



**AGENDA
BOARD OF TRUSTEES
RIVER SPRINGS ELEMENTARY SCHOOL'S THEATRE
FEBRUARY 14, 2011**

1. Call to order at 6 p.m.
2. Enter executive session in the conference room to consider the following:
 - a. Selected employment items (Exhibit A)
 - b. Requests for instruction at a place other than school (Exhibit B)
 - c. A contractual matter regarding the new elementary school property
- Derrick Pond Road
3. Welcoming remarks at 7 p.m.
4. Invocation – Matthew Rings, Pastor of Students, St. Andrews Presbyterian Church
5. Pledge of Allegiance – Kyle Madden, a second grade student at River Springs Elementary School
6. School Board Spotlight
7. Approve the agenda
8. Approve the minutes of the December 13, 2010 board meeting, the January 18, 2011 budget workshop, and the January 24, 2011 board meeting
9. Welcome and brief overview of River Springs Elementary School by Melanie Cohen, principal, and Ben Aplin, School Improvement Council chair
10. Superintendent's report
 - a. Superintendent

- b. Community Services
 - c. Financial Services
 - 1. Update on the cost of the Chapin High School's wetlands lawsuit (Exhibit C)
 - d. Human Resources
 - e. Instructional Services
 - f. Technology Service
11. Public participation*

NEW DESIGN AND CONSTRUCTION AGENDA

12. **DISCUSSION**
- 1. Approve a covered batting cage for the baseball team at Irmo High School (Exhibit D)

13. **ACTION**

ACTION AGENDA

14. Items considered in executive session
15. First reading approval of proposed revisions to board J policies: JIB add "Student Involvement In Decision Making", JICEA "School Related Student Publications" replaces JHCC "Student Publications", JICG "Tobacco Use By Students" replaces JCDA "Tobacco Free Facilities/Possession and Use of Tobacco", JICG-R "Tobacco Use By Students" replaces AR-JCDA-R "Tobacco Free Facilities/Possession and Use of Tobacco", JICH "Drug And Alcohol Use By Students" replaces JCDA/JCDA "Alcohol/Drug Use" (Exhibit E)
16. Board meeting guideline parameters
17. Motions related to Chapin High School's additions and renovations per 2008 bond referendum and on-going legal proceedings
18. Budget development for 2011-2012
- a. Recommendation for temporary suspension of IEC-R Administrative Rule (Exhibit F)

DISCUSSION AGENDA

19. Discussion of proposed revisions to board policies J:
JICA "Student Dress" replaces JCDB "Dress Code, JICA-R "Student Dress" replaces AR-JCDB-R "Dress Code", JICF "Secret Societies/Gang Activity" replaces JCDAF "Gangs and Gang Related Activity", JICFA add "Hazing" JICFAA "Harassment, Intimidation or Bullying" replaces JCDAAAA "Harassment, Intimidation or Bullying", JICI add "Weapons In School" (Exhibit G)
20. Adjourn

FOR YOUR INFORMATION

21. The next regular scheduled board meeting will be on February 28, 2011 at the District Administration Building.

*The Board welcomes and encourages public participation and includes an opportunity during its meetings for the public to do so. We respectfully ask that you adhere to the procedures and the decorum provided in board policy BEDH "Public Participation at Meetings". We ask that you sign-up to speak before the meeting begins and that you provide us your name, address and topic of input. Your comments should be limited to three minutes. Questions asked during public participation and placed in writing will receive a written response in a timely manner. Comments, questions and opinions are appreciated but should always be presented in a manner that reflects the respect and dignity expected by our community. Personal attacks on members of the community, the Board, or the staff of the school system will not be allowed.



Minutes/ December 13, 2010

The Board of Trustees of School District Five of Lexington and Richland Counties met at Nursery Road Elementary School with the following members present:

Mr. Robert Gantt, Chairman
Mrs. Beth Hutchison-Watson, Vice Chairman
Mrs. Ellen Baumgardner, Secretary
Mrs. Jan Hammond
Mrs. Kim Murphy
Mr. Jim Turner
Mr. Ed White
Dr. Herbert Berg, District Superintendent

The following staff were in attendance:

Ms. Helen Anderson, Chief Instructional Services Officer
Dr. Angela Bain, Chief Human Resource Services Officer
Mr. Gary Black, Chief Technology Services Officer
Dr. Karl Fulmer, Chief Financial Services Officer
Mr. Keith McAlister, Director, New Design and Construction
Mr. Buddy Price, Director, Office of Community Services

Robert Gantt called the meeting to order and gave welcoming remarks.

Reverend Sean Brown, Palmetto Church of Christ, gave the Invocation. Corey Davis, a fifth grader at Nursery Road Elementary School, led the Pledge of Allegiance.

Robert Gantt, Jan Hammond and Kim Murphy presented the School Board Spotlight.

A welcome and brief overview of Nursery Road Elementary School was given by Christina Melton, principal, and Debra Phipps, SIC member.

During the superintendent's report, an update on the Chapin High School's renovation project and legal appeal was given by Pam Baker, McNair Law Firm; an update on the cost of Chapin High School's wetlands lawsuit (Exhibit C) was given by Karl Fulmer; the financial reports for October and November 2010 (Exhibit D) were presented by Karl Fulmer; and the school and district state report card ratings were presented by Helen Anderson (Exhibit E).

During the public participation, Albert Bueno spoke regarding Chapin High School; Susan Baker spoke regarding the Chapin High School lawsuit; Dr. Michael Green and Dennis Shedd spoke regarding the Health Science Building at Dutch Fork High School; and Michael Quinn spoke regarding the property for the new elementary school.

During the new design and construction agenda, Keith McAllister presented information on several building renovation projects: Irmo High School (Exhibit F), Dutch Fork High School (Exhibit G), Chapin Elementary School (Exhibit H) and Leaphart Elementary School (Exhibit I).

Karl Fulmer presented the timeline for the 2011-2012 general fund budget (Exhibit N).

A = Absent
AB = Abstain
N = No
X = Yes

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of December 13, 2010

| | B A U M G A R D N E R | G A N T T | H A M M O N D | M U R P H Y | T U R N E R | W A T S O N | W H I T E |
|---|---|-----------------------|---------------------------------|----------------------------|----------------------------|----------------------------|-----------------------|
| 1. M. Watson S. Hammond Enter executive session to consider the following: 2a) personnel issues; 2b) property matter; 2c) selected employment items (Exhibit A); and 2d) request for student expulsion appeal hearing (Exhibit B) | X | X | X | X | X | X | A |
| 2. M. Baumgardner S. Watson Approve the agenda M. Murphy S. Amend to include an update on the Oak Pointe Elementary School traffic issue M. Murphy S. Amend to add live streaming during the action agenda M. Hammond S. Baumgardner Amend to place the item on the discussion agenda Vote on the original motion | | | | | | | |
| | X | X | X | X | X | X | X |
| | X | X | X | X | X | X | X |
| 3. M. Watson S. White Approve the consent agenda (13 approval of the minutes of the November 8, 2010 board meeting and the minutes of the special-called November 19, 2010 board meeting; 14 second reading of new board policy GCE "Professional Staff Recruitment" (Exhibit K); second reading of new Administrative Rule GCF-R "Professional Staff Hiring" (Exhibit L); and second reading of new Administrative Rule GCK-R "Professional Staff Assignments and Transfers" (Exhibit M) | | | | | | | |

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Meeting of December 13, 2010

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|--|---|-----------------------|---------------------------------|----------------------------|----------------------------|----------------------------|-----------------------|
| M. Murphy S. Watson Amend to withdraw the minutes of the November 19, 2010 special-called meeting | X | X | X | X | X | X | X |
| M. Watson S. Baumgardner Approve the minutes of the November 19, 2010 special-called meeting Motion withdrawn | | | | | | | |
| M. Baumgardner S. White Approve the minutes of the November 19, 2010 special-called meeting | | | | | | | |
| M. Murphy S. Hammond Amend that we go back and not approve until we have listened to the tapes | No | No | X | X | X | No | No |
| Vote on the motion | X | X | No | No | No | X | X |
| 4. M. Watson S. Baumgardner The Board not grant the request of an employee to be heard by the Board in connection with a grievance | X | X | X | X | X | X | X |
| 5. M. Watson S. White Approve the request of the sellers of the property, and in consideration of the options before the District pursuant to the Amendment to the Contract to purchase the property, I move that the School District bring a condemnation action to obtain the remaining 2.67 acres known as Parcel E of the Derrick Pond Road property | X | X | AB | No | No | X | X |

