



Minutes/May 23, 2011

The Board of Trustees of School District Five of Lexington and Richland Counties met at Irmo High 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. Stephen Hefner, 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.

The Invocation was given by David Clifton, youth minister, Union United Methodist Church. The Pledge of Allegiance was led by Michael Lukas Brock, an eleventh grade student at Irmo High School.

Robert Gantt, Beth Watson and Ellen Baumgardner led the School Board Spotlight.

A welcome and brief overview of Irmo High School was given by Rob Weinkle, principal of Irmo High School.

During the superintendent's report, Dr. Stephen Hefner presented information on negotiated employee contracts; Dr. Karl Fulmer gave an update on the cost of the Chapin High School's wetlands legal appeal (Exhibit B); Dr. Karl Fulmer presented the monthly financial reports (Exhibit C).

During the public participation, Joe Grimaud spoke regarding curriculum/textbooks; Dawn Weathersbee, Amy Carter (via electronic recording), Rob Schiferl and Diane Schiferl spoke regarding department chair's planning periods.

Dr. Karl Fulmer and Frannie Heizer, McNair Law Firm, presented a resolution for Tax Anticipation Notes (Exhibit I) and a resolution to sell bonds for the capital projects budget (Exhibit J).

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

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of May 23, 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. Watson	S. Baumgardner						
Enter executive session to consider the following: 2a) selected employment items (Exhibit A); 2b) employee matters: negotiated employee contracts								
	M. Murphy	S. Baumgardner		No	No	No	X	X
Amend the agenda to include information from Dr. Hefner regarding the process for expulsion								
		X	X	X	X	X	X	X
Vote on original motion								
2.	M. Baumgardner	S. Watson		X	X	X	X	X
Approve the agenda								
3.	M. Watson	S. Baumgardner		X	X	X	X	X
Approve the selected employment items (Exhibit A)								
4.	M. Watson	S. Baumgardner		X	X	No	No	No
Approve first reading of the general fund budget for 2011-2012 as presented								
5.	M. Baumgardner	S. White		X	X	AB	No	AB
Adopt the resolution for the South Carolina Educational Opportunity Act (Exhibit D)								
6.	M. Watson	S. Hammond		X	X	X	X	X
Approve second reading of proposed revisions to J board policies: (Exhibit E):								
. JHCB "Released Time For Religious Instruction" replaces JEFB "Released Time For Religious Instruction"								
. JHCB-R "Released Time For Religious Instruction" replaces JEFB-R "Released Time For Religious Instruction"								

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9.	M. Baumgardner S. Watson Approve the recommendation for the capital projects budget (Exhibit H)	X	X	X	No	X	X	X
10.	M. Watson S. Hammond Approve the minutes of the May 9, 2011 board meeting	X	X	X	X	X	X	X
11.	M. Baumgardner S. Hammond Adjourn at 11:25 p.m.	X	X	X	X	X	X	X

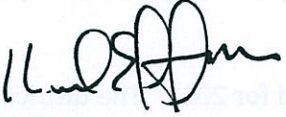
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Attachment 1 is included with the minutes of the 5-23-11 meeting, at the request of Board member Beck Watson pursuant to S.C. Code Ann. § 30-4-90(a)(4) and Board Policy BEDG. The Board majority did not approve, disapprove, or otherwise act upon the contents of this attachment.



May 17, 2011

TO: Stephen Hefner, Ed.D.
Superintendent

FROM: Karl E. Fulmer, Ed.D. 
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 \$1.74 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 \$103,479.
- Attorney fees related to the protests and lawsuit continue to accumulate and currently total \$410,625. In addition, the District has been billed \$1,410 to date relating to the sanitary sewer permit protest.
- Architectural fees currently total \$129,606.
- To date, total staff time devoted to the wetlands litigation is approximately 721.5 hours or \$40,248.
- To date, fees for Tidewater Environmental Services total \$37,699.

