ASHEVILLE CITY BOARD OF EDUCATION

REGULAR BOARD MEETING

Administrative Offices - Board Room

85 Mountain Street, Asheville, North Carolina

Monday, April 20, 2026, 5:00 PM

Board of Education Members:
Sarah Thornburg, Board Chair
Rebecca Strimer, Vice-Chair
Pepi Acebo, Member
Liza Kelly, Member
Amy Ray, Member
George Sieburg, Member
Jesse Warren, Member
Superintendent: Dr. Maggie Fehrman

The Vision of Asheville City Schools is to Empower and Engage every child to Learn, Discover, Thrive.

ASHEVILLE CITY BOARD OF EDUCATION REGULAR MEETING AGENDA

The meeting will be available for viewing via the
Asheville City Schools YouTube page.
Information about Public Comments can be found below.

Page

1. REGULAR MEETING

1.1 CALL TO ORDER - Board Chair, Sarah Thornburg
Equity Statement:*In Asheville City Schools we are committed to equity and anti-racist policies for all students and staff to learn and thrive. We recognize that our positions come with power, responsibility, and public service for the entire ACS community. We will model our commitment to equity through our practices and decisions. During this meeting, we invite a pause if harm has taken place, a moment to name the harm, and space to practice repair.*

1.2 QUORUM DETERMINATION - Board Chair, Sarah Thornburg

1.3 PLEDGE OF ALLEGIANCE - Board Chair, Sarah Thornburg

1.4 APPROVAL OF AGENDA - Board Chair, Sarah Thornburg
Motion to approve the agenda.

2. GOOD NEWS - Dr. Kim Dechant, Chief of Staff

3. SCHOOL NUTRITION UPDATE - Kristen Tekell, Director of Dining Services and Melissa Allen, Director of School Nutrition 4

ACS April 2026 Board Meeting 4.20.26.pptx

4. PUBLIC COMMENTS - Board Chair, Sarah Thornburg

Public Comment Guidelines

In-Person and Virtual Public Comment Guidelines can be found by clicking the link above.

The Board of Education greatly appreciates your interest in the Asheville City Schools (ACS) and we welcome your comments to the Board. Please be mindful of the following guidelines (per policy 2310):

Personnel and student matters are confidential and are therefore not appropriate for public comment. If you have a concern about an employee or a student matter, please contact or see the superintendent after the meeting.

4.1 In-Person Public Comment

5. CONSENT ITEMS - Board Chair, Sarah Thornburg

5.1 Draft Minutes
WORK SESSION - Mar 02 2026 - Minutes

Closed Session Minutes March 02, 2026

REGULAR MEETING - Mar 09 2026 - Minutes

SPECIAL CALLED OPEN MEETING - Mar 19 2026 - Minutes

SPECIAL CALLED OPEN MEETING - Mar 19 2026 - Minutes

5.2 Student Releases to Buncombe County - Tanya Presha, Special Assistant to the Superintendent

5.3 FY 26 Budget Expenditure Report and Amendment - Heidi Kerns, Chief Finance Officer 16

Budget Amendment - April (1).pdf

2026-2027 Expenditure Report 4-13-26.pdf

2026-2027 Budget Amendment #3 Cover Sheet 4-13-26 - Google Docs.pdf

5.4 Bus Stop Arm - April Dockery, Chief of Operations, and Amanda Rigsby, Transportation Director 25

Bus Arm Letter to County Commissioners 2026.pdf

Buncombe County, NC Ordinance for Stop Arm Camera Enforcement Program (draft) (002).docx

6. ACTION ITEMS - Board Chair, Sarah Thornburg

6.1 Asheville Contracting Co DBA Asheville Fence - Fence Install/Repair
Motion on Action Item

6.2 Policy Second Read - Dr. Maggie Fehrman, Superintendent 31
Policy Code: 3000 Goals and Objectives of the Educational Program
Policy Code_ 3000 Goals and Objectives of the Educational Program V.1 Clean - Google Docs (1).pdf

6.3 Personnel Report - April

Motion on Action Item

7. SUPERINTENDENT'S REPORT - Dr. Maggie Fehrman

8. BOARD CHAIR COMMENTS - Board Chair, Sarah Thornburg

9. ANNOUNCEMENTS/FUTURE MEETINGS - Board Chair, Sarah Thornburg

Work Session

Monday, May 4, 2026

Administrative Office - Board Room

Regular Meeting

Monday, May 11, 2026

Administrative Office - Board Room

Early Dismissal for Students

Friday, May 22, 2026

12:00 Noon K-5

1:00 PM 6-12

Holiday- Memorial Day - No School for Students and Staff

Monday, May 25, 2026

2025-2026 ACS Board of Education Meeting Schedule

10. ADJOURNMENT - Board Chair, Sarah Thornburg

Motion to adjourn the meeting.

Subscribe to receive notifications about upcoming meetings

School Nutrition Update

chartwells
serving up happy & healthy



Welcoming

Kristen Tekell

- Brings 10+ years of K12 Expertise
- Napa Valley Unified School District & Sonoma Valley Unified School District
- Appalachian State & AB Tech graduate

Limited Time Offer Campaigns



- February 2nd – May 1st
- Invite students to start their day with vibrant, nutritious meals that fuel growth and brighten their mornings
- Featuring:
  - Breakfast Bowls
  - Yogurt Parfaits
  - Chorizo Breakfast Burrito
  - Pancake Puffs
  - & More

Up Next:



