quarantines. Schools are under the guidance of the StrongSchoolsNC Public Health Toolkit. We will continue to be fluid.

Mr. Jay Egolf asked what would happen if the Board decided to make masks optional. Mr. Chris Campbell said the General Assembly of NC has passed an Emergency Declaration Act that allows the NC Governor to declare an emergency. Last year at the beginning of the pandemic, two things happened. The Lieutenant Governor challenged the authority of the Governor to use the Emergency Declaration Act. The judge found that the lawsuit was not likely to pass and the Lieutenant Governor withdrew his lawsuit. Last school year, a law was passed stating the public schools would follow the StrongSchoolsNC Public Health Toolkit that is published by NCDHHS. Additionally, Mr. Campbell noted the Free the Smiles Act is not law yet. The Legislature may still give local School Boards the ability to choose. However, as the Board attorney, Mr. Campbell advises at this time to wait until the General Assembly gives the local School Board the authority to decide. If they don't give the authority, Mr. Campbell would have to look at the information and the Board would need to go into closed session for him to advise them on options. Mr. Blair Craven asked about Hartnett County who lifted the mask mandate for their schools and what would happen if HCPS made a decision like that for our schools. Mr. Campbell said that the Board could be sued. The harder question is whether it would be a valid lawsuit and that is not an answer Mr. Campbell can give. There are lots of variables to determine if it would be determined as valid lawsuit. Mr. Campbell noted that it is usually mandamus action to be filed to compel you follow the law. It is not personal liability lawsuit. It is usually a lawsuit against the Board. Mr. Campbell noted as well that if a decision is made to remove mask mandate while the mandate is still a law the parents who want remote learning because the school system is not following the law and not offering remote education could sue the Board. Mrs. Amy Lynn Holt noted that the Board would not say a student couldn't wear a mask. Students would still have the choose to wear one. Mr. Craven said if Senate Bill 173 passes, an emergency called Board meeting would be called within 48 hours. Mrs. Holt said she doesn't feel like Henderson County is in an emergency order. She noted Henderson County is in the green and children are not required to wear masks other than at school. She said if the Board made a motion today to lift the mask mandate, we would be able to know if an adverse effect is being had on a smaller population before bringing back 13,000 students in August. Mr. Jay Egolf said it's important to him to have choices, but he does not feel comfortable going against the NC Governor. Dr. Kathy Revis asked if we will have a virtual option for the upcoming school year. Dr. Bryant said at this time no virtual option is in place. The intent for the upcoming school year is face to face instruction for all students.

Mrs. Holt made a motion for masks to be made optional and let parents make the choice to decide for their child. Mr. Egolf seconded the motion.

Mr. Craven opened the floor for further discussion. Mr. Egolf asked if the removal of masks would be if the Senate Bill passes. Mrs. Holt said she means right now before a bill passes. Mr. Egolf asked Mr. Campbell if we can be sued. Mr. Campbell said it would put the Board in the position to be sued. Mr. Craven called for a vote. Bridges, Yes; Case, No; Holt, Yes; Craven, No; Egolf, No; Caskey, No; Revis, No (The motion failed 5-2.)

Mrs. Holt asked Dr. Bryant if vaccines have been promoted in our school. Dr. Bryant said no there is nothing in our schools promoting vaccines.

B. CONSTRUCTION UPDATE

Mr. Carl Taylor, Chief Administrative Officer, presented the Construction Update for June 30, 2021. He noted the Hendersonville High School moving out of Stillwell and the Vocational buildings is complete and the demolition has begun on those two sites. The third floor of Stillwell is being demoed. The Vocational building has been completely demoed and the debris is being hauled away. Mr. Taylor noted the Oakland entrance has been paved. Mr. Craven asked about the two-to-three-inch lip from Oakland to the parking area. Mr. Taylor said he would look into that concern. The finishing touches are being done on the new building to prepare for the August school start. Mr. Craven asked about FFE and the furniture for that building. Mr. Taylor answered it is in the process of getting the furniture scheduled for delivery and should be ready for school to start. Mr. Craven asked about the press box. Mr. Taylor noted the press box has been demoed.