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Meeting of December 13, 2010

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|--|---------------------------|---|-----------------------|---------------------------------|----------------------------|----------------------------|----------------------------|-----------------------|
| 6. | M. Baumgardner S. Watson | X | X | X | X | X | X | X |
| Approve the selected employment items (Exhibit A) | | | | | | | | |
| 7. | M. Watson S. Hammond | X | X | X | X | X | X | X |
| Grant the request of the student and his family to appear before the Board for an appeal hearing (Exhibit B) | | | | | | | | |
| 8. | M. White S. Baumgardner | X | X | No | No | No | X | X |
| Approve to proceed with site adaptation for the new elementary school (Exhibit J) | | | | | | | | |
| 9. | M. White S. Watson | No | No | No | X | No | No | No |
| The District adopt the recommendation of the Corp of Engineers in it's letter dated March 22, 2010 to the District and we separately permit the academic buildings and athletic fields at Chapin High School so that we can proceed with the renovations to Chapin High School | | | | | | | | |
| 10. | M. White S. Watson | X | X | X | No | X | X | X |
| Adopt a Resolution, The Board of Trustees of District Five of Lexington and Richland Counties disapproves of the lawsuit brought by Mrs. Kim Murphy, Murphy vs. School District Five of Lexington and Richland Counties and DHEC, which has cost the school district in excess of \$1.4 million dollars as of December 14, 2010, and is delaying the renovations to Chapin High School and denying students the timely use of much needed facilities. The Board requests that Mrs. Murphy abide by the vote of the majority of the Board of Trustees to proceed with the renovations at Chapin High School | | | | | | | | |
| 11. | M. Hammond S. Baumgardner | X | X | X | X | X | X | X |
| Schedule a budget workshop session on January 18, 2011, at 6 p.m. at the District Administration Building | | | | | | | | |

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SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of December 13, 2010

| | | B A U M G A R D N E R | G A N T T | H A M M O N D | M U R P H Y | T U R N E R | W A T S O N | W H I T E |
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| 12. M. | Watson | X | X | X | X | X | X | X |
| | S. Baumgardner | | | | | | | |
| | Adjourn at 11:45 p.m. | | | | | | | |

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Minutes/January 18, 2011

The Board of Trustees of School District Five of Lexington and Richland Counties met at the District Administration Building with the following members present:

Mr. Robert Gantt, Chairman
Mrs. Beth Hutchison-Watson, Vice Chairman
Mrs. Ellen Baumgardner, Secretary
Mrs. Jan Hammond
Mrs. Kim Murphy
Mr. Jim Turner
Mr. Ed White
Dr. Stephen Hefner, Interim District Superintendent

The following staff were in attendance:

Ms. Helen Anderson, Chief Instructional Services Officer
Dr. Angela Bain, Chief Human Resource Services Officer
Mr. Gary Black, Chief Technology Services Officer
Dr. Karl Fulmer, Chief Financial Services Officer
Mr. Keith McAlister, Director, New Design and Construction
Mr. Buddy Price, Director, Office of Community Services

The Board conducted a budget workshop session.

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of January 18, 2011

| | | B A U M G A R D N E R | G A N T | H A M M O N D | M U R P H Y | T U R N E R | W A T S O N | W H I T E |
|----|----------------------|---|------------------|---------------------------------|----------------------------|----------------------------|----------------------------|-----------------------|
| 1. | M. Baumgardner | X | X | X | X | X | X | X |
| | S. White | | | | | | | |
| | Adjourn at 9:05 p.m. | | | | | | | |

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Minutes/ January 24, 2011

The Board of Trustees of School District Five of Lexington and Richland Counties met at the District Administration Building with the following members present:

Mr. Robert Gantt, Chairman
Mrs. Beth Hutchison-Watson, Vice Chairman
Mrs. Ellen Baumgardner, Secretary
Mrs. Jan Hammond
Mrs. Kim Murphy
Mr. Jim Turner
Mr. Ed White
Dr. Stephen Hefner, Interim District Superintendent

The following staff were in attendance:

Ms. Helen Anderson, Chief Instructional Services Officer
Dr. Angela Bain, Chief Human Resource Services Officer
Mr. Gary Black, Chief Technology Services Officer
Dr. Karl Fulmer, Chief Financial Services Officer
Mr. Keith McAlister, Director, New Design and Construction
Mr. Buddy Price, Director, Office of Community Services

Robert Gantt called the meeting to order and gave welcoming remarks.

Reverend Kevin Allen, Mount Alexander Baptist Church, gave the Invocation. The Pledge of Allegiance was led by Korianna Hays, a fifth grade student at Oak Pointe Elementary School.

Robert Gantt, Beth Hutchison-Watson and Ellen Baumgardner presented the School Board Spotlight. A special recognition was made to the school board members for School Board Appreciation and recognition to Roberta Ferrell for her service on the school board.

During the superintendent's report, Dr. Karl Fulmer presented the monthly financial reports (Exhibit B) and gave an update on the cost of the Chapin High School's wetlands lawsuit (Exhibit C).

During the public participation, Stuart Stout spoke regarding the new high school; Peter Lauzon spoke regarding board member appreciation; Susan Baker spoke regarding the Chapin High School renovation; and Mark Boone spoke regarding the Bullying Summit.

Keith McAlister and Chris Whitley presented the monthly construction update.

Helen Anderson presented proposed revisions to Board J policies (Exhibit G): JIB add "Student Involvement In Decision Making", JICEA "School Related Student Publications" replaces JHCC "Student Publications", JICG "Tobacco Use By Students" replaces JCDA "Tobacco Free Facilities/Possession and Use of Tobacco", JICG-R "Tobacco Use By Students" replaces AR-

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JCDAA-R "Tobacco Free Facilities/Possession and Use of Tobacco", and JICH "Drug And Alcohol Use By Students" replaces JCDAB/JCDAC "Alcohol/Drug Use.

Buddy Price presented information regarding cost estimates related to video streaming of school board meetings.

The 2011 South Carolina School Boards Association's Annual Convention was discussed.

Dr. Fulmer discussed the budget development for 2011-2012.

Dr. Hefner discussed the recommendation for temporary suspension of Administrative Rule IEC-R (Exhibit H).

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SCHOOL DISTRICT FIVE
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Meeting of January 24, 2011

| | B A U M G A R D N E R | G A N T T | H A M M O N D | M U R P H Y | T U R N E R | W A T S O N | W H I T E |
|--|---|-----------------------|---------------------------------|----------------------------|----------------------------|----------------------------|-----------------------|
| 1. M. Hammond S. Watson Enter executive session to consider the following: 2a) selected employment items (Exhibit A), and 2b) update on litigation involving the District M. Murphy S. Hammond Amend to add discussion of the Chao property to the executive session Vote on original motion | | | | | | | |
| | X | No | X | X | X | No | X |
| | X | X | X | X | X | X | X |
| 2. M. Watson S. Baumgardner Approve the agenda as amended (add item 2c property matter) M. Murphy S. Amend to include the name of the property that we were discussing in executive session Chao No vote – amendment was accepted M. Murphy S. Turner Amend to include the December 13, 2010, letter to Keith McAlister from Chris Whitley with Southern Management regarding the bond referendum construction schedule under the monthly construction update and include the letter as a part of the minutes Motion withdrawn M. Murphy S. Turner Amend to include the December 13, 2010, letter in the board minutes | | | | | | | |
| | No | No | No | X | X | No | No |

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SCHOOL DISTRICT FIVE
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LEXINGTON AND RICHLAND COUNTIES