Staff Training Day





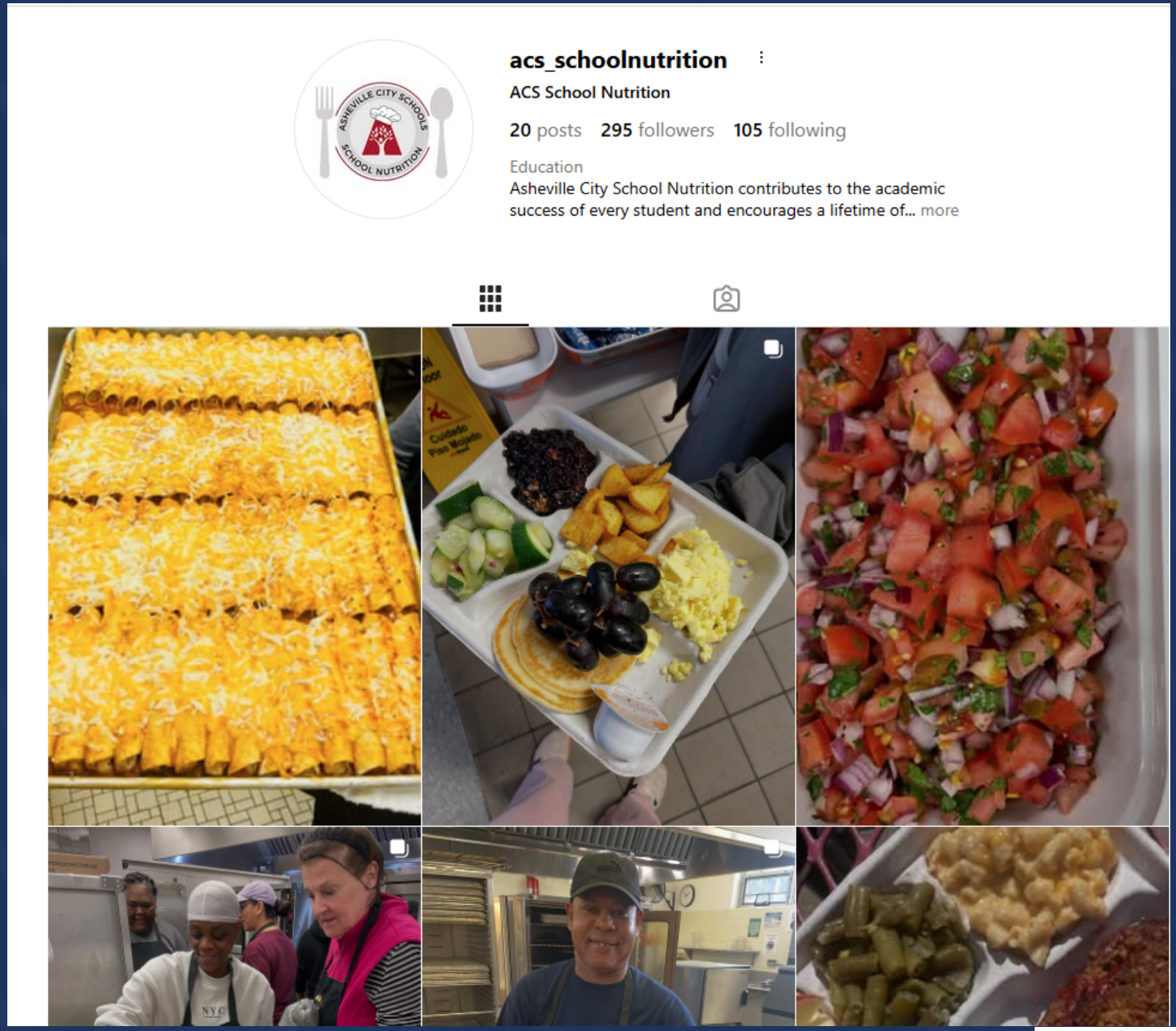






Re-Launch Social Media

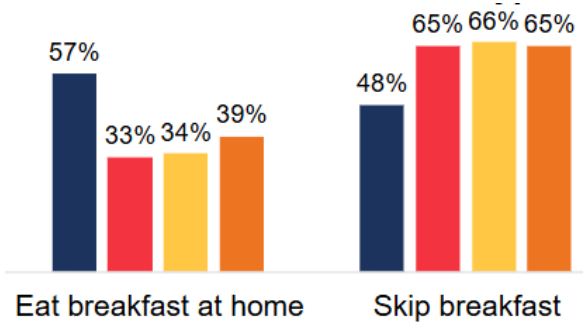
@acs_schoolnutrition



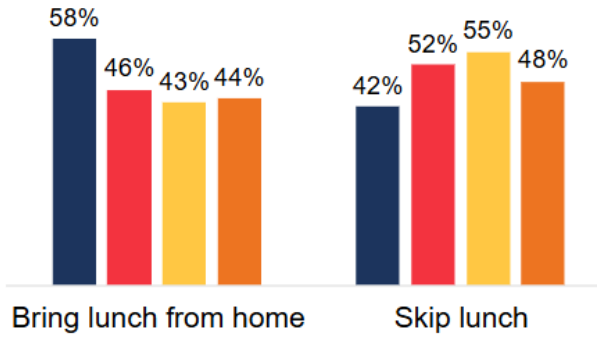
School Meals Report Card

Conducted November 2025 259 Responses

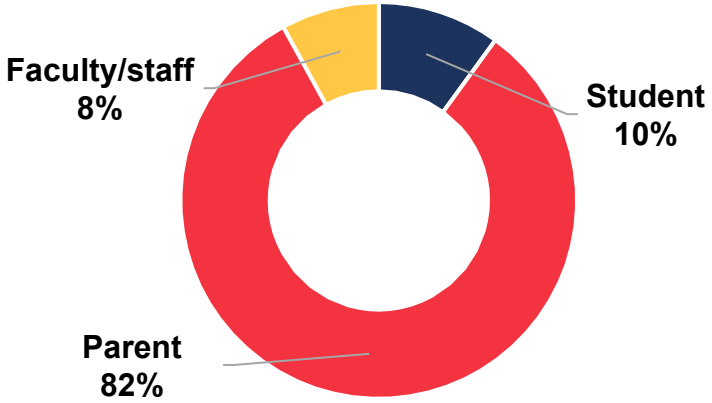
Alternative to school breakfast



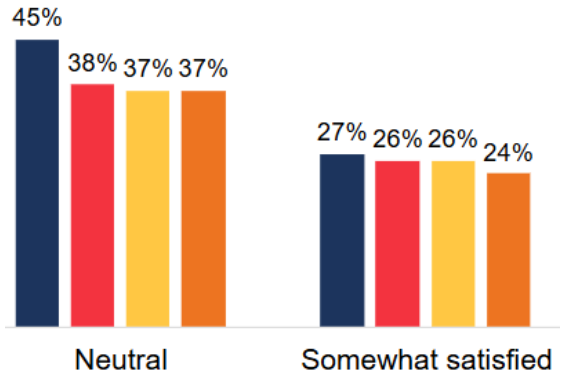
Alternative to school lunch



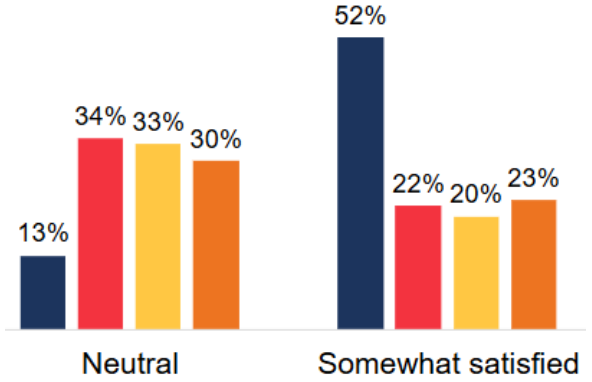
Respondent Breakout



Breakfast Satisfaction



Lunch Satisfaction



District Division Region National

By the Numbers

- **Overall Participation**
  - **Breakfast – 12.5%**
  - **Lunch – 31.2%**
- **Top Performers**
  - **Over 40% Breakfast: Hall Fletcher & Ira B Jones**
    - **2 more over 25%**
  - **Over 60% Lunch: Ira B Jones, Hall Fletcher & Lucy S Herring**
    - **3 more over 50%**



