



**AGENDA
BOARD OF TRUSTEES
HARBISON WEST ELEMENTARY SCHOOL'S THEATER
JANUARY 9, 2012**

1. Call to order at **6:15 p.m.**
2. Enter executive session to consider the following:
 - a. Selected employment items (Exhibit A)
3. Welcoming remarks at **7 p.m.**
4. Invocation – John Shelton, discipleship pastor, NewSpring Church-Columbia Campus
5. Pledge of Allegiance – Diamond Housey, student council president at Harbison West Elementary School
6. School Board Spotlight
7. Approve the agenda
8. Welcome and overview of Harbison West Elementary School by Mrs. Kim Benson, PTO president, and Mrs. Bunnie Ward, SIC chair
9. Superintendent's report **1 hour**
 - a. Superintendent
 1. Review of 2011
 2. Vision 2015: Update #4
 - b. Financial Services
 1. Update on cost of legal appeals at Chapin High School (Exhibit B)
 2. Budget calendar for 2012-2013 (Exhibit C)
 - c. Instructional Services
 1. Dropout report for 2010-2011 (Exhibit D)
 2. Update on Magnet Programs at Leaphart Elementary, Harbison West Elementary, Irmo High and Dutch Fork High

10. Public participation*

ACTION AGENDA

11. Items considered in executive session **(5 minutes)**
12. Approve the minutes of the December 12, 2011 school board meeting **(5 minutes)**

DISCUSSION AGENDA

13. Adjourn at **9:00 p.m.**

FOR YOUR INFORMATION

14. The next regular scheduled board meeting will be January 23, 2012 at CrossRoads Middle School.

*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 12, 2011

The Board of Trustees of School District Five of Lexington and Richland Counties met at Dutch Fork 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. 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 of Student Services
Mr. Keith McAlister, Director of New Design and Construction
Mr. Buddy Price, Director of Office of Community Services

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

The Invocation was given by Reverend Lester Drayton, Greater Saint Paul African Methodist Episcopal Church. The Pledge of Allegiance was led by Emily Dale, a fifth grade student at Dutch Fork Elementary School.

The School Board Spotlight was led by Ellen Baumgardner, Beth Watson, Robert Gantt and Jan Hammond.

A welcome and overview of Dutch Fork Elementary School was given by Julius Scott, principal.

During the superintendent's report, Dr. Hefner presented an update on Vision 2015; a legal briefing on renovations and expansion of Chapin High School was given by Pam Baker; a legal briefing on the SCEA lawsuit was given by Ken Childs; Dr. Fulmer presented an update on the cost of legal appeals at Chapin High School (Exhibit B) along with Paul Moscati; Dr. Fulmer presented financial reports (Exhibit C); and Traci Hogan presented a report on Special Education.

During the public participation, Robin Bellow spoke regarding Irmo High School's student leadership class; Toshia Addison spoke regarding Irmo High School; and Michael Cummins spoke regarding property tax requirements of county residents.

Helen Anderson presented the proposed staffing for the Center for Advanced Technical Studies.

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

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of December 12, 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
<p>1. M. Hammond S. Baumgardner</p> <p>Enter executive session to consider the following: a) selected employment items (Exhibit A) and b) legal update: regarding SCEA lawsuit</p>	X	X	X	X	X	X	X
<p>2. M. Baumgardner S. Watson</p> <p>Approve the agenda</p>	X	X	X	X	X	X	X
<p>3. M. Murphy S. Turner</p> <p>Because the bond referendum plan changed so significantly, I move that the School Board, before opening bids for construction of a fourth high school, hold a series of public hearings to let citizens hear about the revised bond referendum plan and to receive feedback from the community and that these meetings be held at Seven Oaks Park, Ballentine Park and Crooked Creek Park</p>	No	No	X	X	X	No	No
<p>4. M. White S. Baumgardner</p> <p>I move we authorize the Superintendent, in consultation with the District's legal counsel, to make proper arrangements for the District to file an amicus brief in the South Carolina Court of Appeals case of <u>Margaret Stroud, et al. v. Kim Murphy</u> solely for the purpose of protecting the interest of School District Five of Lexington and Richland Counties and the taxpayers who support our District, noting that to date lawsuits brought by Kim Murphy against the interest of School District Five, have resulted in total costs to our District and District taxpayers approximating \$14 million considering the legal and consultant fees, the increased bid cost for the project, and the lost interest subsidy under the Build America Bond program</p>	X	X	X	AB	X	X	X
<p>5. M. Baumgardner S. Watson</p> <p>End the meeting at 10 p.m.</p>	X	X	X	X	X	X	X

