



Minutes/ October 24, 2011

The Board of Trustees of School District Five of Lexington and Richland Counties met at Chapin Middle 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 (via telephone – did not participate by voting)
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
Dr. Karl Fulmer, Chief Financial Services Officer
Mr. Michael Harris, Director , Student Services
Mr. Keith McAlister, Director, New Design and Construction
Mr. Buddy Price, Director, Office of Community Services

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

The Invocation was given by Buddy Price. The Pledge of Allegiance was led by Sam Baumgardner and Laura Kathryn Perla.

The School Board Spotlight was presented by Robert Gantt, Beth Watson and Ellen Baumgardner.

During the superintendent's report, Dr. Stephen Hefner presented the Vision 2015 next steps; Buddy Price gave an update on the Education Foundation Gala; Dr. Karl Fulmer presented the monthly financial report (Exhibit B), an update on the cost of Chapin High School's wetlands legal appeal (Exhibit C) and a presentation on the Financial Transparency for District Expenditures; Dr. Bob Couch gave an update on the CATE Center; and Keith McAlister presented the monthly update (Exhibit D) and Irmo High and Dutch Fork High schools' conceptals (Exhibit E).

During the public participation, Albert Bueno spoke regarding the District and Ed Yates spoke regarding finances.

Michael Harris presented proposed revisions to Board J Policies: a. JLD "Guidance And Counseling" replaces JE and IG "Guidance Program", b. Add JLDBB "Self-Esteem Promotion/Suicide Prevention" , c. JLF "Student Welfare" replaces JG "Student Welfare – Reporting Cases of Child Abuse/Neglect", JG-R "Student Welfare – Reporting Cases of Child

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

Abuse/Neglect", and JG-E "District Pupil Release Form", d. JLIB "Student Dismissal Precautions" replaces JBF "Released Time", e. JQ "Student Fees, Fines And Charges" replaces JS and JS-R "Student Fees, Fines and Charges", f. JRA "Student Records" replaces JR "Student Records", g. JRA-R "Student Records" replaces JR-R "Student Records/Fingerprinting", JR-E-1 and 2 "Student Records/Fingerprinting", JR-E-3 "Request Acknowledgment", JR-E-4 "Student Records/Fingerprinting" (Exhibit I).

Buddy Price presented the proposed naming of the CATE Center (Exhibit J).

Buddy Price presented the revised School Board Meeting schedule (Exhibit K).

Buddy Price presented the school calendars for 2012-2013 and 2013-2014 (Exhibit L).

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SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of October 24, 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 S. Watson Enter executive session to consider the following: a) selected employment items (Exhibit A)	X	X	X	A	A	X	A
2.	M. Watson S. Hammond Approve the agenda with the addition of proposed policy IMD "School Ceremonies and Observations" to item 12 , #i. (Exhibit G) M. Murphy S. Amend the agenda to add the discussion of the minutes from the last board meeting not included on the agenda Vote on original motion M. Watson S. Hammond Amend the agenda to remove item 8a, #2 Legislative Board Motions 9/26/00 Update							
		X	X	X	X	A	X	X
		X	X	X	X	A	X	X
3.	M. Watson S. Baumgardner Approve the selected employment items (Exhibit A)	X	X	X	X	A	X	AB
4.	M. Watson S. Hammond Approve the Chapin Elementary School's additional scope for media walls (Exhibit F)	X	X	X	X	A	X	X
5.	M. Watson S. Murphy Approve first reading of proposed additions and revisions to board policies I: a. Add new Policy IHAC "Social Studies Education", b. Add new policy IHAB "Mathematics Education", c Add new policy IHAA "English/Reading/Writing/ Language Arts Education" d. Add new policy IGCA "Service Learning", e. Replace	X	X	X	X	A	X	X