February Meal Counts

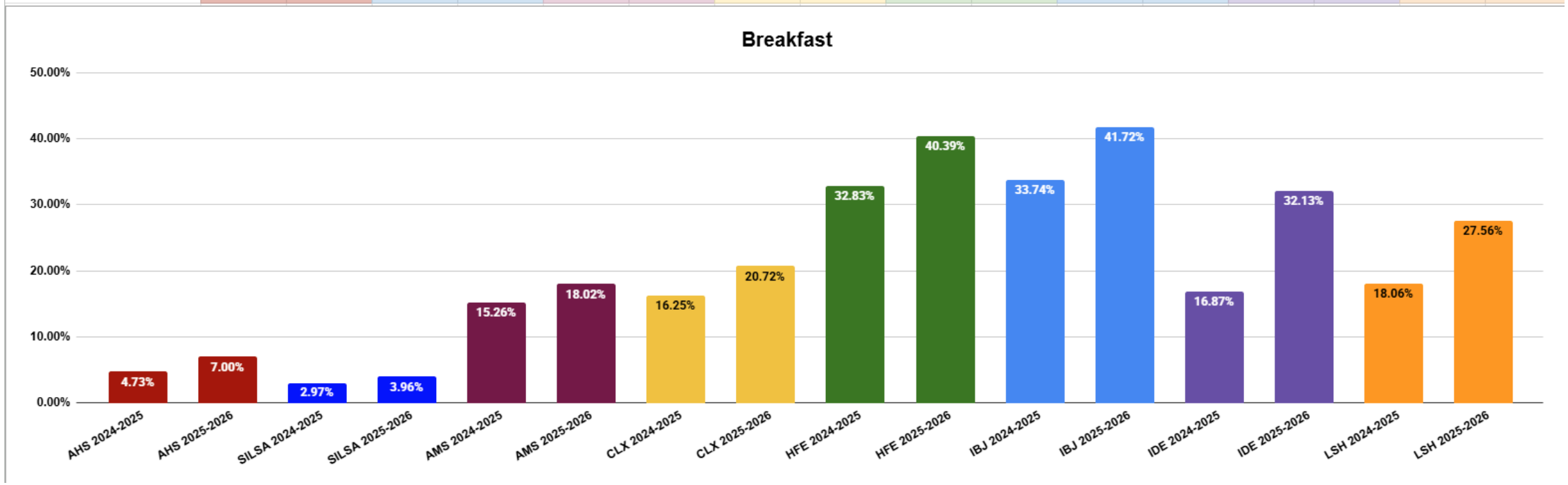
Lunches	Breakfasts	February Total Meals
1,858 per day	761 per day	39,290

Reimbursements

Free Reimbursement	Breakfast Rates	Lunch Rates
Breakfast: 71.7%	Free: $2.94	Free: $4.71
Lunch: 69.9%	Paid: $0.40	Paid: $0.55

Year over Year Comparison

Breakfast	AHS 2024-2025	AHS 2025-2026	SILSA 2024-2025	SILSA 2025-2026	AMS 2024-2025	AMS 2025-2026	CLX 2024-2025	CLX 2025-2026	HFE 2024-2025	HFE 2025-2026	IBJ 2024-2025	IBJ 2025-2026	IDE 2024-2025	IDE 2025-2026	LSH 2024-2025	LSH 2025-2026
	4.73%	7.00%	2.97%	3.96%	15.26%	18.02%	16.25%	20.72%	32.83%	40.39%	33.74%	41.72%	16.87%	32.13%	18.06%	27.56%

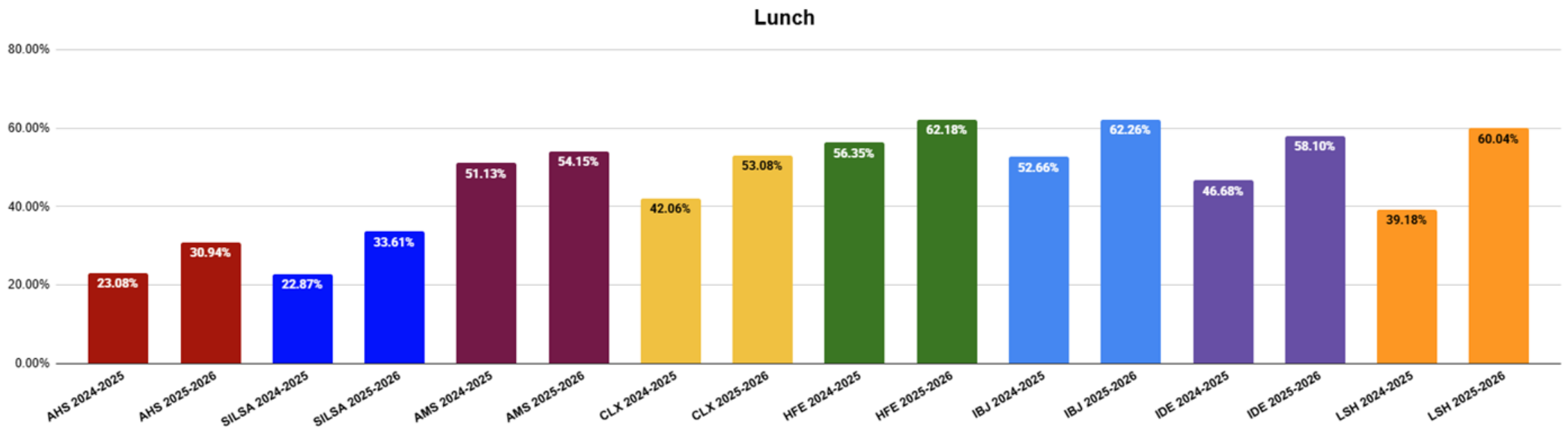


3 biggest Increases:

- **Isaac Dickson – 15.3 points**
- **Lucy S Herring – 9.5 points**
- **Ira B Jones – 7.9 points**

