

An Update from Lisa Baldwin
Your Buncombe County
Board of Education Representative

July 26, 2012

N.C. Attorney General to Issue Ruling on Buncombe School Board Decision

Carolina Journal News Reports

Buncombe School Board Member Says Majority Trying To Stifle Dissent Dissenters say other school boards keep minority in check

By Dan Way

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(http://www.carolinajournal.com/exclusives/display_exclusive.html?id=9336)

ASHEVILLE — After months of complaining about being bullied by her colleagues on the Buncombe County Board of Education, Lisa Baldwin has enlisted the assistance of a state lawmaker to determine whether a new board policy improperly restricts her access to public records.

The rule, adopted in June, requires board members to submit all requests for information to the superintendent of schools for “discretionary decisions” on allocating staff time. Requests submitted within 48 hours of a meeting also must go to the school board chairman for consultation with the superintendent before they’re granted.

“It’s unlawful, I think. It strips me of my rights not only as a board member but as a private citizen,” and interferes with her ability to gather information she needs to make a fully informed vote, Baldwin said.

“I’ve referred that to the [Attorney General’s] Office” for a ruling, said state Rep. Tim Moffitt, R-Buncombe, after Baldwin contacted him about the policy.

The situation in Buncombe County is not isolated. Other North Carolina school boards that have contentious relationships among members have attempted to limit access to information from members the majority may view as gadflies or nuisances. The trade association representing school boards has worked with many boards in an attempt to defuse the tensions, but critics say the association’s approach also can stifle dissenting views.

“It’s hard to take direction from more than one boss,” Buncombe County School Board President Bob Rhinehart said in explaining why the policy was adopted. “Particular board members were asking for things that should have been asked for, or not asked for, by the entire board.”

Baldwin, who often votes in opposition to issues the majority supports, sees the action as a strike against open government.

“I think it’s a slap in the face to my constituents, the parents and teachers of Buncombe County,” Baldwin said. “They’re pretty much bullying me.”

It is not unprecedented for elected members of a public agency to complain about colleague backlash if they vote regularly against the majority.

“I would much rather see them celebrate our different points of view ... than try to manipulate and bully” members into lockstep votes, said Tony Rose, a member of the Alamance-Burlington School System who often votes in the minority and has faced his own challenges.

“It seems to me that any member of the school board should be able to ask any question that they want to ask and have that question answered without objection,” Moffitt said. “I do not believe it’s in the best interest of the public for any member of any of our boards to be silenced by the other members.”

“Apparently I’m asking too many questions,” Baldwin said of the board’s reason for the policy change. “Maybe they don’t want the public to know the answers to some of these questions I’m asking.”

Among issues Baldwin has inquired about are: the budget and spending; opening new schools when existing ones are well below student capacity; the need to update a school facilities report and redraw school attendance zones; environmental concerns over toxic contamination at the central office building; and school staff doing repairs without permits or inspections.

She said in some instances she has made requests for information because the data are not available or not compiled in a way to make it useful for study purposes.

“We’re not trying to hide information, and we’re not trying to prevent people’s requests from being asked,” Rhinehart said.

But hard decisions sometimes need to be made to determine how staff time is best spent, he said.

“Why should [staff] spend time on it if it’s not going to go anywhere,” such as Baldwin’s desire to research privatizing some school functions, Rhinehart said. The rest of the board had no desire to pursue privatization.

He said her requests to reformat information into a manner she prefers are time-consuming and “it doesn’t matter what information is supplied, there’s still a no vote to it.”

Even so, Rhinehart said, “Miss Baldwin has some legitimate questions.” For example, he wants to learn more about the state Department of Environment and Natural Resources looking at environmental concerns near the central office. He said redrawing school attendance zones is a solid idea, but one made difficult by a fluid situation of people moving from high-income neighborhoods to less expensive areas due to the economy.

The friction on the Buncombe County board is not an isolated fracture, according to Ed Dunlap, executive director of the North Carolina School Boards Association.

The association has provided training to about 40 school boards, Dunlap said. One training module recommends a solution similar to the policy the Buncombe County school board adopted.

“From time to time you have an individual who may have good motives but that inundates their central office with requests for generation of information that simply takes them away from their day-to-day routine,” Dunlap said.

“What we recommend when that occurs is that the board develop a procedure where the information is requested by the board of education itself,” he said.

By same token, he said, if the majority routinely rejects out-of-hand suggestions and requests by the minority

board member, it could indicate it is the majority that is being problematic.

“[P]eople need to put on their adult hats and to work with each other,” Dunlap said. “I have seen instances where the board has become so divided and so split that the community has absolutely revolted and support for the public education system as a whole goes down.”

Rose believes the school boards association suffers the same affliction as his Alamance-Burlington school board and boards across the state.

“They want the superintendent to have full autonomy over everything, and they want the board to support it” as a “rubber-stamping team,” Rose said.

While he expected to engage in a “marketplace of ideas” in forming board decisions after being elected, Rose said he quickly learned the mantra was, “We need to have this unified front.”

Colleagues lose trust and become skeptical of motives “just by virtue of the fact that you’re asking a question,” he said.

“This philosophical difference ... to me, is a battlefield because every issue is discussed and voted on in the context of this [concept]” of the necessity to back the administration fully, Rose said.

He doesn’t believe the public elects officials to vote in lockstep, but to vet issues from their unique perspectives completely.

“This situation is going to need to be determined by the voters” in electing candidates who value due diligence over unanimity, Rose said.

From Wikipedia: A gadfly is a person who upsets the status quo by posing upsetting or novel questions. The term has been used to describe many politicians and social commentators. For example, Lisa Baldwin asked to see what was in the \$250 million budget before she voted on it - this would be a new format, since the status quo is to vote only on totals in 8 different funds - a four page budget. The budget funds the priorities for our schools - what priorities is the Board voting for? We don't know.

You Can Make a Difference

Next Board meetings - open to the public - Central Office, 175 Bingham Rd., Asheville, 28806

Thursday, Aug. 2 from 3-5pm STEM High School/Enka Solar Project Meeting

Thursday, Aug. 2 at 6:30pm (regular monthly meeting)

Did You Know?

In North Carolina, state law mandates substantial parent involvement in developing academic improvement plans for schools. Get involved and join your School Improvement Team. Call the school principal to volunteer.

Board Refuses to Hold Work Sessions

Your Board refuses to hold regular monthly work sessions to discuss priorities and important issues. I have

made numerous requests and motions to institute these pro-active work sessions to no avail. Write or call your school board members to voice your concern.

All meetings are held at 175 Bingham Road, Asheville, NC 28806 and are open to the public. For audio recordings of Board meetings and current agendas, visit buncombe.k12.nc.us and select Board of Education.

Public Comment

Please sign up at the Aug. 2nd meeting when you arrive if you would like to express your school system concerns. Public comment is limited to 3 minutes per person and occurs before the Board votes on issues and will be considered in decision-making.

Video/Audio Recordings of Meetings

To listen to the audio of past meetings or read the current agenda, visit www.buncombe.k12.nc.us and select Board of Education. To hear the unlawful motion made on June 29th, go to Minute 44 at <http://youtu.be/go7Mg9WaoRE> (The school system did not record this meeting, but it was livestreamed/taped by members of the League of Women Voters and Jerry Rice.)

Please contact Lisa Baldwin with your concerns and suggestions by replying to this email or at lisa.baldwin@bcsemail.org or 628-9537.

This message is the opinion of Lisa Baldwin and is not intended to represent the official position of the Buncombe County Schools or the Buncombe County Board of Education.

To contact school board members, visit www.buncombe.k12.nc.us