Dr. Stephen Hefner

May 17, 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 has delayed the issuance of these bonds, which places the district at risk for increases in interest rates. Prior to its sunset, the Build America Bonds Program (BAB) program had provided unprecedented subsidies to the district to offset bond interest expense.

The BAB program was not renewed for 2011. The district should expect bond cost to increase. Ross, Sinclair & Associates, LLC estimates the impact at this time to be approximately \$6,346,100 over the life of the planned borrowing.

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.

Kim Murphy

As school board members, we are entrusted by parents and taxpayers to effectively and efficiently over see the operations of the public schools within this district. It is entirely inappropriate for any of us, individually or as a group, to use ~~that~~ ^{our} position to advocate at the statehouse against a statewide reform designed to increase parental engagement in education.

If we, as board members and district staff, are really serious about getting each and every student seated in the classroom best suited to their unique learning needs, then we ought to be cognizant of that fact that sometimes that particular classroom may not be at one of the public schools within our public district. If we start believing it is our obligation to defend the district itself, and not the educational goals it was created to pursue, this should give us all pause. I cannot support this resolution.

Attachment 2 is included with
the minutes of the 5-23-11
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.

Kim Murphy

5/23/11

Whereas, each and every child in School District Five of Lexington and Richland Counties faces their own unique learning challenges and exhibits their own particular academic strengths...

Whereas, a "public education" is fundamentally a community good, benefiting all citizens in our City and this good is well served by classroom instruction that is student appropriate and academically effective, without regard to the school's status as "public," "private" or independent...

Whereas, the engagement of families and parents is an essential aspect of a student's success in the classroom and their development of life long learning habits, as well as our District's esteem and respect for the value of learning...

Whereas, innovation and specialization in education, as in all fields, thrives in an atmosphere where people have the ability to make informed decisions for themselves...

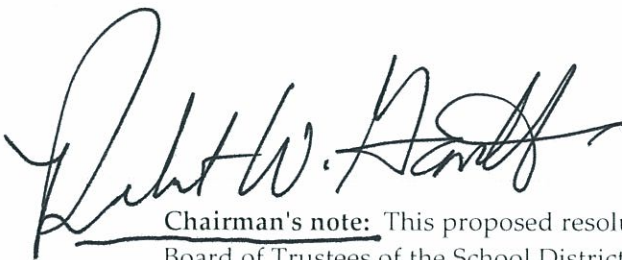
Whereas, broader, more equal access to a wide range of classroom settings, instructional methods and curriculum content represents a major step toward greater equality of academic, economic and personal opportunity...

Whereas the public policies of "School Choice," which extend to both public and private schools, are proven to match students with appropriate classrooms, promote the stated aims of public education, facilitate parental engagement in children's education, foster excellence through the power of competition, and reduce inequities in access to excellent classroom instruction..

Be it resolved that School District Five of Lexington and Richland Counties calls on state lawmakers serving in Columbia to pass meaningful School Choice legislation that extends to all corners of the State.

R. Gantt, Chair would not allow me to read.

Attachment 3 is included with the minutes of the 5-23-11 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.



Chairman's note: This proposed resolution was not considered (no discussion, no vote) by the Board of Trustees of the School District Five of Lexington and Richland Counties at its meeting on May 23, 2011; the proposed resolution is contrary to the resolution adopted by the Board majority at the May 23 meeting urging the Lexington Five legislative delegations of both Richland and Lexington Counties to vote **against** the South Carolina Education Opportunity Act and any attempt to divert public education dollars to private education interests, and is included only as an attachment to the May 23 minutes at the request only of Board member Kim Murphy.

Attachment 4 is included with
the minutes of the S-23-11
meeting, at the request of Board member
Robert Gantt
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.

For the record – Robert Gantt 5/23/11

I will tell you a little personal concern I have is for the best school district in the state of South Carolina to just split a vote - 4 to 1 no and 2 abstain - appalls me I'm gonna just say that on the record and for the record.