Year over Year Comparison

Lunch	AHS 2024-2025	AHS 2025-2026	SILSA 2024-2025	SILSA 2025-2026	AMS 2024-2025	AMS 2025-2026	CLX 2024-2025	CLX 2025-2026	HFE 2024-2025	HFE 2025-2026	IBJ 2024-2025	IBJ 2025-2026	IDE 2024-2025	IDE 2025-2026	LSH 2024-2025	LSH 2025-2026
	23.08%	30.94%	22.87%	33.61%	51.13%	54.15%	42.06%	53.08%	56.35%	62.18%	52.66%	62.26%	46.68%	58.10%	39.18%	60.04%



3 biggest Increases:

- **Lucy S Herring – 20.9 points**
- **Isaac Dickson – 11.4 points**
- **Ira B Jones – 9.6 points**

Impact of Weather Days

- **Loss of Revenue**
  - Missed Meals over 7 days
    - 5,300+ breakfast
    - 13,000+ lunches
  - Over $57,000 lost revenue
    - $8,100+ per day
- **Incurred expenses**
  - 500+ hours annual leave
  - Over $21,300 with fringe
    - $3,000+ per day

Total cost of inclement weather days to the School Nutrition program due to loss of potential revenue and expenditure impact of new policies – nearly **$80,000** for 2025-2026!



What's Next



Sampling to guide Fall 2026 Menus



Friday May 1, 2026

April is Waste Warrior Month



Thank You!

ASHEVILLE CITY SCHOOLS
BUDGET RESOLUTION & AMENDMENTS
FOR THE FISCAL YEAR BEGINNING JULY 1, 2025 AND ENDING JUNE 30, 2026

BE IT RESOLVED BY THE ASHEVILLE CITY BOARD OF EDUCATION:

Section 1 - The following revenues are estimated to be available to the State Public School Fund – Fund 1. The following expenditure amounts are hereby appropriated at the purpose level for the operation of the school administrative unit in the State Public School Fund for the fiscal year beginning July 1, 2025 and ending June 30, 2026.

	Budget Resolution	Amendment #1	Amendment #2	Amendment #3	Amendment #4	Amended Budget
Revenue						
3000 - State & Federal	30,012,716	325,130	335,600	124,693	-	30,798,139
4000 - Local & Other	-	-	-	-	-	-
4910 - Fund Balance Appropriated	-	-	-	-	-	-
Total State Public School Fund Revenues	**$ 30,012,716**	**$ 325,130**	**$ 335,600**	**$ 124,693**	**$ -**	**$ 30,798,139**
Expenditures						
5000 - Instructional Services	26,963,486	37,581	335,600	124,693	-	27,461,360
6000 - System-Wide Support	2,854,230	287,549	-	-	-	3,141,779
7000 - Ancillary Services	195,000	-	-	-	-	195,000
8000 - Non-Programmed Charges	-	-	-	-	-	-
9000 - Capital	-	-	-	-	-	-
Total State Public School Fund Appropriation	**$ 30,012,716**	**$ 325,130**	**$ 335,600**	**$ 124,693**	**$ -**	**$ 30,798,139**

Section 2 - The following revenues are estimated to be available to the Local Current Expense Fund – Fund 2. The following expenditure amounts are hereby appropriated at the purpose level for the operation of the school administrative unit in the Local Current Expense Fund for the fiscal year beginning July 1, 2025 and ending June 30, 2026.

	Budget Resolution	Amendment #1	Amendment #2	Amendment #3	Amendment #4	Amended Budget
Revenue						
3000 - State & Federal	-	-	-	-	-	-
4000 - Local & Other	29,782,468	-	-	-	-	29,782,468
4910 - Fund Balance Appropriated	2,000,000	-	-	-	-	2,000,000
Total Local Current Expense Fund Revenues	**$ 31,782,468**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 31,782,468**
Expenditures						
5000 - Instructional Services	13,310,000	-	525,000	350,000	-	14,185,000
6000 - System-Wide Support	14,402,468	-	140,000	(200,000)	-	14,342,468
7000 - Ancillary Services	970,000	-	(565,000)	(150,000)	-	255,000
8000 - Non-Programmed Charges	3,100,000	-	(100,000)	-	-	3,000,000
9000 - Capital	-	-	-	-	-	-
Total Local Current Expense Fund Appropriation	**$ 31,782,468**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 31,782,468**

Section 3 - The following revenues are estimated to be available to the Federal Grants Fund – Fund 3. The following expenditure amounts are hereby appropriated at the purpose level for the operation of the school administrative unit in the Federal Grants Fund for the fiscal year beginning July 1, 2025 and ending June 30, 2026.

	Budget Resolution	Amendment #1	Amendment #2	Amendment #3	Amendment #4	Amended Budget
Revenue						
3000 - State & Federal	3,942,351	11,986	136,373	122,151	-	4,212,861
4000 - Local & Other	-	-	-	-	-	-
4910 - Fund Balance Appropriated	-	-	-	-	-	-
Total Federal Grants Fund Revenues	**$ 3,942,351**	**$ 11,986**	**$ 136,373**	**$ 122,151**	**$ -**	**$ 4,212,861**
Expenditures						
5000 - Instructional Services	3,409,226	11,530	132,008	115,702	-	3,668,466
6000 - System-Wide Support	358,281	-	116	2,015	-	360,412
7000 - Ancillary Services	-	-	-	-	-	-
8000 - Non-Programmed Charges	174,844	456	4,249	4,434	-	183,983
9000 - Capital	-	-	-	-	-	-
Total Federal Grants Fund Appropriation	**$ 3,942,351**	**$ 11,986**	**$ 136,373**	**$ 122,151**	**$ -**	**$ 4,212,861**

Section 4 - The following revenues are estimated to be available to the Capital Outlay Fund – Fund 4. The following expenditure amounts are hereby appropriated at the purpose level for the operation of the school administrative unit in the Capital Outlay Fund for the fiscal year beginning July 1, 2025 and ending June 30, 2026.

	Budget Resolution	Amendment #1	Amendment #2	Amendment #3	Amendment #4	Amended Budget
Revenue						
3000 - State & Federal	250,000	-	-	-	-	250,000
4000 - Local & Other	3,471,992	-	-	525,000	-	3,996,992
4910 - Fund Balance Appropriated	3,000,000	-	-	-	-	3,000,000
Total Capital Outlay Fund Revenues	**$ 6,721,992**	**$ -**	**$ -**	**$ 525,000**	**$ -**	**$ 7,246,992**
Expenditures						
5000 - Instructional Services	1,400,000	-	-	525,000	-	1,925,000
6000 - System-Wide Support	1,075,000	-	200,000	-	-	1,275,000
7000 - Ancillary Services	-	-	-	-	-	-
8000 - Non-Programmed Charges	-	-	-	-	-	-
9000 - Capital	4,246,992	-	(200,000)	-	-	4,046,992
Total Capital Outlay Fund Appropriation	**$ 6,721,992**	**$ -**	**$ -**	**$ 525,000**	**$ -**	**$ 7,246,992**

Section 5 - The following revenues are estimated to be available to the School Nutrition Fund – Fund 5. The following expenditure amounts are hereby appropriated at the purpose level for the operation of the school administrative unit in the School Nutrition Fund for the fiscal year beginning July 1, 2025 and ending June 30, 2026.