Meeting of January 24, 2011

| | B A U M G A R D N E R | G A N T T | H A M M O N D | M U R P H Y | T U R N E R | W A T S O N | W H I T E |
|---|---|---|---|---|---|---|---|
| Vote on original motion | X | X | X | X | X | X | X |
| 3. M. Baumgardner S. Watson Limit each item to ten minutes discussion on each of the three items (11a, 11b and 11c) | X | X | X | X | X | X | X |
| 4. M. Hammond S. Baumgardner Approve the roof replacement at Leaphart Elementary School (Exhibit D) | X | X | X | X | X | X | X |
| 5. M. Hammond S. Baumgardner Approve the administration area and kitchen renovations and address the theater lighting at Chapin Elementary School (Exhibit E) | X | X | X | X | X | X | X |
| 6. M. Murphy S. Hammond We put everything that we can that is non-executive session that is in our board packet on the district website | No | No | No | X | No | No | No |
| 7. M. Watson S. Baumgardner Accept and approve the terms of the Contract of Sale presented to the District as signed by the Seller, Yuh Jin Chao, and further to authorize the Superintendent, or his designee, to execute any and all documents necessary to close the transaction called for therein (Exhibit F) M. Murphy S. Hammond Amend that we obtain the right of first refusal until the issue with the water lines and sewer lines are resolved Vote on original motion | No X | No X | No X | X No | No X | No X | No X |
| 8. M. Hammond S. Baumgardner Approve the selected employment items (Exhibit A) | X | X | X | X | X | X | X |

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SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of January 24, 2011

| SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES | | B A U M G A R D N E R | G A N T T | H A M M O N D | M U R P H Y | T U R N E R | W A T S O N | W H I T E |
|---|----------------|---|-----------------------|---------------------------------|----------------------------|----------------------------|----------------------------|-----------------------|
| Meeting of January 24, 2011 | | | | | | | | |
| 9. M. White | S. Watson | X | X | AB | No | AB | X | X |
| The Board pass a resolution that the Board of Trustees of District Five of Lexington and Richland Counties disapproves of the lawsuit brought by Mrs. Kim Murphy, Murphy vs. School District Five of Lexington and Richland Counties and DHEC, which has cost the School District in excess of \$1.47 million as of January 24, 2011, and is delaying the renovations to Chapin High School and denying students the timely use of much needed facilities. The Board also disapproves of the recent appeal filed by Mrs. Kim Murphy on January 20, 2011, requesting that DHEC deny a construction permit for the sewer system necessary to begin renovations at Chapin High School. The Board requests that Mrs. Murphy abide by the vote of the majority of the Board of Trustees to proceed with the renovations at Chapin High School. | | | | | | | | |
| 10. M. White | S. Watson | X | X | No | No | AB | X | X |
| The School District publish this resolution in the board briefs, email blast, as well as send it to local media and that in the board brief synopsis that rather than identifying this as the wetlands issue that identify it as the lawsuit brought by Mrs. Kim Murphy, Murphy vs. School District Five of Lexington and Richland Counties and DHEC | | | | | | | | |
| 11. M. White | S. Watson | | | | | | | |
| Prepare for publication an article that correctly explains our inability to proceed with the renovations at Chapin High School | | | | | | | | |
| M. Watson | S. Baumgardner | X | X | X | No | X | X | X |
| Call for the question | | | | | | | | |
| | | X | X | X | No | X | X | X |
| Vote on the motion | | | | | | | | |
| 12. M. Hammond | S. White | X | X | X | X | X | X | X |
| Adjourn at 11:30 p.m. | | | | | | | | |

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The attached documents were submitted by board member Kim Murphy at the January 24, 2011 school board meeting.



CUMMING SMG

1315 Liberty • PO Box 1700 • Columbia, SC 29202
803.256.1999 fax 803.254.3120

*next S.B. mailing
HUB*

December 13, 2010

Mr. Keith McAlister
District Five of Lexington & Richland Counties
1020 Dutch Fork Road
Irmo, SC 29063

RE: District 5 of Lexington & Richland Counties
Bond Referendum Construction Schedule

Dear Keith,

Based on recent developments mirroring events that have occurred over the past several months, I felt it necessary to call your attention to the impact permitting delays are having on the current Lexington-Richland 5 Building Program as they pertain to Chapin High School, the New High School No. 4 and CATE Center, and the New Elementary School. Let me first state that a review of the permitting applications to the respective agencies for each project will reflect timely submittals by the A/E's and their consultants for what is considered a typical lead time. As a whole, the permitting responses for these new projects have been unusually slow during this process.

Chapin High School

After receiving Board approval on November 19, 2010 to proceed with the implementation of the project following receipt of the USACE wetlands permit, we assigned the project a bid date of January 18, 2011. In an effort to promote the bid to the maximum extent, we intended to advertise the project beginning on Sunday, December 12, 2010, thus allowing for a five week bid period in lieu of the typical four week period. Because the appeal to the SCDHEC permit for Chapin High School was not resolved last week as hoped, we complied with your request to suspend the advertisement until receiving further direction from the Board during their scheduled meeting this evening. It is our desire to maintain the January 18, 2011 bid date which would necessitate publishing the advertisement by Sunday, December 19, 2010. Please understand that if the advertisement and bid dates are delayed beyond those noted, the final completion date of the project, currently scheduled as December 31, 2013, may be impacted.

New High School No. 4

As you are aware, we had planned to hold three bid openings for the New High School No. 4 and CATE Center project. This included a bid for the early site package, revised to November 30, 2010; a bid for the New High School No. 4, revised to February 1, 2011; and a final bid for the CATE Center, revised to March 22, 2011. While we received the Richland County Land Disturbance permit just today, we have been advised by the Architect and their consultants that it may be after January 1, 2011 before we receive the remaining necessary permits for the early

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building value through expertise



site package for the New High School No. 4 and CATE Center. These include OSF final approval, USACE wetlands permit, SCDOT encroachment permits, as well as the sewer and water permits from SCDHEC. With the new high school building scheduled to bid on February 1, 2011, and a minimum sixty day duration scheduled for site construction before bidding the high school building, we have obviously lost our window to assure an August, 2012 completion and opening. However, based on the permitting received today, there is an outside chance that the 72,000 sf base bid portion of the CATE Center could be completed in time for an August, 2012 opening if the remaining permitting for the site and building to be bid together could be received by February 1, 2011. Beyond this date, it is nearly impossible to combine the site and building plans, advertise the project for thirty days, bid the site and building, commence construction and complete the base bid portion by August, 2012. Complicating this schedule further is news that due to pressure and volume concerns, it will be necessary to tie-in the new water line to be installed along Broad River Road two miles further away from the site. Prior to this change, we were told to anticipate the completion of this water line to the site by May/June, 2012.

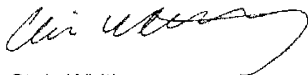
New Elementary School

As reported last week, on Thursday, December 9, 2010, the Richland County DRT denied approval of the New Elementary School project, reportedly due to site access issues. We have been advised that it is doubtful that this project will be rescheduled for review by the DRT before February, 2011, indicating a bid date no earlier than late March, 2010. With the project initially scheduled to be bid mid-February, 2011, an anticipated 15 month construction duration would indicate the completion of this school toward the end of June, 2012, at the earliest. As with the New High School No. 4, completion of the new water line to this school in time for an August, 2012 opening is highly suspect. In fact, based on the overall track record for projects being approved by Richland County, it is doubtful that the DRT approval will be the final hurdle to cross before bidding the project.

In summary, it appears that if we can get the permitting issues associated with Chapin High School successfully behind us in January, 2011, it would still appear possible to complete the project by December, 2013. Due to the lack of remaining permitting, New High School No. 4 cannot be completed and open to students by August, 2012. As for the new CATE Center and New Elementary School, we are within 30 – 60 days of not being able to complete these projects in time for an August, 2012 opening. We will update all advertisement and bid dates as soon as all permitting for each project is received.

Should you have any questions regarding any of the above, please do not hesitate to contact me at your convenience.