Mr. Taylor noted the secure entry renovations at Rugby Middle School started on April 19, 2021 with a targeted completion date of August 14, 2021. Mrs. Stacey Caskey asked about the handicap ramps. Mr. Taylor said there will be a buzzer system at the old door to provide handicap access.

Mr. Craven asked where Upward Elementary School is for a secure entry. Dr. Bryant answered we are waiting on the final property transfer with the work being done on VFW building survey work. The land is being parsed out because part of the property is going to Henderson County and part to the City of Hendersonville. The Upward project will be given the go ahead after that project is complete. Mr. Craven asked about the stadium scope for Hendersonville High School. Dr. Bryant said the full scope of that project will be looked at in the coming weeks. The County Commissioners committed to the turf at Hendersonville High School to do the same work that was done at the other four high schools.

C. EQUITY UPDATE

Assistant Superintendent, Dr. Wendy Frye, presented information from this year's summer learning. Equity updates can take different forms and today's update will be about a program that we believe is removing barriers and creating equitable learning opportunities for students. Dr. Frye noted it is her pleasure to share with the Board some information about our Summer Learning program. The young man in the photo shown is a student at Flat Rock Middle School who was participating in a water quality field investigation of macroinvertebrates in Little River. The joy is clear on his face. HCPS teachers, administrators, district directors and our leadership team spent months in preparation. One person in this room, actually started thinking about this twelve years ago. As Dr. Frye was looking for something in her office, she came across a folder. The folder is a lit review that Dr. Revis had done. Dr. Revis was working on our summer program back in 2009 and she didn't even know it. One of the quotes Dr. Revis used was in reference to the long-term effects of summer learning loss on students entering the 9th grade. The quote is "We find that cumulative achievement gains over the first nine years of school can be traced to differential summer learning over the elementary years." (Alexander, Entwisle, & Olson, 2007) An additional quote that Dr. Revis used in her lit review is "While summer programs should have an academic focus on literacy skills, they should also incorporate physical activities such as swimming, dancing, and other traditional summer sports as well as enrichment activities such as visiting parks, museums and zoos that can provide life experiences that support learning in the classroom." (Alexander, Entwisle, & Olson, 2007) Dr. Frye noted that what Dr. Revis was researching then and what we know to be true now is that the value of experiential learning is priceless. We have known the value of Summer Learning for quite some time and now have the level of funding to provide the most robust summer program HCPS has ever seen. When Dr. Revis was conducting research for this lit review, of course she had no idea what the school system would be facing over 10 years later. Dr. Frye noted the number of Total Students Attending: Elementary: 1,128; Middle: 409; High: 420; Number of Seniors Attending: 22. These students are attending Summer Learning programs at all of our school sites, including 7 sites also serving students with disabilities who have some significant challenges that impacted their ability to access virtual learning and who could benefit from additional support. Many of our EC students met the definition of at-risk and were well served by their school's summer program. Dr. Frye said that Read to Achieve requirements for 1st - 3rd graders were met within our summer learning schedule. In addition to remediation, we are also using Summer Learning, when appropriate, to accelerate learning and research shows that this can result in significant growth, not to mention preparation and excitement for the new school year. An example of this is, we have in many instances the next grade level teacher working with students from the previous grade level in anticipation of frontloading what they need to know to be successful next year. Year-round 5th graders are actually attending their summer program at their middle school so that they can receive a full summer learning experience. Dr. Frye would like to turn our summer learning program into an acceleration model in future years.

Reporting Requirements to NCDPI:

- Results of competency-based assessment given to students in grades K-8 at the beginning of the program and at the conclusion of the program.
- The number of students who progressed to the next grade level after participating in the program.
- The number of students who were retained in the same grade level after participating in the program.
- The number of students who received credit recovery in high school.