	Budget Resolution	Amendment #1	Amendment #2	Amendment #3	Amendment #4	Amended Budget
Revenue						
3000 - State & Federal	1,395,000	-	-	-	-	1,395,000
4000 - Local & Other	818,000	-	-	-	-	818,000
4910 - Fund Balance Appropriated	-	-	-	-	-	-
Total School Nutrition Fund Revenues	**$ 2,213,000**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 2,213,000**
Expenditures						
5000 - Instructional Services	-	-	-	-	-	-
6000 - System-Wide Support	-	-	-	-	-	-
7000 - Ancillary Services	2,213,000	-	-	-	-	2,213,000
8000 - Non-Programmed Charges	-	-	-	-	-	-
9000 - Capital	-	-	-	-	-	-
Total School Nutrition Fund Appropriation	**$ 2,213,000**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 2,213,000**

Section 6 - The following revenues are estimated to be available to the Other Special Revenue Fund – Fund 8. The following expenditure amounts are hereby appropriated at the purpose level for the operation of the school administrative unit in the Other Special Revenue Fund for the fiscal year beginning July 1, 2025 and ending June 30, 2026.

	Budget Resolution	Amendment #1	Amendment #2	Amendment #3	Amendment #4	Amended Budget
Revenue						
3000 - State & Federal	1,717,515	-	10,192	-	-	1,727,707
4000 - Local & Other	6,330,595	-	612,000	636,635	-	7,579,230
4910 - Fund Balance Appropriated	1,669,050	-	-	-	-	1,669,050
Total Other Special Revenue Fund Revenues	**$ 9,717,160**	**$ -**	**$ 622,192**	**$ 636,635**	**$ -**	**$ 10,975,987**
Expenditures						
5000 - Instructional Services	7,530,058	-	551,192	636,635	-	8,717,885
6000 - System-Wide Support	1,840,796	-	11,000	-	-	1,851,796
7000 - Ancillary Services	247,527	-	-	-	-	247,527
8000 - Non-Programmed Charges	98,779	-	60,000	-	-	158,779
9000 - Capital	-	-	-	-	-	-
Total Other Special Revenue Fund Appropriation	**$ 9,717,160**	**$ -**	**$ 622,192**	**$ 636,635**	**$ -**	**$ 10,975,987**
Grand Total - All Funds	**$ 84,389,687**	**$ 337,116**	**$ 1,094,165**	**$ 1,408,479**	**$ -**	**$ 87,229,447**

Section 7 - The Superintendent and Finance Officer are hereby authorized to transfer appropriations as contained herein under the following conditions:

A. All appropriations shall be paid first from revenue restricted as to use, and second from general unrestricted revenues.

B. The Superintendent may transfer monies from one appropriation to another within the same fund with proper justification.

C. The Board of Education may amend the budget to transfer money to or from the capital outlay fund to or from any other fund, with the approval of the Board of County Commissioners, to meet emergencies unforeseen and unforeseeable at the time the budget resolution was adopted.

D. Each local school administrative unit shall operate under an annual balanced budget resolution. A budget resolution is balanced when the sum of estimated net revenues and appropriated fund balances is equal to appropriations.

E. Fund Balance may be needed to satisfy actual expenditures during the fiscal year. The allocation of fund balance appropriated in the Budget Resolution is anticipatory only. Fund Balance is accounted for on the district's balance sheet and is adjusted at the end of the fiscal year. The actual amount of Fund Balance allocated for each fund, if any, will be reflected in the annual audit report.

Budget Summary & Board Report

Date Range 07/01/2025 - 06/31/2026

Purpose Descr	(All)
Purpose	(All)
2 Digit Obj Des	(All)
2 Digit Obj	(All)
1 digit Obj Des	(All)
1 digit Obj	(All)
Fund Descripti	(All)
Obj Desc	(All)
PRC Desc	(All)
Program	(All)
Object	(All)
Location	(All)
User 1	(All)
User 2	(All)
Full Acct Code	(All)
Postable?	(All)
Type of Accou	(All)
Full Acct Code	(All)
Short Acct Cod	(All)

