

From: Pepi Acebo <unitblocks@gmail.com>
Sent: 2/22/2021 12:36:24 PM
To: Esther Manheimer <esthermanheimer@avlcouncil.com>
Cc: Sage Turner <sageturner@avlcouncil.com>, Kim Roney <kimroney@avlcouncil.com>, Daniel Withrow <ncae.acae@gmail.com>
Subject: Re: Board of Education Appointment Process

Hi, Esther --

Thank you for your reply. I am available at your convenience.

My comments follow your statement.

On Mon, Feb 22, 2021, 9:26 AM Esther Manheimer <esthermanheimer@avlcouncil.com> wrote:
Pepi - Here's what i said:

"That has not been my experience. With all the 40+ boards the council appoints, yes, often the existing board and sometimes their corresponding administration will let council know who they prefer. That does happen. For example, the ABC Board, the Transit Commission, the Tourism Development Board, etc. might send us a letter or email and weigh in on the applicants. But, council makes its decision independently. Now, for almost all council boards, including school board, members are eligible for two, three-year terms. And, it is often the case that incumbent applicants receive strong consideration. Not reappointing an incumbent basically sends the message that you think the incumbent is not doing their job as a board member. I have heard why folks may want this candidate or that candidate but I haven't heard anyone make the case that the three incumbents are failing to do their job. Maybe you would say, well the state of affairs at central office is bad and therefore they must be doing a bad job. I don't know, maybe that's the sense of things. It would help me to understand whether folks are drawing that correlation, these three incumbent board members tied directly to the things of greatest concern."

I ask that you expand the pool of candidates to be interviewed. I hope to be included.

A majority of three of the five Board members is needed to affect change. The Superintendent and the Board Chair have both stepped over the line and need to be reined in. But there is a solid voting block of three that prevents this.

I reached out to you, Gwen, and Brownie immediately when I was informed that our new Superintendent instructed our lowest paid, most vulnerable Food & Nutrition staff to falsify USDA funding paperwork to claim excluded adult meals as if they were covered meals for children. I confirmed this with multiple staff at all levels in Asheville City Schools and with a staff member at NCDPI. This is a clear violation of public trust that, fortunately, has been documented and brought to NCDPI's attention. Unfortunately, staff are still intimidated in this matter and under threat of retaliation.

There are countless other instances where the Superintendent has bullied staff, even those with whistleblower

protections, and engaged in retaliatory behavior.

At the same time, the Chair has consistently advocated for diverting school resources to Asheville Housing Authority to benefit her position and goals as AGA Director of Services without ever recusing herself from any vote, even when AHA staff have declined to participate. She can't sit on both sides of the table without it being a conflict of interest, telling ACS to do what she says AHA wants and telling AHA that it must accept what she's directing ACS to do.Â

She could come before the Board, or have someone else representing AHA come before the Board and recuse herself from matters in which she has a conflict of interest.Â

Board members Brown and Griffin have both recused themselves during the past four years due to a conflict of interest, but the Chair has not, even articulating in public but unrecorded Work Sessions, "I only care about my kids [at AHA]." and, when told about successful students, "I only care about FAILING Black students."

The Chair most clearly crossed the line between public good and her personal interests when she advocated to superintendents Short and Freeman to elevate her best friend (who did not have building-level supervisory experience) to the level of an assistant superintendent with the payscale to match. Given the Chair's personal relationship, sitting in on her best friend's interview for a sizeable pay increase and promotion has more than an appearance of a conflict of interest and that the Chair is indebted for allowing this pay increase and promotion.

The Vice Chair is a delightful person. I really like her. But she has not constrained the Chair's actions, has on rare occasions provided false and outdated testimony that goes uncorrected on matters that have come before the Board, and will vote with the Chair even when she thinks the Chair is wrong.

Board member Griffin is the Board's most inaccessible member. No phone number is listed for her and she does not read or respond to emails from the public. I've asked her in person to share her number but the Vice Chair always intercepts and seems to manage her attention and her votes.

In work sessions, Ms. Griffin's question is almost always restricted to "Have you thought about the impact on 3rd grade EOGs?" -- a simple but obvious "Yes" question. She has a tendency to be late or wander off in the middle or end of meetings, which has required the Board on occasion to amend the agenda mid-meeting while someone tries to find her.

If you leave Ms. Griffin on the Board, we will keep heading in the direction we're going because the Chair, Vice Chair, and Ms. Griffin constitute a solid voting block.

I worked with Board member Brown more than 15 years ago and found her to be exceedingly competent. Four years ago, when I first applied to serve on the Board of Education, Council members Gordon Smith and Cecil Bothwell both asked me who I would recommend for the Board and I asked them to support Ms. Brown. Based on my experience of her and my knowledge that she had just earned a Masters in Human Resources, I thought she'd make a huge difference.