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6.	M. Watson			S. Hammond				
	Approve the selected employment items (Exhibit A)		X	X	X	X	X	X
7.	M. Baumgardner			S. Watson				
	I move that we authorize the District's Chief Financial Officer, Dr. Karl Fulmer, to redirect appropriate funds to accomplish the terms of the settlement agreement between the District and the South Carolina Education Association regarding a pending lawsuit		X	X	X	X	X	X
8.	M. Baumgardner			S. Hammond				
	Approve second reading of proposed revisions to Board J Policies": a. JLD "Guidance And Counseling" replaces JE and IG "Guidance Program", b. Add JLDDB "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 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 D)		X	A	X	X	X	X
9.	M. Baumgardner			S. Murphy				
	Approve the proposed amendment to board policy IMD "School Ceremonies and Observations" (Exhibit E)		X	A	X	X	X	X
10.	M. Baumgardner			S. White				
	Approve the proposed 2012-2013 and 2013-2014 district calendars (Exhibit F)		X	X	X	X	X	X

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Meeting of December 12, 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
11. M.	Baumgardner	S. Gantt	X	X	X	X	X	X	X
Approve the minutes of the November 14, 2011 school board meeting									
12. M.	Hammond	S. Baumgardner	X	X	X	X	X	X	X
Add 15 minutes to the agenda for item 16) proposed staffing for the Center for Advanced Technical Studies									
13. M.	Hammond	S. Baumgardner	X	X	X	X	X	X	X
Adjourn at 10:15 p.m.									

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Proposed floor resolution
Lexington-Richland Five School District
Board Member Lawsuits

7/12/11

Board member legal actions

Resolution: SCSBA supports legislation prohibiting a school board member from instituting in his or her capacity as a citizen, taxpayer, a school board member, any legal proceeding before any court or governmental agency opposing or challenging any action taken by the school board of which he or she is a member. This prohibition does not affect a school board member's right in his or her capacity as a private individual to seek redress for a personal grievance resulting from board action.

Rationale: A school board's power lies in its action as a group, and individual board members exercise their authority over district affairs only as they vote to take action at a legal meeting of the board. Further, the policy-making function of a school board involves the interaction of competing ideas that eventually resolve themselves in a decision that may not satisfy all of the board's members. This is the essence of the legislative process and should not be compromised by ready access to the courts or some other forum for dissenting members who are disappointed in the outcome, which could present a significant public policy concern. Finally, board members in general enjoy qualified immunity from legal liability for their actions taken in their role as a school board member; this means, however, that a school board has no legal remedy against a fellow board member who files a lawsuit in his or her official capacity challenging board actions that may cause economic damage to the district. On the other hand, when acting as a private individual pursuing a personal grievance against the school board, a school board member has no such immunity.

A board member must, however, be able to seek a remedy for injuries to his or her private, individual, personal rights or property – even if the wrong for which he or she seeks remedy occurred as a result of an action taken by the school board on which he or she is a member.

Adopted by vote of 209-30


Delegate Assembly
SCSBA
December 3, 2011

Attachment 1 is included with
the minutes of the 12-12-11
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.



January 5, 2012

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 \$12.2 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's management company estimated construction costs for the renovations and additions to Chapin High School to be approximately \$38,000,000 with a 15% market adjustment to \$32,300,000 based on current market conditions and economy. Due to litigation and contested permits, the project was delayed. Bids were received on November 3, 2011. The low bid for the project was \$43,400,000. This bid is consistent with the current market based on recently received bids in neighboring school districts.

We now know that the litigation and contested permits delaying construction have increased construction costs by approximately \$11,100,000.

- 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 \$532,596. In addition, the District has been billed \$178,458 to date relating to the permit protests.
- Architectural fees currently total \$131,267.
- To date, total staff time devoted to the wetlands litigation is approximately 1185.5 hours or \$67,006.
- To date, fees for Tidewater Environmental Services total \$37,809.

Dr. Stephen Hefner
December 7, 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.



January 5, 2012

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

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

RE: Budget Calendar Timeline – FY 2012-2013

Attached is the proposed calendar timeline for the fiscal year 2012-2013 budget. This timeline includes presentations to the Board on April 23, May 21 and June 11, 2012.