Fund	1 digit Purp	1 digit Purp Desc	Beginning Budget/Beg Balance	Budget Adjustments	Current Budget/Balance	Year-to-Date Exp/Rev	PO's & Encumbrances Outstanding	Remaining Balance	Escrow	Balance Including Escrow	Percent Spent
1	5XXX	Instructional Services	$26,963,486.00	$497,873.71	$27,461,359.71	$20,334,233.57	$235,844.63	$6,891,281.51	$0.00	$6,891,281.51	74.91%
	6XXX	System-Wide Support Services	$2,854,230.00	$287,549.00	$3,141,779.00	$2,709,782.24	$87,859.44	$344,137.32	$0.00	$344,137.32	89.05%
	7XXX	Ancillary Services	$195,000.00	$0.00	$195,000.00	$114,826.84	$0.00	$80,173.16	$0.00	$80,173.16	58.89%
1 Total			**$30,012,716.00**	**$785,422.71**	**$30,798,138.71**	**$23,158,842.65**	**$323,704.07**	**$7,315,591.99**	**$0.00**	**$7,315,591.99**	**76.25%**
2	5XXX	Instructional Services	$13,310,000.00	$875,000.00	$14,185,000.00	$10,885,026.27	$887,391.52	$2,412,582.21	$0.00	$2,412,582.21	82.99%
	6XXX	System-Wide Support Services	$14,402,468.00	($60,000.00)	$14,342,468.00	$9,129,047.30	$2,976,250.84	$2,237,169.86	$0.00	$2,237,169.86	84.40%
	7XXX	Ancillary Services	$970,000.00	($715,000.00)	$255,000.00	$106,594.59	$11,229.91	$137,175.50	$0.00	$137,175.50	46.21%
	8XXX	Non-Programmed Charges	$3,100,000.00	($100,000.00)	$3,000,000.00	$1,975,993.04	$0.00	$1,024,006.96	$0.00	$1,024,006.96	65.87%
2 Total			**$31,782,468.00**	**$0.00**	**$31,782,468.00**	**$22,096,661.20**	**$3,874,872.27**	**$5,810,934.53**	**$0.00**	**$5,810,934.53**	**81.72%**
3	5XXX	Instructional Services	$3,409,225.87	$259,240.23	$3,668,466.10	$1,643,039.86	$90,204.31	$1,935,221.93	$0.00	$1,935,221.93	47.25%
	6XXX	System-Wide Support Services	$358,280.76	$2,131.01	$360,411.77	$249,016.55	$1,374.73	$110,020.49	$0.00	$110,020.49	69.47%
	8XXX	Non-Programmed Charges	$174,843.91	$9,139.43	$183,983.34	$47,546.02	$106,403.94	$30,033.38	$0.00	$30,033.38	83.68%
3 Total			**$3,942,350.54**	**$270,510.67**	**$4,212,861.21**	**$1,939,602.43**	**$197,982.98**	**$2,075,275.80**	**$0.00**	**$2,075,275.80**	**50.74%**
4	5XXX	Instructional Services	$1,400,000.00	$525,000.00	$1,925,000.00	$898,899.97	$710,981.96	$315,118.07	$0.00	$315,118.07	83.63%
	6XXX	System-Wide Support Services	$1,075,000.00	$200,000.00	$1,275,000.00	$670,262.75	$437,285.74	$167,451.51	$0.00	$167,451.51	86.87%
	9XXX	Capital Outlay	$4,246,992.00	($200,000.00)	$4,046,992.00	$594,841.62	$942,989.80	$2,509,160.58	$0.00	$2,509,160.58	38.00%
4 Total			**$6,721,992.00**	**$525,000.00**	**$7,246,992.00**	**$2,164,004.34**	**$2,091,257.50**	**$2,991,730.16**	**$0.00**	**$2,991,730.16**	**58.72%**
5	7XXX	Ancillary Services	$2,213,000.00	$0.00	$2,213,000.00	$1,491,269.18	$387,632.19	$334,098.63	$0.00	$334,098.63	84.90%
5 Total			**$2,213,000.00**	**$0.00**	**$2,213,000.00**	**$1,491,269.18**	**$387,632.19**	**$334,098.63**	**$0.00**	**$334,098.63**	**84.90%**
8	5XXX	Instructional Services	$7,530,058.59	$1,187,827.00	$8,717,885.59	$4,965,213.68	$343,975.08	$3,408,696.83	$0.00	$3,408,696.83	60.90%
	6XXX	System-Wide Support Services	$1,840,796.00	$11,000.00	$1,851,796.00	$1,264,455.88	$177,512.84	$409,827.28	$0.00	$409,827.28	77.87%
	7XXX	Ancillary Services	$247,527.18	$0.00	$247,527.18	$106,810.25	$273.32	$140,443.61	$0.00	$140,443.61	43.26%
	8XXX	Non-Programmed Charges	$98,778.71	$60,000.00	$158,778.71	$0.00	$158,778.71	$0.00	$0.00	$0.00	100.00%
8 Total			**$9,717,160.48**	**$1,258,827.00**	**$10,975,987.48**	**$6,336,479.81**	**$680,539.95**	**$3,958,967.72**	**$0.00**	**$3,958,967.72**	**63.93%**
Grand Total			**$84,389,687.02**	**$2,839,760.38**	**$87,229,447.40**	**$57,186,859.61**	**$7,555,988.96**	**$22,486,598.83**	**$0.00**	**$22,486,598.83**	**74.22%**

ASHEVILLE CITY SCHOOLS

Learn. Discover. Thrive.

Board of Education

Sarah Thornburg, *Chair*
Rebecca Strimer, *Vice Chair*
Amy Ray
Jesse Warren
George Sieburg
Liza Kelly
Pepi Acebo

Office of the Superintendent

Dr. Maggie Fehrman, *Superintendent*

Kimberly Jones, *Executive Assistant to the Superintendent*

Budget Amendment Cover Sheet

Board Meeting Date: _____04/13/26_____

Budget Amendment Number: _____3_____

Amendment Total: $_____ 1,408,479_____

Reason for Amendment: Allotment adjustments, ABC transfers and minor line item adjustments.

Section 1 - State Public School Fund: Continuing allotment adjustments.

Section 2 - Local Current Expense Fund: Line item adjustments as budget development continues and state and federal grant allotments get finalized - net change $-0-.

Section 3 - Federal Grant Fund (NCDPI-administered): Continuing allotment adjustments.

Section 4 - Capital Outlay Fund: Adjustment for advance laptop purchase for IT (significant cost savings).

Section 5 - School Nutrition Fund: No changes needed at this time.

Section 6 - Other Special Revenue Fund: Budget added for sales tax refund and other minor adjustments.

ASHEVILLE CITY SCHOOLS

Learn. Discover. Thrive.

Board of Education

Sarah Thornburg, *Chair*
Rebecca Strimer, *Vice Chair*
Amy Ray
Jesse Warren
George Sieburg
Liza Kelly
Pepi Acebo

Office of the Superintendent

Dr. Maggie Fehrman, *Superintendent*

Kimberly Jones, *Executive Assistant to the Superintendent*

Dear Commissioners,

The Asheville City Schools system respectfully requests your support and approval in adopting an ordinance to allow for the civil enforcement of violations involving motorists who unlawfully pass a stopped Asheville City School bus, as allowed by law and encouraged by the North Carolina Legislature by their passing of SB55 in 2017.

The purpose of this ordinance and corresponding civil citation program is to establish a more effective and efficient method of enforcement—one that will reduce violations and enhance the safety of students who rely on school bus transportation each day. Every day that such a program is not in place is a day when violations may go undocumented, undeterred, and unaddressed.

Through the implementation of a civil enforcement program, outlined by North Carolina SB55 (2017) and preceding legislation, Asheville City Schools can strengthen ongoing safety efforts. This initiative would be supported through a partnership with Sitestream, which provides automated back-end citation services and end-to-end program management. These services include the review, verification, and processing of violations captured by existing camera systems currently installed on the school bus fleet. Also, included would be the provision of any new technology needed to make this an automated process and, of course, any necessary upgrades to existing on-bus technology provided at no cost.

Any citation resulting from a motorist unlawfully passing a stopped school bus will originate from an event flagged by the bus driver, in accordance with G.S. 20-217, and will be reviewed and ultimately authorized by a sworn law enforcement officer from either the Asheville Police Department or the Buncombe County Sheriff's Office.

For your consideration, a sample ordinance has been included for review. Asheville City Schools seeks to implement this program by the beginning of the next school year. Prior to launch, several key steps are required, including ordinance adoption, a 30-school-day warning citation period, a public awareness campaign, and system upgrades to modernize existing bus camera equipment. The 30-day warning period will be completed by the beginning of summer vacation, and the public awareness campaigns will continue over the summer in anticipation of civil citations beginning in August 2026.