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		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
current policies IC "Curriculum Development" and ID, "Curriculum Design" with new board policy IG "Curriculum "Curriculum, Development, Adoption and Review", f. Replace current policy IDA "Basic Program" with new policy IHA, "Basic Instructional Program", g. Replace policies AE "School Year" and AEA "School Calendar" with new policy IC "School Year", h. Replace current policies AF "School Day" AF-R "School Day" and IKD "School Ceremonies and Observances" with new policy ID "School Day", and i. replace policy IKD "School Ceremonies" with new policy IMD "School Ceremonies and Observations" (Exhibit G)								
6.	M. Watson S. Hammond Approve the 2011 SCSBA Delegate Assembly Voting Delegates as follows: Gantt 2, Watson 2, Hammond 1, Baumgardner 1, and White and Turner will be designated as alternates (Exhibit H)	X	X	X	No	A	X	X
7.	M. Watson S. Hammond Extend the meeting time for 15 minutes	X	X	X	X	A	X	X
8.	M. Gantt S.Hammond Extend the meeting time to 10 p.m.	No	X	X	X	A	X	A
9.	M. Baumgardner S. Hammond Adjourn at 10 p.m.	X	X	X	X	A	X	A

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Attachment 1 is included with
the minutes of the 10-24-11
meeting, at the request of Board member

Robert Cantt
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.

Pledge of Allegiance Statement

- Our school board policy review process has been underway for several years and there have been many instances where sections of policies move from one policy to another.
- The Pledge of Allegiance has been an important part of our school day and will always remain so.
- Our flag is a symbol of freedom and unity. It is very sad...and ironic... that some would use misinformation about our eliminating the pledge (which we are not going to do) to our flag from the school day in an effort to divide this community yet another time.
- We believe that pledging allegiance to our flag is so important that we begin every school board meeting with the pledge. And tonight we are honored to have fellow Board member Ellen Baumgardner's son, Army National Guard Specialist Sam Baumgardner, who is home after completing a tour of duty in Afghanistan, and my granddaughter, Laura Katherine Perla, a kindergarten student at River Springs Elementary, who represents a new generation coming along, to lead us in our pledge of Allegiance to our flag.

Attachment 2 is included with
the minutes of the 10-24-11
meeting, at the request of Board member
Beth 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.

From Beth Watson – October 24, 2011

For the record, the accusations made by Mrs. Kim Murphy that Dr. Fulmer presented financial documents that were false and misleading is totally out of line and false. Mrs. Murphy should be sanctioned as a board member for making such an inflammatory accusation against one of District Five's top administrators. Dr. Fulmer is recognized as one of the best Chief Financial Officers in South Carolina, if not the United States.



THE SENATE OF SOUTH CAROLINA

SENATOR JOHN COURSON
RICHLAND AND LEXINGTON COUNTIES
(DISTRICT 20)

P. O. BOX 142
GRESSETTE SENATE OFFICE BUILDING
COLUMBIA, SC 29202
(803) 212-6250

To: Board of Trustees of School District Five of Lexington and Richland Counties

From: Senators John Courson and Ronnie Cromer
Representatives Chip Huggins and Nathan Ballentine

Date: October 14, 2011

Re: Request for Legislation

Thank you very much for your recent memorandum regarding the resolution approved at the Lexington District Five board meeting on September 12, 2011, asking the General Assembly to pass legislation prohibiting a school board member from instituting certain proceedings or actions. We received a response from a top constitutional attorney in the Senate, who suggested that such legislation would most likely be unconstitutional.

Enclosed please find a copy of the memo received by John Courson, stating the basis for this opinion. We sincerely hope that this information will assist the board with resolving this matter.

Attachment

Attachment 4 is included with
the minutes of the 10-24-11
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.



STATE OF SOUTH CAROLINA
THE SENATE

Attachment 5 is included with the minutes of the 10-24-11 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.

KENNETH M. MOFFITT
COUNSEL TO THE CLERK

P.O. BOX 142
COLUMBIA, S.C. 29202

MEMORANDUM

TO: Senator Courson
FROM: Kenneth M. Moffitt
DATE: September 27, 2011
RE: Prohibition of Lawsuits by Elected Officials

It is my opinion that a statute prohibiting an elected member of a governing body in this State from suing that body for wrongs sustained by the elected member as a result of actions taken by the governing body would be found to be unconstitutional.

The right of access to the courts is a constitutionally protected fundamental right. Article 1, Section 9 of the South Carolina Constitution states that "every person shall have speedy remedy therein for wrongs sustained." The Supreme Court has interpreted this section to guarantee to the residents of this State the right to access to state courts to seek a remedy for every injury or impairment of legal rights to his person or property. While there is no specific reference to the right of open access to the courts in the United States Constitution, it has long been held that the right nonetheless exists as a necessary result of the Due Process Clauses of the 5th and 14th Amendments and the Equal Protection Clause of the 14th Amendment.