Sincerely,



Chris Whitley

cc: Mr. Jeff Holstein
Mr. Paul Moscati
Mr. Joe Huggins
File

From: Howard Coogler Jr.
To: Luke McCary
CC: kmcalist@lex5.k12.sc.us
Date: 1/14/2011 10:25 AM
Subject: Chapin High School

Thank you for your letter of January 6th, in which you provided us with an update on the status of the Chapin High renovation project. In reviewing the letter, we remain concerned not only about the still unissued permits, but with two design issues as well. I have address each of our concerns below.

First, with regard to the roof deck, you indicate that you are "trying to resolve the issue with minimal impacts to design". However, at this point neither you nor this Office knows what the impacts on design will be. We do not believe it is appropriate for this Office to approve any project to be advertised when there is an unknown and potentially significant design consideration still unresolved. As a result, we wish to see the design solution to this issue before giving permission to advertise.

Second, we were and remain concerned about the condition of the 40 year old duct board in the building. Furthermore, given the extent of the required above ceiling work on this project, there will no doubt be significant disruption of the duct board. In addition, there is the fact that you do not yet know the amount or location of the existing duct board. We believe it is in the district's best interests to replace all of the existing duct board. However, a potential bidder cannot properly respond to that which has not been quantified and is unknown. We would need to see the specifics of your add/alternate prior to giving permission to advertise.

Third, regarding the status of project permits, the process has advanced since December 16th. However, we wish to know the results of the DHEC meeting before proceeding.

In conclusion, once OSF has received, reviewed and approved revised plans addressing the roof deck issue; the specifics for an "add alternate" for duct board; and, a report with a positive outcome from the DHEC meeting of the 13th---we will reconsider granting approval to advertise. However, I would be remiss if I did not point out that any approval to advertise at this time would carry with it the provision that bids could not be opened until all permits are approved and the court case on the stream mitigation/disturbance issue resolved.

Howard D. Coogler, Jr. PE
Office of School Facilities
S. C. Department of Education

Policy BEDG Minutes of Board Meetings

Issued 3/06

Purpose: To establish the basic structure for maintaining a record of business conducted at board meetings.

The minutes of a school board meeting constitute the written record of board action. The minutes are legal evidence of the board's action.

The board secretary will keep, or cause to be kept, a complete record of the action of board meetings. As provided by the South Carolina Freedom of Information Act, these minutes will include, but need not be limited to, the following:

- the date, time and place of the meeting
- the members recorded as either present or absent
- the substance of all materials proposed, discussed or decided and, at the request of any member, a record, by an individual member, of any votes taken
- any other information that any member requests be included or reflected in the minutes

The minutes will become permanent records of the board and will be in the custody of the superintendent. He/she will make them available to interested citizens of the district upon request, with exceptions as provided by law, at reasonable times during the working day.

Adopted 2/24/69; Revised 11/16/81, 1/25/88, 3/27/06

Legal references:

S.C. Code, 1976, as amended:

Section 30-4-10, et seq. - South Carolina Freedom of Information Act.

Section 30-4-90 - Minutes of meetings of public bodies.

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES



February 8, 2011

TO: Stephen Hefner, Ed.D.
Interim Superintendent

FROM: Karl E. Fulmer, Ed.D. *[Signature]*
Chief Financial Services Officer

RE: Updated Estimated Cost of Kim Murphy's Lawsuit Delaying
Renovations at Chapin High School

Combining all the costs referenced below, the lawsuit by Ms. Kim Murphy has cost the school district in excess of \$1.57 million.

As a result of the protest and subsequent lawsuit the costs associated with the delay of the Chapin High School renovation project continue to increase. A summary of those costs are as follows:

- The school district anticipates that construction costs will continue to increase. The initial delay in the Chapin High School renovations started when Ms. Murphy protested and then appealed the Water Quality Permit. DHEC cleared the project on May 24, 2010. Ms. Murphy subsequently filed her lawsuit further delaying the project. As of today, the resulting delay has increased construction costs by an estimated \$1,020,000.
- To date our retained professional staff estimates they have incurred extra costs due to expenses related to attending meetings and drafting alternative designs at the request of the Corp of Engineers during Ms. Murphy's administrative protest. That estimated amount is \$99,299.
- Attorney fees related to the protests and lawsuit continue to accumulate and currently total \$280,015.
- Architectural fees currently total \$115,680.
- To date, total staff time devoted to the wetlands litigation is approximately 437.5 hours or \$23,616.
- To date, fees for Tidewater Environmental Services total \$33,876.

Dr. Stephen Hefner
February 8, 2011
Page 2

In addition, the project will require the issuance of approximately \$45,000,000 of 20-year General Obligation Bonds. Ms. Murphy's lawsuit will delay the issuance of these bonds, which places the district at risk for increases in interest rates and the potential sunset of the Build America Bonds Program (BAB), which has provided unprecedented subsidies to the district to offset bond interest expense. The district's financial advisors project that the sunset of the BAB program would result in a 100 basis point (1.0%) increase in borrowing costs to the district. A 1% increase in interest costs for \$45,000,000 in bonds would translate into an increase of payments of approximately \$4.5 million over the life of the bonds. The 1% increase would also increase the cost to carry the loan by approximately \$292,000 per year.

With these additional costs, and the expectation of further costs, it is almost certain the Chapin High School renovations project may exceed our budget and require some components of the project to be scaled back.



MEMORANDUM

February 14, 2011

To: Members of the Board of Trustees

From: Keith McAlister 
Director, New Design and Construction

Re: Irmo High School Batting Cage

ADMINISTRATION CONSIDERATION

Administration seeks discussion for the approval of a batting cage at Irmo High School.

RECOMMENDATION

Administration recommends board approval to proceed with the construction of the batting cage at Irmo High School. The district administration has coordinated with our architects regarding anticipated future improvements and a locator to identify underground utilities.

ATTACHMENT

Letter

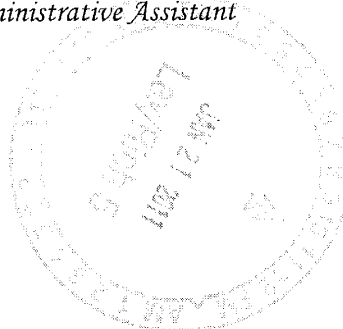
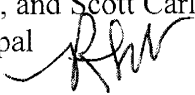
IRMO High School

6671 St. Andrews Road
Columbia, SC 29212-2198
803.476.3000 Phone
803.476.3020 Fax

Rob Weinkle, Principal
Beth Fisher, Assistant Principal for Instruction
Lloyd Brochu, Assistant Principal
Kaaren Hampton, Assistant Principal
Tom Wise, Assistant Principal
Kalu Kalu, Administrative Assistant
Willie Olawsky, Administrative Assistant

January 19, 2011

To: Dr. Steve Hefner, Keith McAlister, and Scott Carlin
From: Rob Weinkle, Irmo High Principal
Re: Facilities Equipment Request
Date: January 20, 2011

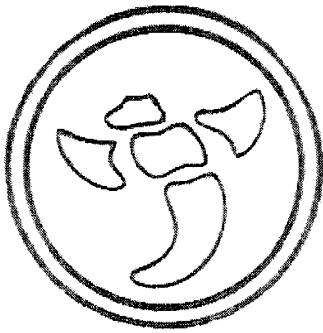


On behalf of our Baseball Coach, Ray Canady, I would like to request that the school board approve the following:

A 50x80 covered batting cage
It is an open air structure with a metal roof
Our facilities coordinator has the plans from Hoover Buildings, Inc.
This will not cost the district any money.
The baseball team has been fundraising for 3 years and now has enough money.

If the board gives permission we can move forward to make sure we meet all requirements with the county and the OSF (Office of School Facilities).

Cc: Bob Hanna, Athletic Director
Ray Canady, Head Baseball Coach



IRMO HIGH SCHOOL

ATHLETIC DEPARTMENT
Home of the "Yellow Jackets"
Ray Canady
Head Coach, Baseball

Coach Hanna,

I would like for you and Mr. Weinkle to request school board approval of the following:

A 50x80 covered batting cage

It is an open air structure with a metal roof

Our facilities coordinator has the plans from Hoover Buildings, Inc.