Should you have any questions or require additional information, please do not hesitate to contact me by phone or email using the information provided below.

Thank you for your consideration and attention to this matter.

Amanda Rigsby, Director of Transportation,
amanda.rigsby@acsgmail.net or office phone 828-350-391

AN ORDINANCE FOR THE CIVIL ENFORCEMENT OF NORTH CAROLINA GENERAL STATUTE§ 20-217 BY MEANS OF AN AUTOMATED SCHOOL BUS SAFETY CAMERA INSTALLED AND OPERATED ON ANY SCHOOL BUS WITHIN BUNCOMBE COUNTY

WHEREAS, pursuant to§ 20-217 of the North Carolina General Statues, it is a crime for the driver of a motor vehicle to fail to stop for a school bus displaying its mechanical stop signal or flashing red lights and the bus is stopped for the purpose of receiving or discharging passengers; and

WHEREAS, §153A-246 of the North Carolina General Statutes allows a county to adopt an ordinance for the civil enforcement of§ 20-217 of the North Carolina General Statues by means of an automated school bus safety camera installed and operated on any school bus located within that county; and

WHEREAS, an ordinance adopted pursuant to§ 153A-246 of the North Carolina General Statutes shall not apply to any violation of§ 20-217 of the North Carolina General Statues that results in injury or death; and

WHEREAS, the Buncombe County Board of Commissioners understands the necessity and importance to use all available legal means to ensure the health and safety of the children of Buncombe County as they board and disembark a school bus; and

WHEREAS, in an effort to curb violations of§ 20-217 of the North Carolina General Statues, the Buncombe County Board of Commissioners desires to adopt an ordinance pursuant to § 153A-246 of the North Carolina General Statutes for the civil enforcement of G.S. § 20-217 by means of an automated school bus safety camera installed and operated on any bus located within Buncombe County.

NOW THEREFORE BE IT ORDAINED by the Buncombe County Board of Commissioners, the following ordinance is hereby adopted:

Section 1. Notice of Violation

A. The notice of violation shall be given in the form of a citation and shall be received by the registered owner of the vehicle no more than 30 days after the date of the violation.

B. The citation shall include all the following:

1) The date and time of the violation, the location of the violation, the amount of the civil monetary penalty imposed, and the date by which the civil monetary penalty shall be paid or contested.
2) An image taken from the recorded image showing the vehicle involved in the violation.

3) A copy of the statement or electronically generated affirmation from a Buncombe County Sheriffs Office deputy or a law enforcement officer employed by a law enforcement agency with whom an agreement has been reached with the County pursuant to G.S. l 15C-242.l(c) stating that, based upon inspection of the recorded images, the owner's motor vehicle was operated in violation of this Ordinance.
4) Instructions explaining the manner in which, and the time within which, liability under the citation may be contested pursuant to Section 3 of this Ordinance.
5) A warning that failure to pay the civil monetary penalty or to contest liability in a timely manner shall waive any right to contest liability and shall result in a late penalty of one hundred dollars ($100.00), in addition to the civil monetary penalty.
6) In citations issued to the registered owner of the vehicle, a warning that failure to pay the civil monetary penalty or to contest liability in a timely manner shall result in refusal by the Division of Motor Vehicles to register the motor vehicle, in addition to imposition of the civil monetary penalty and late penalty.

C. The citation shall be processed by officials or agents of the County and shall be served by any method permitted for service of process pursuant to G.S. lA-1, Rule 4 of the North Carolina Rules of Civil Procedure, or by first-class mail to the address of the registered owner of the vehicle provided on the motor vehicle registration, or, as applicable, to the address of the person identified in an affidavit submitted by the registered owner of the vehicle.

D. The registered owner of a vehicle shall be responsible for a violation unless the vehicle was, at the time of the violation, in the care, custody, or control of another person or unless the citation was not received by the registered owner within 60 days after the date of the violation. If the registered owner provides an affidavit that the vehicle was, at the time of the violation, in the care, custody, or control of another person or company, the identified person or company may be issued a citation complying with the requirements of Section l(B) of this Ordinance.

Section 2. Penalties

A. Violations of this Ordinance shall be deemed a noncriminal violation for which a civil penalty shall be assessed and for which no points authorized by G.S. 20-16(c) and no insurance points authorized by G.S. 58-36-65 shall be assigned to the registered owner or driver of the vehicle.

B. The amount of the civil penalty shall be the following:

1) First Offense: Four Hundred Dollars ($400.00)
2) Second Offense: Seven Hundred Fifty Dollars ($750.00)
3) All Subsequent Offenses: One Thousand Dollars ($1000.00)

C. If a citation is not contested pursuant to Section 3(A) of this Ordinance, the civil penalty shall be paid by the citation recipient within 30 days after receipt of the citation. If the citation recipient fails either to pay the civil penalty or to request a hearing to contest the citation in accordance with Section 3(A) of this Ordinance within 30 days after receipt of the citation, the citation recipient shall have waived the right to contest responsibility for the violation and shall be subject to a late penalty of one hundred dollars ($100.00) in addition to the civil penalty assessed under this Section.

D. If the citation is contested pursuant to Section 3(A) of this Ordinance and the decision is adverse to the person contesting the citation, the civil penalty shall be paid within 30 days after receipt of the adverse decision, unless the citation recipient appeals the adverse decision pursuant to Section 3(D) of this Ordinance. If the adverse decision is appealed, and if the final decision on appeal is adverse to the citation recipient, then payment of the civil penalty is due within 30 days after the citation recipient receives notice of the final adverse decision on appeal.

E. If the registered owner of a motor vehicle who receives a citation fails to pay the civil penalty when due, the North Carolina Division of Motor Vehicles shall refuse to register the motor vehicle for the owner in accordance with G.S. 20-54(11). The County may establish procedures for providing notice to the Division of Motor Vehicles and for the collection of these penalties and may enforce the penalties by civil action in the nature of debt.

Section 3. Appeals

A. A person wishing to contest a citation shall, within 30 days after receiving the citation, deliver to the officials or agents of the County a written request for a hearing accompanied by an affidavit stating the basis for contesting the citation, including, as applicable:

1) The name and address of the person other than the registered owner who had the care, custody, or control of the vehicle.
2) A statement that the vehicle involved was stolen at the time of the violation, with a copy of any insurance report or police report supporting this statement.
3) A statement that the citation was not received within 60 days after the date of the violation, and a statement of the date on which the citation was received.
4) A copy of a criminal pleading charging the person with a violation of G.S. 20-217 arising out of the same facts as those for which the citation was issued.