The SL2021-7 (HB82) law said that summer learning had to be fun. The summer learning should not only address

the learning losses, but by offer a fun, positive environment with enrichment activities. Dr. Frye noted the community partners who helped with summer learning are Chimney Rock, Team ECCO, Zaniac, The YMCA, Flat Rock Playhouse, Tarheel Lanes, Historic Johnson Farm, Riverlink, Bullington Gardens, and Pisgah Forest Gem Mine. These community partners helped summer learning to be fun. Mills River Elementary School had lessons around soil these first few weeks. The students made mud. Delicious Mud. Dr. Frye provided this 'mud' to share with Board members so they can take part in some of the fun.

Mrs. Amy Lynn Holt asked if Dr. Wilson's new position as the Director of Student Achievement would help with the reporting aspects. Dr. Frye noted that would be an aspect of her position. Mrs. Holt would like a Board report moving forward to see how much the summer learning cost per child, how the children were helped, and more details of what is needed for summer learning. Dr. Frye said they can definitely do a Board report. Dr. Revis asked about what assessment would be done at the end of summer learning. Dr. Frye said that we are able to use iReady to do our assessment. Since iReady is a program we already use, we are able to use the end of year iReady test for the beginning of summer learning assessment for grades kindergarten to 8th grade.

D. CHILD CARE SERVICES UPDATE

Assistant Superintendent, Scott Rhodes, shared the Child Care Update. He stated that the Financial Projections for May 2021 are: Revenues: \$76,634.00 and Expenses: \$54,808.78 with the FY Operational Profit/(Loss): \$21,825.22. Mr. Rhodes noted the Board directed an incentive to compensate employees during Summer PLUS. The extra \$10 per hour was not enough to open another site. However, they were able to increase the number of students served at the one location. Summer PLUS had 80 to 90 student each day. Mr. Rhodes mentioned the goal for Child Care Services is for the program to be revenue neutral.

E. FINANCIAL STATEMENTS

Mr. Bernie Sochia presented the Financial Statements as of May 31, 2021. He shared the Results of operations of the Local Current Expense and Other Restricted Funds for the 2020-21 fiscal year as of May 31, 2021: Revenues received total \$30,796,235 and expenditures made total \$23,382,063. Revenues were essentially complete for the year after April, and this leaves one more month of expenditures which includes the local supplement.

Mr. Blair Craven asked what the projected surplus is for the end of June. Mr. Sochia said it will be close to \$2 million. Dr. Kathy Revis asked about how the surplus came to be. Mr. Sochia said it is a combination of a lot of things. Some of it is related to ESSER funding and other COVID-19 dollars that we received earlier in the year. These funds were able to push the local budget into other reserves. Additionally, there are some things we were not able to do this year that saved funds. Mr. Craven noted that we spend federal funding first before using local funds. Mr. Jay Egolf asked what happens to the \$2 million dollars. Mr. Sochia noted that goes to fund balance. We have appropriation requests each year for funds we will use each year. Dr. Bryant mentioned it was not a normal year and we had federal funds that we were able to utilize this school year. Our appropriation to the County Commissioners is continuation of reoccurring funds and fund balance is spent and it's gone. Ms. Dot Case asked if ESSER funds are a spend it or lose it. Dr. Bryant said the funds have expiration dates for when the funds must be spent.

F. GENERAL OPERATIONS

Dr. John Bryant noted the following dates.

- July 8 First Day for Students on Flex Calendar
- July 20 HCBPE Board Workshop, 12:00-2:00pm, Mills River Academy
- August 3-4 Administrator InService, Blue Ridge Community College TEDC
- August 4 HCBPE Administrator Visit, 12:00-2:00pm, Blue Ridge community College
- August 9 HCBPE Regular Meeting, 4:00pm, Closed Session, 3:00pm, Boardroom
- August 16 First Day for Students on Early College Calendar
- August 23 First Day for Students on Traditional Calendar

Dr. Bryant stated that winning the lottery is serving in Henderson County Public Schools.

ADJOURNMENT

There being no further business, Mr. Jay Egolf moved that the meeting be adjourned. Seconded by Mrs. Amy Lynn Holt. (*Unanimously approved at 7:12 pm.*)

Minutes approved: August 9, 2021