This will not cost the district any money.

The baseball team has been fundraising for 3 years and now has enough money.

If the board gives permission we can move forward to make sure we meet all requirements with the county and the OSF(Office of School Facilities)


I also hope to have a proposal from the Rec Center for them to consider. It has been mentioned to Dr. Fulmer .

I hope to have the request in my hands to give Mr. Weinkle by Friday



MEMORANDUM

TO: Members of the Board of Trustees
Stephen Hefner, Ed.D., Interim Superintendent

FROM: Ms. Helen Anderson 
Chief Instructional Services Officer

DATE: January 28, 2011

RE: February 14, 2011 Board Meeting, First Reading Approval.
"Proposed Revisions to Board J Policies"

JIB add "Student Involvement In Decision Making"
JICEA "School Related Student Publications" replaces JHCC "Student Publications"
JICG "Tobacco Use By Students" replaces JCDA "Tobacco Free Facilities/Possession and Use of Tobacco"
JICG-R "Tobacco Use By Students" replaces AR-JCDA-R "Tobacco Free Facilities/Possession and Use of Tobacco"
JICH "Drug And Alcohol Use By Students" replaces JCDA/JCDAC "Alcohol/Drug Use"

Recommendation:

The administration recommends that the proposed revisions to Board J Policies proceed for Board approval.

Attachments: Recommended New Policies

Mr. Michael Harris will be available to answer any questions at the February 14th meeting.

STUDENT INVOLVEMENT IN DECISION MAKING

Code **JIB** Issued **Final**

Purpose: To establish the board's vision for students' involvement in the decisions that affect them.

The board recognizes the value of student participation in decision making for the school district. The board encourages students to attend school board meetings and take part in the public participation periods. Students share with the board, the administration and the faculty the responsibility for developing a climate in the school that is conducive to wholesome learning and living.

The board encourages students to express their opinions in establishing policies in the area of student privileges and other areas of student activities. The board encourages principals to develop procedures for meaningful involvement of students in school government.

In the development of rules, regulations and arrangements for the operation of the school system, the superintendent will include at the planning stage, whenever feasible and appropriate, a representative of those students who will be affected by such provisions.

Adopted ^

SCHOOL-RELATED STUDENT PUBLICATIONS

Code **JICEA** Issued **Final**

Purpose: To establish the basic structure for student publications.

The board sanctions student publications as long as students are willing to accept the responsibilities of the freedoms of speech and of the press. The board or its designee will make rules as to time and place for distribution of such publications and any other regulations necessary to assure that student publications do not infringe on the rights of others.

The designated sponsor(s) of any officially recognized school-sanctioned and school-financed publication (e.g., newspaper, yearbook, literary magazine) will assume the initial responsibility of screening and editing all materials earmarked for publication. Although journalism students should be given meaningful editorial latitude, the sponsor(s) retains the inherent obligation to delete any article or comment likely to create substantial disruption of, or significant interference with, school activities.

Any student objecting to a sponsor's exercise of discretion in this regard should bring the objection to the attention of the sponsor in writing. The school principal will hold a conference to discuss the complaints with the complainant(s), the sponsor, and the principal. It is the principal's responsibility to decide the matter in close consultation with the district superintendent and legal counsel.

Adopted 6/21/76; Revised 11/16/81, 2/6/89, ^

Legal references:

A. U. S. Supreme Court:

1. January 13, 1988, Hazlewood vs. Cathy Kuhlmeir - Gives principals new authority to monitor the content of school publications.
2. Morse v. Frederick, 127 S. Ct. 2618 (2007).

TOBACCO USE BY STUDENTS

Code **JICG** Issued **Final**

Purpose: To establish the basic structure for the board's prohibition of tobacco use by students.

Students are prohibited from using tobacco products in any district building or vehicle or on any district grounds. The superintendent or his/her designee will create the necessary rules and regulations to enforce this policy.

This "tobacco-free" designation applies not only to normal school/office hours but also to any extracurricular, before or after school, or even unscheduled activity or event.

Students are not permitted to use, possess or transfer tobacco products or tobacco paraphernalia while on school grounds; in the school buildings; on buses; or during any other time that students are under the direct administrative/jurisdiction of the school whether on or off the school grounds. Students who violate this policy will be disciplined as provided in administrative rule JICDA-R.

Adopted 8/15/94; Revised 8/21/95, ^

Legal references:

A. United States Code:

1. 20 U.S.C. 6081 - Pro-Children Act of 1994.

B. S.C. Code, 1976, as amended:

1. Section 16-17-490 - Contributing to the delinquency of a minor (school board rules and regulations may be exempt under certain circumstances).
2. Section 16-17-500 - Supplying minors with tobacco or cigarettes.
3. Section 59-67-150 - Qualifications of bus driver; drinking or smoking on bus.
4. Sections 16-17-500 and 501 - Youth Access to Tobacco Prevention Act of 2006.

TOBACCO USE BY STUDENTS

Code **JICG-R** Issued **Final**

Although smoking is a personal habit, the district believes the use of tobacco products is detrimental to the health of students and also contrary to the board's objective to teach and model appropriate health habits and values. Therefore, the district will follow certain procedures to bring about tobacco-free schools.

The superintendent's designee is responsible for informing all school administrators of this tobacco-free schools policy. School administrators have the same responsibility for appropriately informing their staffs and the students.

Educational materials related to the harmful effects of tobacco use will be made available to all students by the superintendent's designee and principals, respectively.

The district will work with other agencies to identify tobacco-use cessation seminars and other services for students. (Agencies which may be used include, but are not limited to, The American Lung Association, American Cancer Society, American Heart Association, Alliance for a Smoke-Free South Carolina).

Sanctions will follow the district's student behavior code JCDA-R.

Issued 8/21/95; Revised ^

DRUG AND ALCOHOL USE BY STUDENTS

Code **JICH** Issued **Final**

Purpose: To establish the basic structure for the board's prohibition of student drug and alcohol use.

No student, regardless of age, will possess, use, sell, purchase, barter, distribute, or be under the influence of alcoholic beverages or other controlled substances in the following circumstances.

- on school property (including buildings, grounds, vehicles)
- at any school-sponsored activity, function or event whether on or off school grounds (including any place where an interscholastic athletic contest is taking place)
- during any field trip
- during any trip or activity sponsored by the board or under the supervision of the board or its authorized agents

No student will aid, abet, assist, or conceal the possession, consumption, purchase, or distribution of any alcoholic beverage by any other student or students in any of the circumstances listed above.

No student will market or distribute any substance which is represented to be or is substantially similar in color, shape, size, or markings of a controlled substance in any of the circumstances listed above.

All principals will cooperate fully with law enforcement agencies and will report to them all information that would be considered pertinent or beneficial in their efforts to stop the sale, possession, and use of controlled substances.

Principals will suspend students and may recommend them for expulsion.

Adopted 1973; Revised 3/29/82, 4/28/86, 11/20/90, ^

Legal references:

I. Alcohol:

A. S.C. Constitution:

1. Article XVII, Section 14 - Must be over 21 to possess distilled liquors.

B. S.C. Code of Laws, 1976, as amended:

1. Section 16-17-530 - Students who come to school in an intoxicated condition, or conduct themselves in a disorderly or boisterous manner, could be arrested for a misdemeanor.
2. Section 59-67-150 - Drinking alcoholic liquors on a school bus is prohibited.
3. Section 20-7-370 - Must be 21 to possess fermented liquors.

II. Drugs:

A. S.C. Code, 1976, as amended:

1. Section 44-49-80 - Establishment of drug abuse treatment program in public schools.
2. Section 44-53-110, et seq. - Definitions; lists of illicit drugs.
3. Section 44-53-140 - Certain communications and observations shall be privileged.
4. Section 44-53-370 - Prohibited Acts A; penalties.
5. Section 44-53-440 - Distribution to persons under 18.



February 9, 2011

TO: Members of the Board of Trustees
Stephen Hefner, Ed.D.

FROM: Karl E. Fulmer, Ed.D. 
Chief Financial Services Office

RE: Budget Development Recommendation

Attached is a copy of the current rule establishing class size and pupil-teacher ratios.