B. If the person to whom a citation is issued makes a timely request for a hearing under Section 3(a), a summons shall be issued by any method permitted for service of process pursuant to G.S. lA-1 Rule 4 of the North Carolina Rules of Civil Procedure, directing the person to appear at a place and time specified in the summons in order to contest the citation at an administrative hearing.

C. A nonjudicial administrative hearing shall be conducted by an administrative appeals board established by the County for contested citations or penalties issued or assessed under this Ordinance. The decision on a contested citation shall be rendered in writing within five days after the hearing and shall be served upon the person contesting the citation by any method permitted for service of process pursuant to G.S. lA-1, Rule 4 of the North Carolina Rules of Civil Procedure. If the decision is adverse to the person contesting the citation, the decision shall contain instructions explaining the manner and the time within which the decision may be appealed pursuant to Section 3(D) of this Ordinance.

D. A person may appeal an adverse decision of the administrative appeals board to the Buncombe County, North Carolina District Court by filing a notice of appeal with the Buncombe County Clerk of Superior Court. Enforcement of an adverse decision shall be stayed pending the outcome of a timely appeal. Except as otherwise provided in this Section, appeals shall be in accordance with the procedure set forth in Article 19 of Chapter 7A of the General Statutes applicable to appeals from the magistrate to the district court. For purposes of calculating the time within which any action must be taken to meet procedural requirements of the appeal, the date upon which the person contesting the citation is served with the adverse decision shall be deemed the date of entry of judgment.

Section 4. Criminal Pleadings

A. In the event a person is charged in a criminal pleading with a violation of G.S. 20-217, all the following shall apply:

1) The charging law enforcement officer shall provide written notice containing the name and address of the person charged with a violation of G.S. 20-217 and the date of violation to the Buncombe County Sheriff's Office or the law enforcement agency with whom the County has entered an agreement pursuant to G.S. 1lSC-242.l(c) to affirm a violation of this Ordinance.

· 2) After receiving notice that a person has been charged with a violation of G.S. 20-217, the County or a private vendor contracted with under G.S. l l5C-242.1 to process the civil citations shall not issue a civil citation imposing a civil penalty against that person arising out of the same facts as those for which the person was charged in the criminal pleading.

3) The County or a private vendor contracted with under G.S. 1lSC-242.1 to process the civil citations shall issue a full refund of any civil penalty payment received from a person who was charged in a criminal pleading with a violation of G.S. 20-217 if the civil penalty arose out of the same facts as those for which that person was charged in the criminal pleading, together with interest at the legal rate as provided by G.S. 24-1 from the date the penalty was paid until the date of the refund.

B. The County shall provide each law enforcement agency within its jurisdiction with the name and address of the County official or other law enforcement official

employed by a law enforcement agency with whom the County has entered an agreement pursuant to G.S. 1lSC-242.l(c) to affirm a violation of this Ordinance to whom written notice of persons charged with a violation of G.S. 20-217 should be given pursuant to Section 4(A) of this Ordinance.

Section 5. Effective Date.

This ordinance shall be effective upon its adoption.

Policy Code: 3000 Goals and Objectives of the Educational Program

It is the goal of the Board that every student be provided the opportunity to receive an exemplary and sound basic education. The Board aims for every student to graduate from high school on time with the skills, knowledge, and attributes to continue their education, enter the workforce earning a living wage, and become an active participant in our democracy.

The Board has developed a Portrait of a Scholar to clearly define these desired outcomes. The Board recognizes the critical role that families, caregivers, community partners (local business, governing bodies, and non-profit organizations, etc.) play in the success of our school system. To ensure that the educational program in Asheville City Schools meets high standards, the Board will maintain accreditation of its schools through a respected organization and/or the State Board of Education.

A successful educational program also depends on innovation at the individual school level. The Board is committed to allowing administrators and academic team leaders at individual schools to develop and implement plans necessary to ensure the educational success of their students.The Board has established a theory of action for school and district leaders to use as a framework for change. The ACS Theory of Action provides all staff with clear expectations and accountability measures. The ACS Board trusts our staff as professionals to ensure their classrooms are environments where all students receive world class education.

The educational program in ACS measures student achievement across three dimensions: character, mastery of knowledge and skills, and producing high-quality work. The Board believes that in order for the educational program to achieve exemplary and equitable outcomes ACS must provide each student with access to and/or the opportunity to:

- Contribute to a school culture where all students feel a sense of belonging and work with staff to become effective learners and ethical people who make the world better;
- Engage in a curriculum that both challenges students and promotes the joy of learning;
- Engage in grade-level, standards-based curriculum that allows students to grapple with demanding and meaningful content;
- Engage in a curriculum that elevates student collaboration, voice, critical thinking, reflection, creativity, and choice;
- Demonstrate proficiency not only on grade-level instructional standards as outlined by the State Board of Education, but also by developing a deeper

understanding of content across and between all academic discipline;
- Demonstrate the ability to read, write, and speak the English language, and a sufficient knowledge of the fundamentals of mathematics and physical science to function effectively in a complex and changing society;
- Demonstrate knowledge of geography, history, economic, and political systems to think critically and make informed choices about issues affecting themselves, their communities, the state, and the nation;
- Demonstrate exemplary academic, career, and technical skills to successfully engage in post-secondary education or to pursue a highly skilled career, enabling students to compete on an equal basis with others in furthering their education or obtaining gainful employment in contemporary society;
- Engage with classroom materials that reflect diverse perspectives, a wide range of voices, and lived experiences;
- Engage in classroom instruction that is alive with discovery, inquiry, critical thinking, problem solving, and collaboration so students can engage with and explore complex issues, text, and problems;
- Engage with fellow students in exploring core disciplinary concepts and applying real-world tools and professional skills to create meaningful, high-quality work.
- Engage in classroom instruction that fosters and celebrates character development, and;
- Reflect on their own learning by setting goals and tracking their progress towards standards-based learning.

These goals and objectives of the educational program will be used to guide administrators, teachers and the Board in all of their duties, including curriculum development, selection of materials, and choices related to instructional time.

Legal References: G.S. 115C-12 art. 8 pt. 1: 115C-12(32), -12 -36, -47, -151; *Leandro v. State*, 346 N.C. 336 (1997) State Board of Education Policies ACCR-000, GRAD-006, SCOS-016

Cross References: Board Authority and Duties (policy 1010), Curriculum Development (policy 3100), Selection of Instructional Materials (policy 3200), Counseling Program (policy 3610)
Adopted: May 11, 1998

Revised: January 9, 2012

November 2, 2020