district five
OF LEXINGTON & RICHLAND COUNTIES

Minutes/ February 28, 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 Marc Rattray, St. Andrews Presbyterian Church, gave the Invocation. The Pledge of Allegiance was led by Riley Goldstein, a fifth grade student at River Springs Elementary School.

The School Board Spotlight was presented by Robert Gantt, Ellen Baumgardner and Buddy Price.

During the superintendent's report, an update related to options for video broadcast of Board Meetings (Exhibit B) was given by Buddy Price; Karl Fulmer presented the monthly financial reports (Exhibit C) and gave an update on the cost of the Chapin High School's wetlands lawsuit (Exhibit D); and a presentation on the Health Advisory Council's recommendation (Exhibit H) was given by Traci Hogan.

During the public participation, Albert Bueno spoke regarding the District.

Buddy Price presented information on the board meeting dates for the 2011-2012 school year (Exhibit I).

Ken Childs presented information on the proposed revisions to board policy BEDG "Minutes of Board Meetings" (Exhibit J).

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	BAUMGARDNER	GANTT	HAMMOND	MURPHY	TURNER	WATSON	WHITE
1. M. Baumgardner S. Hammond Enter executive session to consider the following: 2a) selected employment items (Exhibit A); and 2b) briefing on litigation involving the District	X	X	X	X	X	X	A
2. M. Watson S. Hammond Approve the agenda	X	X	X	X	X	X	X
3. M. Watson S. Baumgardner Approve the minutes of the December 13, 2010 board meeting and the February 14, 2011 board meeting							
M. Murphy S. Hammond Amend to split the motion on the minutes	X	X	X	X	X	X	X
Vote on the December 13, 2010 board meeting minutes							
M. Murphy S. White Amend the minutes to also include a disclaimer to anything added by a board member	X	No	X	X	No	No	No
M. Gantt S. Turner Amend to approve the December 13, 2010 board meeting minutes as proposed and at a later date up until this coming Friday, Mrs. Murphy may review the transcription of the minutes and if she finds any items that she wants to include she will be allowed to do that	X	X	X	X	X	X	X
M. White S. Watson If we decide under the discussion of item 20 that we need to add a disclaimer to the for the record comments we will do so	X	X	X	X	X	X	X
Vote on original motion	X	X	X	X	X	X	X

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M. Watson S. Baumgardner Approve the minutes of the February 14, 2011 board meeting minutes M. Murphy S. Amend the minutes of the February 14, 2011 meeting to include a disclaimer for on the record comments and we hopefully can have discussion and during that discussion Mr. Childs can succinctly come up with some disclaimer for us M. Murphy S. Amend the February 14, 2011 minutes to exclude the attorney's opinion that was submitted after the fact Vote on the original motion	X	X	X	No	X	X	X
4. M. Hammond S. White Move item 18) Health Advisory Council recommendation (Exhibit H) to 9e under Instructional Services	X	X	X	X	X	X	X
5. M. Watson S. Baumgardner Approve the selected employment items (Exhibit A)	X	X	X	X	X	X	X
6. M. Hammond S. Watson Approve second reading 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 JCDAA "Tobacco Free Facilities/Possession and Use of Tobacco", JICG-R "Tobacco Use By Students" replaces AR-JCDAA-R "Tobacco Free Facilities/Possession and Use of Tobacco", JICH "Drug And Alcohol Use By Students" replaces JCDAB/JCDAC "Alcohol/Drug Use" (Exhibit E)	X	X	X	X	X	X	X

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7. M. Hammond S. Watson	X	X	X	X	X	X	X
Approve first reading approval 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 F)							
8. M. White S. Watson							
Resolved 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, as of February 28, 2011, in excess of $1.57 million in professional fees and increased construction costs and $4.5 million in increased bond interest costs over the life of the construction bonds (20 years), 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 which permit is 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.							
M. White S. Watson							
Amend to add after February 28, 2011, estimated costs	X	X	X	AB	X	X	X
Vote on original motion	X	X	X	No	X	X	X
9. M. White S. Baumgardner	X	X	AB	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 in the							