RECOMMENDATION:

The Administration recommends that the Administrative Rule for Policy IEC be waived for the 2011-2012 year in order to allow the Administration to develop a balanced budget.

Thank you and please let me know if you have any questions.

KEF:tl

Attachment

AR IEC-R Class Size

Issued 4/00

District class size ratios

Elementary

25:1 for kindergarten

21:1 for grades 1-3 with a maximum of 22:1

24:1 for grades 4-5 with a maximum of 25:1

Middle/Secondary

The following is based on total student enrollment projections per school.

18.5:1 ratio is used to staff middle schools

19:1 ratio is used to staff high schools

Using the above ratios, every attempt will be made to ensure a student to teacher class-size range from 12:1 to 25:1.

Adopted 4/3/00

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES



MEMORANDUM

TO: Members of the Board of Trustees
Stephen Hefner, Ed.D., Interim Superintendent

FROM: Ms. Helen Anderson
Chief Instructional Services Officer

DATE: February 7, 2011

RE: February 14, 2011 Board Meeting, Discussion Item.
"Proposed Revisions to Board J Policies"

JICA "Student Dress" replaces JCDB "Dress Code"
JICA-R "Student Dress" replaces AR-JCDB-R "Dress Code"
JICF "Secret Societies/Gang Activity" replaces JCDAF "Gangs and Gang Related Activity"
JICFA add "Hazing"
JICFAA "Harassment, Intimidation or Bullying" replaces JCDAAAA "Harassment, Intimidation or Bullying"
JICI add "Weapons In School"

Recommendation:

The administration recommends that the proposed revisions to Board J Policies proceed to First Reading approval.

Attachments: Recommended New Policies

Mr. Michael Harris will be available to answer any questions at the February 14th meeting.

STUDENT DRESS

Code **JICA** Issued **Final**

Purpose: To establish the basic structure for determining appropriate dress standards for students.

In the interest of health, safety, cleanliness and generally accepted standards of decency and decorum among the students in the schools of this district, the board hereby adopts the following policy.

- In all matters relating to individual dress and grooming, students in this district's schools are required to exercise good judgment, exhibit responsible behavior and endeavor to reflect respect for themselves, their school and their community.
- The wearing of clothing, hair arrangements, or other personal adornments or embellishments which are disruptive or interfere with the regular operations of school expressly is prohibited.
- Students working in areas where rotating machinery is used will wear appropriate head coverings or have their hair cut so it cannot be caught in any part of the machine.
- Nothing in this policy is intended to intrude on student dress and grooming prerogatives, as long as, in the exercise of these choices, students do not create a threat to the good order of the school or cause the disruption of any recognized school function. The exercise of such choices by students must be consistent with the public purposes for which the public schools have been established.
- Administrative regulations (JICA-R) will be developed with input from parent, teacher and student representatives.
- All administrative regulations approved by the board will apply districtwide.

Adopted 8/19/74; Revised 10/24/83, ^

Legal references:

- A. S. C. Code, 1976, as amended:
 - 1. Section 59-19-90(3) - Authority to regulate student conduct.

Policy »JCDB « Dress Code

Issued 10/83

in the interest of health, safety, cleanliness, generally accepted standards of decency, and decorum among the students in the schools of this District, the Lexington County School District Five Board of Trustees hereby adopts the following policy:

In all matters relating to individual dress and grooming, students in this District's schools are required to exercise good judgment, exhibit responsible behavior, and endeavor to reflect respect for themselves, their school, and their community.

The wearing of clothing, hair arrangements, or other personal adornments or embellishments which are disruptive or interfere with the regular operations of school expressly are prohibited.

Students working in areas where rotating machinery is used shall wear appropriate head coverings or have their hair cut so it cannot be caught in any part of the machine.

Nothing in this policy is intended to intrude on student dress and grooming prerogatives, as long as, in the exercise of these choices, students do not create a threat to the good order of the school or cause the disruption of any recognized school function. The exercise of such choices by students must be consistent with the public purposes for which the public schools have been established.

Administrative regulations shall be developed with input from parent, teacher, and student representatives.

All administrative regulations approved by the Board of Trustees shall apply district-wide.

Adopted 5/8/1974; Revised 10/24/83

Constitutional and Statutory Provisions:

S.C. Code, 1976, as amended:

Section 59-19-90(3) - Authority to regulate student conduct.

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

STUDENT DRESS

Code **JICA-R** Issued **Final**

This administrative rule on student dress will apply in all schools, district-sponsored activities, district transportation, as appropriate, and will be administered uniformly throughout the district.

- Clothing and/or hair should not be so extreme or inappropriate to the school as to disrupt the educational process. Therefore, clothing deemed distracting, revealing, overly suggestive or otherwise disruptive will not be permitted. This includes bare midriffs, halter/tank tops, see-through shirts, tops or blouses and bike shorts.
- No vulgar, obscene or otherwise inappropriate symbols, language or wording will be permitted on clothing or accessories.
- Clothing or accessories (i.e. bookbags, jewelry, hats, etc.) that display alcohol, tobacco or other drug symbols are not permitted.
- Gang attire, gang colors or gang symbols are also not permitted to be worn or displayed on accessories.
- Hats, head stockings or kerchiefs may only be worn during the school day for special occasions when approved by the principal.
- Proper shoes must be worn at all times.
- Special dress or costume may be worn during the school day for special occasions when approved by the principal.
- Wearing accessories or clothing that could pose a safety threat to one's self or others is not allowed. This includes heavy chains, not made as jewelry; fishhooks, multiple-finger rings, studded bracelets or collars; nose/lip to ear chains, etc. Unusual body piercing that is disruptive to the order of the school or is a distraction to the learning environment will not be allowed.
- Pants must be worn at the natural waistline and undergarments are not to be visible.

Individual schools may have more specific and restrictive dress codes if recommended by the school administration and the school improvement council and approved by the superintendent or his/her designee.

The administration will make the final judgment on the appropriateness of dress and reserves the right to prohibit students from wearing any article of clothing or accessory which may foreseeably result in the disruption of the school environment.

This administrative rule will be reviewed on a regular basis with input and advice from parents/legal guardians, teachers, administrators and students. Subsequent recommendations to the board will be made through administrative channels.

Written notice of the district's policy and administrative rule on student dress will be provided in school handbooks distributed annually to students and parents/legal guardians.

Issued 1/23/84; Revised 8/13/84, 1/25/88, 1/23/89, 7/7/97, 7/13/98, 6/26/00, 6/24/02, ^

AR » JCDB « R Student Dress

Issued 6/02

This administrative rule on student dress will apply in all schools and will be administered uniformly throughout the district.

- Clothing and/or hair should not be so extreme or inappropriate to the school as to disrupt the educational process. Therefore, clothing deemed distracting, revealing, overly suggestive or otherwise disruptive will not be permitted. This includes bare midriffs, halter/tank tops, see-through shirts, tops or blouses and bike shorts.
- No vulgar, obscene or otherwise inappropriate symbols, language or wording will be permitted on clothing or accessories.
- Clothing or accessories (i.e. bookbags, jewelry, hats, etc.) that display alcohol, tobacco or other drug symbols are not permitted.
- Gang attire, gang colors or gang symbols are also not permitted to be worn or displayed on accessories.
- Hats, head stockings or kerchiefs may only be worn during the school day for special occasions when approved by the principal.
- Proper shoes must be worn at all times.
- Special dress or costume may be worn during the school day for special occasions when approved by the principal.
- Wearing accessories or clothing that could pose a safety threat to one's self or others is not allowed. This includes heavy chains, not made as jewelry; fishhooks, multiple-finger rings, studded bracelets or collars; nose/lip to ear chains, etc. Unusual body piercing that is disruptive to the order of the school or is a distraction to the learning environment will not be allowed.
- Pants must be worn at the natural waistline and undergarments are not to be visible.

Individual schools may have more specific and restrictive dress codes if recommended by the school administration and the school improvement council and approved by the superintendent or his/her designee.