Immediately upon swearing in, Brown asked her peer Board members to change its standard meeting schedule to one Work Session starting at 4 PM or 5 PM and one Regular Meeting at 6:30 PM on the same evening once a month, because having two scheduled meeting days a month would be too much for her busy schedule. This has too often meant observers and participants in the Regular meetings -- including families with young children -- are waiting 30 minutes to an hour past the public notice start time of the Regular meeting while the Work Session/Closed Session matters run over into the 7 PM hour. Brown's limited availability and change to the meeting schedule has also limited the depth of discussions during Work Sessions.

What I have seen over the past four years is a Board member who reviews all the documents provided to the Board but does not want to hear anything outside the chain of command -- something she has said makes her angry. This makes it extremely difficult for Brown to hear perspectives outside those presented in Board meetings where information is too often inaccurate, incomplete, or misleading.

A few months ago, I spoke with Brown outside the Board Room about a previously unannounced staff procedure change that prevented staff from getting reimbursed for even trivial amounts from available classroom funds contributed by families. This included **“a low paid Black instructional assistant who had purchased a picture book on Amazon to help her kindergartners process the pandemic.”** This policy change affected both staff morale in the middle on the pandemic and the way PTOs provide funds for staff use.

Brown's response was that she ALWAYS makes sure that her staff policy manuals are written so that anything can be changed without notice -- and that any affected staff person should just keep asking for reimbursement without ANY fear of retaliation because current employment law is such that no staff member could ever be retaliated against. I found this callous and naive.

In prior conversations, Brown has expressed a zero-sum game mentality, specifically advocating for dismantling programs that work for many students in the hopes that diverting resources will fix what is not working for other students. This approach points us toward breaking everything just to shuffle the deck chairs. There is a lot to fix, but breaking everything first won't help.

I did notice that Brown started to solicit input from the public via Facebook this January. I think this is too little too late.

This is all the more difficult because I have consider Brown to be a personal friend and I am invested in her success and that of her family.

With less than two years on the ACS Board of Education, Board member Carter is still playing catch up, but, of all the Board members, he is most likely to catch a misrepresentation to the Board. He will ask some of the right questions, but this too often stops midway. He goes far enough to make a point but not far enough for effective governance. On some issues, as shown during the December 14, 2020, Special Meeting, Carter appears too far removed and disengaged from the realities to effectively address issues raised by families and staff. Too frequently, he is the lone person to speak up when specious proposals come before the Board, but leaves it at that, perhaps because of the solid voting block of the Chair, Vice Chair, and Ms. Griffin.

These are my personal observations, shared only with the recipients of this email.

I've arguably spent more time than anyone observing, cheering on, and waiving away from the reefs when this Board threatens to run Asheville City Schools aground.

Every one of our current Board members has noble goals. But things have gotten way more dysfunctional than they've ever been and it threatens the the ability of the school system to retain staff and address more pressing issues before us. We're on our third failed superintendent. And the Board as a whole continues to behave in a way that is unaccountable.

Please do what you can.

Yours in service,

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On Mon, Feb 22, 2021 at 8:59 AM Pepi Acebo <unitblocks@gmail.com> wrote:

Good morning, Mayor Manheiner --

I am hoping that you'll let me in on your priorities regarding tomorrow's votes on the Board of Education appointment process.

I am concerned about an email you sent to a parent that seems to indicate that existing members of the Board of Education should be reappointed because there was no reason not to do so.

If this is the case, we should talk. If there are off-limits topics, I'll respect that, too.

I hope that I'll have your support tomorrow to be interviewed for appointment to the Board of Education. I gratefully appreciated the opportunity to interview and your vote for my appointment to the Board two years ago.

I also hope that Council will ask the vice mayor to recuse herself due to her role in the withdrawal of Stephen Blount's application, and that Council will disregard her deciding Boards & Commissions committee votes related to school board appointments.

At a minimum, some existing members of the Board of Education should be replaced with an applicant who would be willing to constrain the Chair and the Superintendent from imprudent actions that put Asheville City Schools in jeopardy.

I suggest amending the proposed motion to give Council more flexibility in interviewing applicants. This may be prudent if issues came to light that caused existing members of the Board of Education to resign. Under the current proposed motion, you may find yourself wanting to appoint five new members with only four applicants scheduled to interview.

You might give yourself additional flexibility by including the candidates endorsed by the Asheville City Association of Educators, whomever they may be, and/or all candidates put forward during the Boards and Commissions meeting, which would include Libby Kyles, Kate Brewer Fisher, and myself.

There is a way forward.

I am grateful for your accessibility and support of Asheville City Schools.

Thank you for all you do to support our kids and our community!

Yours in service,

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cc: Council members Kim Roney and Sage Turner due to their recent votes on the Asheville City Board of Education process. ACAE president Daniel Withrow.

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