A statute prohibiting the exercise of a fundamental right is subject to a "strict scrutiny" analysis by the courts when determining its constitutionality. Under a strict scrutiny analysis, the statute must be necessary to promote a compelling state interest and narrowly tailored to achieve that interest. Strict scrutiny is the most stringent standard of judicial review. It is extremely difficult for a statute to survive a strict scrutiny analysis.

An elected official in this State is a citizen of the United States and a resident of South Carolina and holds the same fundamental rights as his fellow citizens and residents. He does not, by virtue of his being elected to office, waive or otherwise forfeit his right to access to the courts. He may exercise that

fundamental right to seek a remedy for injuries to his rights or property - even if the wrong for which he seeks remedy occurred as a result of an action taken by a governing body of which he is a member. Any statute prohibiting an elected official from exercising that fundamental right would be subject to a strict scrutiny analysis by the Courts and, in my opinion, would be found to be unconstitutional.

Attachment 6 is included with
the minutes of the 10-24-11
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.



Sybil Stowers <sstowers@lexrich5.org>

On the record documents and statements

1 message

Kim Murphy <movingmountainskwm@gmail.com>

Thu, Oct 27, 2011 at 8:07 AM

To: Sybil Stowers <sstowers@lexrich5.org>

Sybil,
Attached are comments and documents that I want to go on the record.

The first attachment labeled "CHAPIN HIGH SCHOOL on the record 10-24-11" is the cover sheet for the second attachment labeled "ontherecorddocument92611." Please process the documents in color.

The third attachment includes my statements from the 10-24-11 meeting.

Please let me know that you have received this.

Thanks!
Kim
--
Kim Murphy 446-6565
154 Old Laurel Lane
Chapin, SC 29036

Attachment 7 is included with the minutes of the 10-24-11 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.

4 attachments

CHAPIN HIGH SCHOOL on the record 10-24-11.docx
15K

ontherecorddocument92611.zip
17177K

10-24-11 On the Record comments Wetlands Update by CFO false information Kim Murphy.docx
11K

10-24-11 On the Record comments Wetlands Update contains false information Kim Murphy.docx
11K

<https://mail.google.com/mail/?ui=2&ik=ebc4d4eb40&view=pt&search=in...> 10/27/2011

Chairman's note: Ref: School Board Meeting 10/24/11 - Approved Adding Items as referenced by Kim Murphy as "my Chapin High School Plans and statement" as her personal opinion and not the opinion of the other six members of the Board. The Board voted to allow the material and statement with the stipulation that the following 4 disclaimers be attached:

1. That the Statements submitted by Kim Murphy are NOT factual.
2. That the Statements submitted by Kim Murphy represent HER opinion only.
3. That the Statements submitted by Kim Murphy representing the opinion and statements by the Principal at Chapin High School are Incorrect and are HER opinion only.
4. That the Statements submitted by Kim Murphy representing that approved plans for Chapin High School are for 1300 Students Not 1700 students by the State Department of Education OSF are Incorrect and HER opinion only.

CHAPIN HIGH SCHOOL

Approved Renovation Plans

Student capacity reduced from 1,700 students to 1,300 students

(Teacher assignment based on actual staff serving the school's 1,300-student enrollment for 2010-2011.)

Contact Kim Murphy at movingmountainkwm@gmail.com for more information or enlarged plans.

Lexington-Richland District 5 has reduced the proposed capacity of Chapin High School. The attached renovation plans, as approved by the Dept. of Education and that are currently being advertised for bid, will only accommodate 1,300 students, instead of the 1,700 student-capacity advertised in the 2008 Bond Referendum.

The plans show that, upon completion of the facility, when all teachers are relocated out of the portable classrooms and placed into permanent classrooms inside the renovated school, there will only be one vacant classroom. How will one additional classroom over and above what is required to serve its current student enrollment of 1,300 students educate 400 more students in the core subjects of English, Math, Social Studies, Foreign Language and District 5's standard electives? That is *one* more classroom only.