The administration will make the final judgment on the appropriateness of dress and reserves the right to prohibit students from wearing any article of clothing or accessory which may foreseeably result in the disruption of the school environment.

This administrative rule will be reviewed on a regular basis with input and advice from parents, teachers, administrators and students. Subsequent recommendations to the board will be made through administrative channels.

Written notice of the district's policy and administrative rule on student dress will be provided in school handbooks distributed annually to students and parents.

Issued 1/23/84; Revised 8/13/84, 1/25/88, 1/23/89, 7/7/97, 7/13/98, 6/26/00, 6/24/02

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

SECRET SOCIETIES/GANG ACTIVITY

Code **JICF** Issued **Final**

Purpose: To establish the basic structure for the district's prohibition of student secret societies and gang activities.

School District Five of Lexington and Richland Counties will maintain conditions on school property and at school-sponsored events in order to ensure as safe an environment as possible for students and staff in accordance with law and the standards set by the School District Five board of trustees. In establishing such standards, the board prohibits the presence and activities of gangs on or near school property and at school-sponsored events.

The board defines a gang as any non-school sponsored group, possibly of secret and/or exclusive membership, whose purpose or practices include the commission of illegal acts, the violation of school rules, the establishment of territory or "turf," or any other action which threatens the safety or welfare of others. In prohibiting the presence and activities of gangs, the board makes the following findings.

- Gangs which initiate or advocate activities which threaten the safety and well-being of persons or their possessions anywhere on or near school property or at school-sponsored events are harmful to the educational purposes of the district.
- Gang incidents involving recruitment, initiation, hazing, wearing of colors or other gang indicators, threats and intimidation, fighting or establishment of "turf or territory" on school property or at any school-sponsored event are likely to cause intimidation or fear, bodily danger, physical harm, or personal degradation or disgrace resulting in physical and mental harm to students.
- The use of hand signals and the presence of any apparel, jewelry, accessory, book or manner of grooming which, by virtue of its color, arrangement, trademark, symbol or any other attribute, denotes membership in a gang creates a clear and present danger of the commission of unlawful acts on school premises, the violation of school regulations, or the substantial disruption of the orderly operation of the school and is prohibited. In determining whether or not a student is in violation of the prohibition on the wearing/display of a gang-related item, the district will maintain, in all of its school offices, an example of potential gang indicators including symbols, hand signals, graffiti, and clothing/accessories. In providing these examples for students and parents/legal guardians, the board acknowledges that not all potential gang indicators actually connote actual membership in a gang.
- If the district determines that a student has initiated or participated in a gang or a secret society as stipulated above, that student will be disciplined in a manner which may include, but will not be limited to, detention, removal from extracurricular activities, suspension and/or expulsion, and referral to law enforcement, dependent upon the circumstances of the particular offense. The district also reserves the right to prohibit any student from wearing/displaying any article of clothing or accessory which the district has determined to be a gang indicator.

Adopted 3/11/02; Revised ^

Legal references:

A. S.C. Code, 1976, as amended:

1. Section 59-63-270 - Regulation or prohibition of clubs or like activities.
2. Section 59-63-275 - Student hazing prohibited; definitions.

Policy »JCDAF «Gangs and Gang-Related Activity

Issued 3/02

School District Five of Lexington and Richland Counties will maintain conditions on school property and at school-sponsored events in order to ensure as safe an environment as possible for students and staff in accordance with law and the standards set by the School District Five Board of Trustees. In establishing such standards, the Board prohibits the presence and activities of gangs on or near school property and at school-sponsored events.

The Board defines a gang as any non-school sponsored group, possibly of secret and/or exclusive membership, whose purpose or practices include the commission of illegal acts, the violation of school rules, the establishment of territory or "turf," or any other action which threatens the safety or welfare of others. In prohibiting the presence and activities of gangs, the Board makes the following findings.

Gangs which initiate or advocate activities which threaten the safety and well-being of persons or their possessions anywhere on or near school property or at school-sponsored events are harmful to the educational purposes of the district.

Gang incidents involving recruitment, initiation, hazing, wearing of colors or other gang indicators, threats and intimidation, fighting or establishment of "turf or territory" on school property or at any school-sponsored event are likely to cause intimidation or fear, bodily danger, physical harm, or personal degradation or disgrace resulting in physical and mental harm to students.

The use of hand signals and the presence of any apparel, jewelry, accessory, book or manner of grooming which, by virtue of its color, arrangement, trademark, symbol or any other attribute, denotes membership in a gang creates a clear and present danger of the commission of unlawful acts on school premises, the violation of school regulations, or the substantial disruption of the orderly operation of the school and is prohibited. In determining whether or not a student is in violation of the prohibition on the wearing/display of a gang-related item, the district will maintain, in all of its school offices, an example of potential gang indicators including symbols, hand signals, graffiti, and clothing/accessories. In providing these examples for students and parents, the Board acknowledges that not all potential gang indicators actually connote actual membership in a gang.

If the district determines that a student has initiated or participated in a gang or a secret society as stipulated above, that student will be disciplined in a manner which may include, but will not be limited to, detention, removal from extracurricular activities, suspension and/or expulsion, and referral to law enforcement, dependent upon the circumstances of the particular offense. The district also reserves the right to prohibit any student from wearing/displaying any article of clothing or accessory which the district has determined to be a gang indicator.

Adopted 3/11/02

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

Section 16-3-510 - Organizations and entities revised.

Section 59-19-90 - General powers and duties of school trustees.

Sections 59-63-210 through 270 - Grounds for which trustees may expel, suspend or transfer pupils; petition for readmission; notices and parent conferences; expulsion for remainder of year and hearings; transfer of pupils; corporal punishment; regulation or prohibition of clubs or like activities.

Section 59-63-275 - Student hazing prohibited.

Section 59-67-240 - Other duties of bus driver; discipline of students for misconduct.

Section 59-63-110, et. seq. - Safe School Climate Act.

State Board of Education Regulations:

R-43-279 - Minimum standards of student conduct and disciplinary enforcement procedures to be implemented by local school districts.

SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES

HAZING

Code **JICFA** Issued **Final**

Purpose: To establish the basic structure for maintaining a safe, positive environment for students and staff that is free from hazing.

The district prohibits hazing by students, staff, and third parties as a part of any school-sponsored activity. All students and employees must avoid any action that could be viewed as planning, directing, encouraging, assisting or engaging in any hazing activity. Further, no administrator, coach, sponsor, volunteer or district employee will permit, condone or tolerate any form of hazing.

For purposes of this policy, state law defines hazing as “the wrongful striking, laying open hand upon, threatening with violence or offering to do bodily harm by a superior student to a subordinate student with intent to punish or injure the subordinate student, or other unauthorized treatment by the superior student of a subordinate student of a tyrannical, abusive, shameful, insulting, or humiliating nature.”

Any hazing activity, whether by an individual or a group, will be presumed to be a forced activity, even if a student willingly participates.

Any student who feels he/she has been subjected to hazing is encouraged to file a complaint in accordance with policy JII. All complaints will be investigated promptly and confidentially. The district prohibits retaliation or reprisal in any form against a student who has filed a complaint of hazing.

Any student who is found to have engaged in hazing will be subject to disciplinary action. Individuals may also be referred to law enforcement officials. The district will take all other appropriate steps to correct or rectify the situation.

The superintendent will be responsible for ensuring notice of this policy is provided to students, staff and parents/legal guardians.

Cf. GBEB, JIC

Adopted ^

Legal references:

A. S. C. Code, 1976, as amended:

1. Section 16-3-510 - Organizations and entities revised.
2. Section 59-19-90 - General powers and duties of school trustees.
3. Sections 59-63-210 through 270 - Grounds for which trustees may expel, suspend or transfer pupils; petition for readmission; notices and parent conferences; expulsion for remainder of year and hearings; transfer of pupils; corporal punishment; regulation or prohibition of clubs or like activities.
4. Section 59-63-275 - Student hazing prohibited.
5. Section 59-67-240 - Other duties of bus driver; discipline of students for misconduct.

B. State Board of Education Regulations:

1. R43-279 - Minimum standards of student conduct and disciplinary enforcement procedures to be implemented by local school districts.