KEF:tl

Attachment

Budget Calendar
School District Five of Lexington and Richland Counties
FY 2012-2013

December 2011	Financial Services prepares all forms and documents to be used in the budget process and reviews the budget process with school principals and district departments. School principals meet with departments, School Improvement Councils, PTOs, PTAs, and other school groups to identify budget needs for the next year.
Week of January 9, 2012	Principals meet individually with Human Resources Officer to discuss contract levels, employment status, and retirements for all staff for the 2012-13 school year. Complete enrollment projections for each school by grade; calculate allocations to schools
Week of January 16, 2012	Principals meet individually with Human Resources Officer to discuss contract levels, employment status, and retirements for all staff for the 2012-13 school year. Review enrollment projections and allocations with principals
Week of January 23, 2012	Principals meet individually with Human Resources Officer to discuss contract levels, employment status, and retirements for all staff for the 2012-13 school year. Principals complete distribution of allocations and compile requests over allocations
Week of January 30, 2012	Principals meet individually with Human Resources Officer to discuss contract levels, employment status, and retirements for all staff for the 2012-13 school year. Principals complete distribution of allocations and compile requests over allocations
Week of February 6, 2012	Executive Staff meets with principals to discuss staffing and requests over allocations
Week of February 13, 2012	Meetings with principals continue
Week of February 20, 2012	Meetings with principals continue
Week of February 27, 2012	Review principals allocation requests

Week of March 5, 2012	Executive Staff meets with departments to receive departmental budget requests
	Executive Staff meets to finalize and approve budget requests over allocations
Week of March 12, 2012	Financial Services begins to compile General Fund Budget
Week of March 19, 2012	Budget compilation continues
Week of March 26, 2012	Budget compilation completed
Week of April 2, 2012	Spring Break
Week of April 9, 2012	Budget presentation printed
Week of April 16, 2012	Budget included in Board packets
Week of April 23, 2012	Discussion of Budget with Board
Week of April 30, 2012	Budget prepared for 1 st reading
Week of May 7, 2012	Budget preparation continues and Budget 1 st reading printed
Week of May 14, 2012	Budget 1 st reading included in Board packets
Week of May 21, 2012	Budget 1 st reading presented to Board
Week of May 29, 2012	Budget 2 nd reading prepared
Week of June 4, 2012	Budget prepared for 2 nd and final reading and 2 nd reading printed
Week of June 11, 2012	Public Hearing of Budget Budget 2 nd and final reading approval by Board

Dropouts by School and Grade Submitted to the SC Department of Education

Chapin High School

	2011 135 ADM*	2010- 2011	2009- 2010	2008- 2009	2007- 2008	2006- 2007	2005- 2006	2004- 2005
Freshman	374.6	1	0	1	0	0	0	0
Sophomore	338.5	3	3	5	8	2	3	1
Junior	317.3	2	3	5	8	8	5	3
Senior	271.4	5	6	1	8	2	4	0
Total	1301.8	11	12	12	24	12	12	4

Dutch Fork High School

	2011 135 ADM*	2010- 2011	2009- 2010	2008- 2009	2007- 2008	2006- 2007	2005- 2006	2004- 2005
Freshman	576.5	8	9	9	6	8	9	13
Sophomore	525.5	10	7	12	16	6	21	4
Junior	486.8	6	10	7	11	14	20	8
Senior	442.6	8	6	8	8	5	5	11
Total	2031.5	32	32	36	41	33	55	36

Irmo High School

	2011 135 ADM*	2010- 2011	2009- 2010	2008- 2009	2007- 2008	2006- 2007	2005- 2006	2004- 2005
Freshman	483.8	5	5	9	13	13	14	5
Sophomore	484.6	5	8	14	19	23	29	2
Junior	521.0	9	12	11	15	13	23	7
Senior	425.4	5	10	10	9	9	15	4
Total	1914.8	24	35	44	56	58	81	18

School District Five of Lexington and Richland Counties

	2011 135 ADM*	2010- 2011	2009- 2010	2008- 2009	2007- 2008	2006- 2007	2005- 2006	2004- 2005
Freshman	1434.9	14	14	19	19	21	23	18
Sophomore	1348.6	18	18	31	43	31	53	7
Junior	1325.1	17	25	23	34	35	48	18
Senior	1139.4	18	22	19	25	16	24	15
Total	5248.0	67	79	92	121	103	148	58

* Average Daily Membership on the 135th day (March 28, 2011)

The State Board of Education defines *dropout* as a student who leaves school for any reason, other than death, prior to graduation or completion of a course of studies and without transferring to another school or institution.