Parents, community members, District 5 staff, and voters should be informed of the significant reduction in capacity and the impact it will have on whether or not a new high school should be built in the Chapin attendance area, just 3.6 miles down the road, and all should have the opportunity for input.

Information:

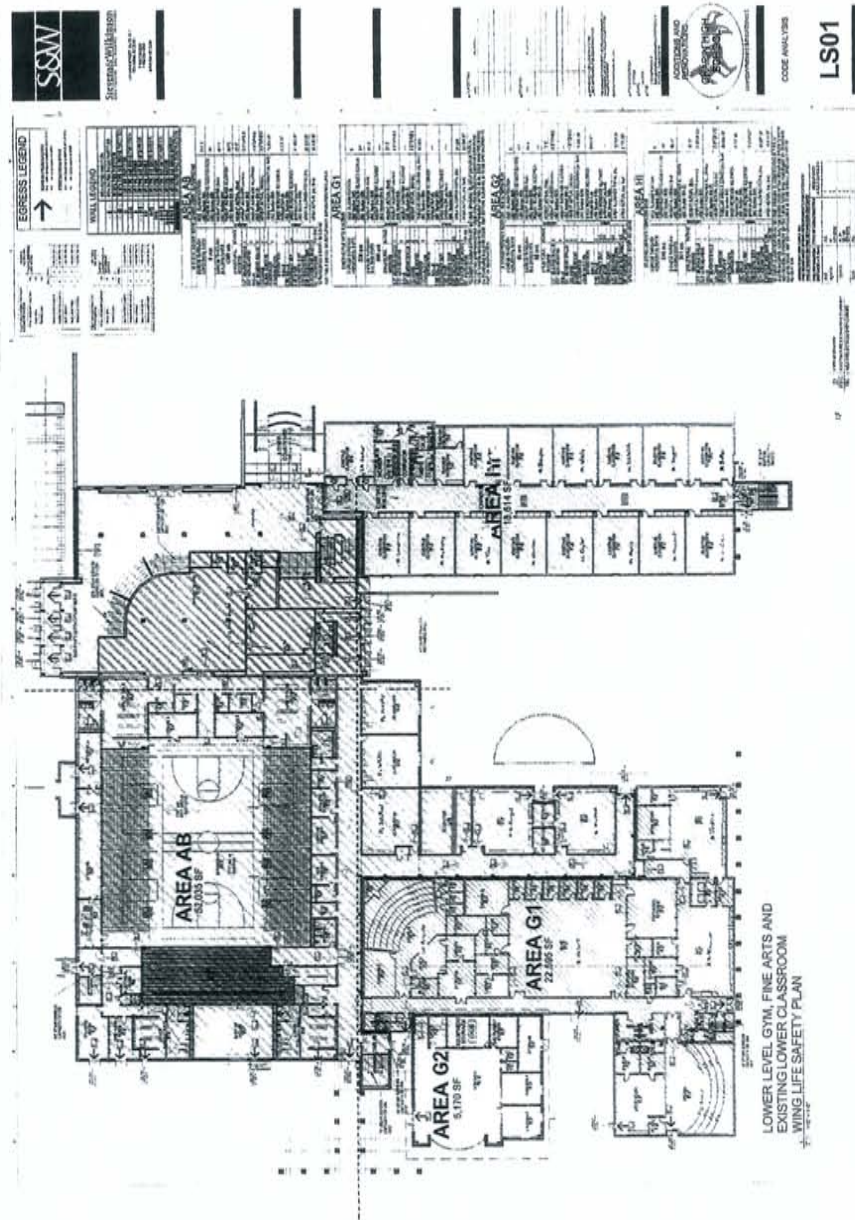
- The drawings are actual plans from Lexington-Richland District 5.
- In 2008, the voters approved expanding Chapin High School to 1,700 students – 400 more students than the current enrollment of approximately 1,300 students.
- Teacher placement is for illustrative purposes only. No actual teacher assignment has been approved. However, teachers have been logically placed on the plan – Art teacher in an Art room, Science teacher in a Science room, etc.
- Original plans advertised in the referendum showed a new three-story academic wing. Following the Nov. 2008 referendum vote, the third floor was removed from the drawings, the number of classrooms and Science Labs were reduced, and the auditorium and dance study dropped from the Master Plan. A 10,000 sq ft. field house was added.
- The bar (orange) placed on rooms indicate a space that is shared by more than one teacher, i.e. a computer or Science lab. Those rooms could be assigned to a teacher, but the room's function as designed would be lost.
- The plans will only add on 24 classroom-type teaching stations. However, there are currently 22 portable units housing 22 classroom-type teaching stations. (An additional portable is used for Art, which will be relocated to an Art room.)
- The number of Science Labs has been reduced to *less* than the number currently available at the school.
- The Principal desires more programs at the school. The only way additional programs can be added is to place them in classrooms needed for core subjects – English, Math, Social Studies, etc and further reduce capacity.
- McKibben Demographics projects that the current Chapin High School attendance area will only increase to 1,550 students in the next 10 years. (McKibben's projections incorporate the existing Chapin High attendance area as if the new high school were not constructed Chapin attendance area.)
- The principal has stated that the school is currently under-staffed. However, current floor plans only allow for one more teacher – there is only one extra classroom after all teachers are assigned rooms. (The plan shows two extra classrooms, however, after one JRRUTC room is converted to storage because a large storage room will be lost in the renovation, there will only be one additional classroom.)
- The only way the renovated school will hold more students is to increase student/teacher ratio or keep portables.

