

Dennis Sanders
106 Landing Lane
Bluffton SC 29909

2/26/2018

Jeffery Moss
Superintendent
Beaufort County School District
2900 Mink Point Boulevard,
Beaufort, SC 29902

Dear Mr. Moss,

Under the **South Carolina Freedom of Information Act, §30-4-10 et seq.**, I am requesting an opportunity to inspect or obtain copies of public records that relate to information:

1. The details of the requested information sought by the Federal Bureau of Investigations (FBI) January 2018 subpoena concerning Beaufort County School District's involvement in an FBI investigation related to the construction of two Bluffton schools.
2. The information provided to the FBI by the Beaufort County School Boards.
3. School Board member discussions concerning the subpoena.
4. Staff discussions concerning the subpoena.
5. Legal opinions provided by the legal counsel concerning the subpoena provided by attorney Drew Davis.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$50. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of the Federal Bureau of Investigations (FBI) subpoena concerning the construction of 2 schools in Beaufort County. This information is not being sought for commercial purposes.

I am a resident of Beaufort County.

The South Carolina Freedom of Information Act requires a response time within 15 business days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Sincerely,



Dennis Sanders
262-312-0627

Dennis Sanders
106 Landing Lane
Bluffton SC 29909

2/26/2018

Earl Campbell
Board Chairman
Beaufort County School District
2900 Mink Point Boulevard,
Beaufort, SC 29902

Dear Mr. Campbell,

Under the **South Carolina Freedom of Information Act, §30-4-10 et seq.**, I am requesting an opportunity to inspect or obtain copies of public records that relate to information:

1. The details of the requested information sought by the Federal Bureau of Investigations (FBI) January 2018 subpoena concerning Beaufort County School District's involvement in an FBI investigation related to the construction of two Bluffton schools.
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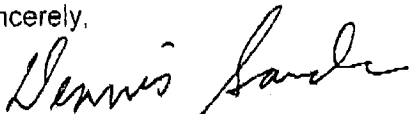
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Thank you for considering my request.

Sincerely,



Dennis Sanders
262-312-0627



February 27, 2018

Dennis Sanders
106 Landing Lane
Bluffton, SC 29910

Dear Mr. Sanders:

Thank you for your request for public records pursuant to the South Carolina Freedom of Information Act. I have numbered the Beaufort County School District's (BCSD's) responses below to correspond to your questions.

1. & 2. In accordance with S.C. Code Ann. 30-4-40(a)(3)(A) and (B), the BCSD exempts from disclosure your requested records on grounds the production thereof would interfere with a prospective law enforcement proceeding and/or would deprive a person of a right to a fair trial and/or an impartial adjudication.

The BCSD has been informed by the U.S. Attorney of its preference that grand jury subpoenas and the contents therein not be made public. As rationale, the U.S. Attorney specifically cited language similar to S.C. Code Ann. 30-4-40(a)(3)(A) and (B). Through its officers, the Board of Education made a public commitment that the "the Board, the District, its counsel, and its employees will cooperate fully with this investigation." The U.S. Attorney made an unambiguous recommendation that the subpoenas not be made public because doing so might hinder their investigation. It is impossible to reconcile the promise of full cooperation if the BCSD then acts in a manner inconsistent with law enforcement's stated preference.

The Board officers also directed BCSD staff to release the subpoenas upon notification release no longer interferes with a law enforcement proceeding or would not deprive a person of a right to a fair trial or an impartial adjudication.

3. & 4. Discussions are not subject to FOIA because they are not public records as defined by FOIA, and "discussions" are not in the possession, custody, and control of the BCSD.

5. No responsive records exist in the possession, custody, or control of the BCSD. To the extent such do exist, in accordance with S.C. Code Ann. 30-4-40(a)(7), the BCSD exempts from disclosure opinions by legal counsel for a public body and any other material that would violate attorney-client relationships.

February 27, 2018

Dennis Sanders

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Sincerely,

A handwritten signature in blue ink that reads "Jennifer A. Staton". The signature is written in a cursive style with a small dot above the 'i' in "Jennifer".

Jennifer A. Staton, MS, CSP
Risk Manager

Cc: Jeffrey C. Moss, PhD, Superintendent
Earl Campbell, Chair, Board of Education
Alice W. Walton, Chief Administrative and Human Resources Officer
Drew Davis, General Counsel
James H. Foster, Director of Communications