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board brief synopsis identify the resolution as pertaining to the lawsuit brought by Mrs. Kim Murphy, Murphy vs. School District Five of Lexington and Richland Counties and DHEC.							
10. M. White S. Hammond That the Board of Trustees suspends any board policy requiring placement on the agenda or multiple readings to adopt the following specified motion and that the Board of Trustees adopts the motion effective immediately: The Chairman of the Board, or the presiding officer, shall have the discretion to set time limits for meetings of the Board including specific time limits for each agenda item. The Chairman shall have the discretion to set the time periods for meeting and agenda items prior to or during a Board meeting. The Board, by a majority vote, may modify any time limit for a meeting or agenda item set by the Chairman.	X	X	X	No	X	X	X
11. M. White S. Baumgardner That the Board of Trustees suspends any board policy requiring placement on the agenda or multiple readings to adopt the following specified motion and that the Board of Trustees adopts the motion effective immediately: The Chairman of the Board, or the presiding officer, shall have the discretion to set time limits on discussion by each member of the Board and limit the number of times each Board member can speak on a motion or any discussion item on the agenda. Any time limitations set by the Chairman shall apply equally to each Board member and each Board member shall have an equal opportunity to speak the number of times set by the Chairman. The Chairman has the discretion to set the time periods for Board member discussions prior to or during a Board meeting. The Board, by a majority vote, may modify any time limit for a discussion item set by the Chairman. M. Murphy S. Amend to ask Dr. Hefner to provide use with rules of order used for Richland 2 and Lexington 1 and table until the next meeting							

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Vote on original motion	X	X	No	No	No	X	X
12. M. White S. Baumgardner That the Board of Trustees suspends any board policy requiring placement on the agenda or multiple readings to adopt the following specified motion and that the Board of Trustees adopts the motion effective immediately: The Chairman of the Board, or the presiding officer, shall have the discretion to end any discussion by a Board member if the discussion is no longer relevant to the motion before the Board or the discussion item under consideration.	X	X	No	No	AB	X	X
13. M. White S. Hammond That the Board of Trustees suspends any board policy requiring placement on the agenda or multiple readings to adopt the following specified motion and that the Board of Trustees adopts the motion effective immediately: The Chairman of the Board, or the presiding officer, shall have the discretion to call for a motion to be voted upon if Board member discussions are repetitious or no longer relevant to the motion. The Board, by a majority vote, may extend the time for discussion. M. Murphy S. Amend to take as first reading as change of board policy and have a second reading at the next meeting							
Vote on original motion	X	X	AB	No	AB	X	X
14. M. White S. Baumgardner That the Board of Trustees suspends any board policy requiring placement on the agenda or multiple readings to adopt the following specified motion and that the Board of Trustees adopts the motion effective immediately: All actions of the Board must be decided by a majority vote of	X	X	AB	No	AB	X	X

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the Board members in office.							
15. M. White S. Watson That the Board of Trustees suspends any board policy requiring placement on the agenda or multiple readings to adopt the following specified motion and that the Board of Trustees adopts the motion effective immediately: Any member of the Board requesting that the minutes of any Board meeting be transcribed from the audio recording shall be required to pay in advance to the School District the complete cost (or best estimate of the costs) of the transcription.							
M. White S. Baumgardner	X	X	X	X	X	X	X
Amend to delete (or best estimate of the costs)							
Vote on the original motion	X	X	X	No	X	X	X
16. M. Baumgardner S. Murphy Table item 20) proposed revisions to board policy BEDG "Minutes of Board Meetings" (Exhibit J) and place it early on the next board meeting agenda							
M. Gantt S. Watson	X	X	X	X	X	X	X
Amend that we have a 3-5 minute synopsis while Mr. Childs is here and then carry over to the next meeting							
M. Murphy S. Turner							
Amend to have Mr. Childs come back to the next meeting to help with the discussion	X	X	X	X	X	X	X
Vote on the original motion	X	X	X	X	X	X	X
17. M. Hammond S. Watson Accept the recommendation for the make-up of snow days (Exhibit G)	X	X	X	X	X	X	X

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18. M. Baumgardner S. White	X	X	X	X	X	X	X
Adjourn at 10:55 p.m.							

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Received from Kim Murphy for 2/28/11 board meeting

"On the record" comments:

Agenda item #15 - Related to costs for legal proceedings of the Chapin High School case before the Administrative Law Court and other information contained in Mr. White's motion:

"My reason for abstaining on that last vote is the information contained in the memo, which is reflected in Mr. White's motion, is incorrect."

Agenda item #16 – Related to Mr. White's motions to suspend board policies "requiring placement on the agenda or multiple readings to adopt" in order to change Board Policy and its Rules of Order:

"It is one thing to suspend Board Policy to act on something. It's another thing to suspend board policy to change Board Policy. I think that's wrong."

Attachment 1 is included with the minutes of the 2-28-11 meeting, at the request of Board member Kim Murphy pursuant to S.C. Code Ann. §30-4-90(a)(4) and Board Policy BEDG. The Board majority did not approve, disapprove, or otherwise act upon the contents of this attachment.