Presented at the October 24, 2011 School Board Meeting for the Record.

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Attachment 8 is included with the minutes of the 10-24-11 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.



Attachment 10 is included with the minutes of the 10-24-11 meeting, at the request of Board member Kim Murphy pursuant to S.C. Code Ann. §36-4-90(a)(4) and Board Policy BEDG. The Board majority did not approve, disapprove, or otherwise act upon the contents of this attachment.

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EXPRESS LEGEND

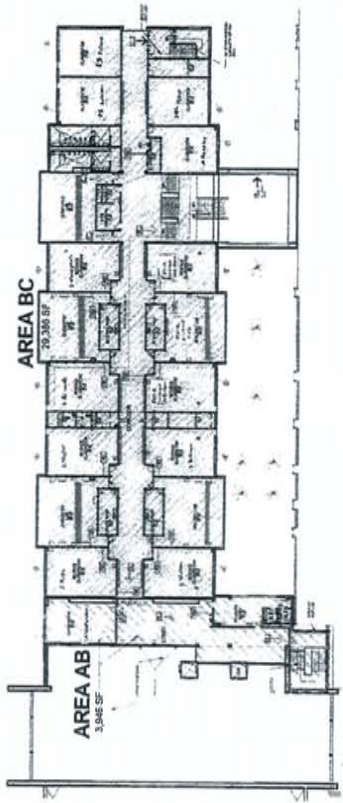
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WALL FINISHES

01	CONCRETE
02	BRICK
03	GLASS
04	WOOD
05	PAINT
06	CEILING
07	FLOORING
08	MECHANICAL
09	ELECTRICAL
10	PLUMBING
11	INSULATION
12	ROOFING
13	LANDSCAPE
14	EXTERIOR FINISHES
15	INTERIOR FINISHES
16	MECHANICAL EQUIPMENT
17	ELECTRICAL EQUIPMENT
18	PLUMBING EQUIPMENT
19	LANDSCAPE EQUIPMENT
20	EXTERIOR EQUIPMENT
21	INTERIOR EQUIPMENT

AREA BC

01	CONCRETE
02	BRICK
03	GLASS
04	WOOD
05	PAINT
06	CEILING
07	FLOORING
08	MECHANICAL
09	ELECTRICAL
10	PLUMBING
11	INSULATION
12	ROOFING
13	LANDSCAPE
14	EXTERIOR FINISHES
15	INTERIOR FINISHES
16	MECHANICAL EQUIPMENT
17	ELECTRICAL EQUIPMENT
18	PLUMBING EQUIPMENT
19	LANDSCAPE EQUIPMENT
20	EXTERIOR EQUIPMENT
21	INTERIOR EQUIPMENT



NEW SECOND FLOOR CLASSROOM WING LIFE SAFETY PLAN

Attachment 11 is included with the minutes of the 10-24-11 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.

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