HARASSMENT, INTIMIDATION OR BULLYING

Code **JICFAA** Issued **Final**

Purpose: To establish the basic structure for maintaining a safe, positive environment for students and staff that is free from harassment, intimidation or bullying.

The district prohibits any acts of harassment, intimidation, or bullying of a student by students, staff and third parties which interfere with or disrupt a student's ability to learn and the school's responsibility to educate its students in a safe and orderly environment, whether such acts occur in a classroom, on school premises, on a school bus or other school-related vehicle, at an official school bus stop, at a school-sponsored activity or event whether or not it is held on school premises, or at another program or function where the school is responsible for the student.

For purposes of this policy, harassment, intimidation, or bullying is defined by the district as a gesture, electronic communication or a written, verbal, physical, or sexual act reasonably perceived to have the effect of either of the following.

- harming a student physically or emotionally or damaging a student's property or placing a student in reasonable fear of personal harm or property damage
- insulting or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school

Any student who believes that he/she has been subjected to harassment, intimidation or bullying in violation of this policy is encouraged to file a complaint in accordance with procedures established by the district. Complaints will be investigated promptly, thoroughly and confidentially. All school employees are required to report alleged violations of this policy to the principal or his/her designee. Reports by students or employees may be made anonymously, although disciplinary action will not be taken against any person solely on the basis of an anonymous report.

The district prohibits retaliation or reprisal in any form against a student or employee who has filed a complaint or report of harassment, intimidation, or bullying. The district also prohibits any person from falsely accusing another of misconduct as a means of harassment, intimidation or bullying.

The board expects students to conduct themselves in an orderly, courteous, dignified, and respectful manner. Students and employees have a responsibility to know and respect the policies, rules, and regulations of the school and district. Any student who is found to have engaged in the prohibited actions as outlined in this policy will be subject to disciplinary action in accordance with the district's student behavior code. Any employee who violates this policy will be subject to disciplinary action. The district also may refer any individual who has violated this policy to law enforcement officials. The district will take any other appropriate steps to correct or rectify the situation.

The superintendent or his/her designee will be responsible for ensuring notice of this policy is provided to students, staff, parents/legal guardians, volunteers, and members of the community, including its applicability to all areas of the school environment as outlined in this policy. The superintendent or his/her designee will also ensure that a process is established for discussing the contents of this policy with students.

PAGE 2 - JICFAA - HARASSMENT, INTIMIDATION OR BULLYING

Adopted 2/12/07; Revised ^

Legal references:

A. S. C. Code, 1976, as amended:

1. Section 16-3-510 - Organizations and entities revised.
2. Section 59-19-90 - General powers and duties of school trustees.
3. Sections 59-63-210 through 270 - Grounds for which trustees may expel, suspend or transfer pupils; petition for readmission; notices and parent conferences; expulsion for remainder of year and hearings; transfer of pupils; corporal punishment; regulation or prohibition of clubs or like activities.
4. Section 59-63-275 - Student hazing prohibited.
5. Section 59-67-240 - Other duties of bus driver; discipline of students for misconduct.
6. Section 59-63-110, et. seq. - Safe School Climate Act.

B. State Board of Education Regulations:

1. R43-279 - Minimum standards of student conduct and disciplinary enforcement procedures to be implemented by local school districts.

Policy »JCDAAAA « Harassment, Intimidation or Bullying

Issued 2/07

Purpose: To establish the basic structure for maintaining a safe, positive environment for students and staff that is free from harassment, intimidation or bullying.

School District Five of Lexington and Richland Counties prohibits any acts of harassment, intimidation or bullying of a student by students, staff and third parties which interferes with or disrupts a student's ability to learn and the school's responsibility to educate its students in a safe and orderly environment, whether such acts occur in a classroom, on school premises, on a school bus or other school-related vehicle, at an official school bus stop, at a school-sponsored activity or event whether or not it is held on school premises, or at another program or function where the school is responsible for the student.

For purposes of this policy, harassment, intimidation or bullying is defined by the district as a gesture, electronic communication or a written, verbal, physical or sexual act reasonably perceived to have the effect of either of the following.

- harming a student physically or emotionally or damaging a student's property or placing a student in reasonable fear of personal harm or property damage
- insulting or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school

Any student who believes that he/she has been subjected to harassment, intimidation or bullying in violation of this policy is encouraged to file a complaint in accordance with procedures established by the district. Complaints will be investigated promptly, thoroughly and confidentially. All school employees are required to report alleged violations of this policy to the principal or his/her designee. Reports by students or employees may be made anonymously, although disciplinary action will not be taken against any person solely on the basis of an anonymous report.

The district prohibits retaliation or reprisal in any form against a student or employee who has filed a complaint or report of harassment, intimidation or bullying. The district also prohibits any person from falsely accusing another of misconduct as a means of harassment, intimidation or bullying.

The board expects students to conduct themselves in an orderly, courteous, dignified and respectful manner. Students and employees have a responsibility to know and respect the policies, rules and regulations of the school and district. Any student who is found to have engaged in the prohibited actions as outlined in this policy will be subject to disciplinary action in accordance with the district's student behavior code. Any employee who violates this policy will be subject to disciplinary action. The district also may refer any individual who has violated this policy to law enforcement officials. The district will take any other appropriate steps to correct or rectify the situation.

The superintendent or his/her designee will be responsible for ensuring notice of this policy is provided to students, staff, parents/legal guardians, volunteers and members of the community, including its applicability to all areas of the school environment as outlined in this policy. The superintendent or his/her designee will also ensure that a process is established for discussing the contents of this policy with students.

Adopted 2/12/07

Legal references:

S.C. Code, 1976, as amended:

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WEAPONS IN SCHOOL

Code **JICI** Issued **Final**

Purpose: To establish the basic structure for the board's prohibition of student possession of weapons.

It is the policy of the Board of Trustees to ensure the safety and welfare of its students and employees. The presence of firearms, knives with a blade length of over two inches, dirk, razor, metal knuckles, slingshot, bludgeon or any other deadly instrument used for the infliction of bodily harm or death on school district property poses a severe threat of serious harm or injury to students and staff.

While on school grounds, in school buildings, on buses or at school-related functions, students will not possess any item capable of inflicting injury or harm (hereinafter referred to as a weapon) to persons or property when that item is not used in relation to a normal school activity at a scheduled time for the student. No vehicles parked on school property may contain firearms, knives, blackjacks or other items which are generally considered to be weapons.

Level of offense

It is a felony offense, punishable by a fine of \$1,000 or imprisonment for five years, or both, to carry a weapon as referenced above on school property.

It is a misdemeanor offense, punishable by a fine of up to \$500 or imprisonment for up to 90 days, to carry a concealed dirk, slingshot, metal knuckles, razor or other deadly weapon.

Weapons (firearms)

Note: The following is directed specifically by the Gun-Free Schools Act 20 U.S.C. 7151.

In keeping with Section 59-63-235 of the Code of Laws of South Carolina, 1976, a student who brings a firearm to a school or any place that is under the jurisdiction of a school will be expelled for no less than one year. The one-year expulsion is subject to modification by the superintendent on a case-by-case basis. Students expelled pursuant to this section are not precluded from receiving educational services in an alternative setting. Any student expelled for bringing a firearm will be referred to the local county office of the Department of Juvenile Justice or its representative.

Adopted 5/20/74; Revised 3/8/82, 11/21/83, 5/3/93, 9/12/94, 8/21/95, 4/22/96, 6/25/01, 4/25/05,
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Legal references:

- A. United States Code:
 - 1. 20 U.S.C. 7151 - Gun-Free Schools.
- B. U.S. Supreme Court Cases:
 - 1. New Jersey v. T.L.O., 469 U.S. 325 (1985.)
- C. S.C. Code, 1976, as amended:
 - 1. Section 59-63-235 - Expulsion of student determined to have brought firearm to school.
 - 2. Section 59-19-90(3), (5) - General powers and duties of trustees.
 - 3. Section 59-63-370 - Definition of a weapon.
 - 4. Section 16-23-430 -Carrying weapons on school property