district five
OF LEXINGTON & RICHLAND COUNTIES

Minutes/ August 13, 2012

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 Burn 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. Mark Bounds, Public Information Officer

Chairman Robert Gantt gave welcoming remarks.

The Invocation was given by Mark Bounds. The Pledge of Allegiance was led by Austin Addison, a student at Irmo High School.

The School Board Spotlight was presented.

During the superintendent's report, Dr. Stephen Hefner gave a Back-to-School Report; Dr. Karl Fulmer presented an update on the cost of legal appeals at Chapin High School (Exhibit B); and Missy Wall-Mitchell presented a report on the District/School ESEA Ratings (Exhibit C) and an update on enrollment.

During the public participation, Emily Greco and Bailey Grooms spoke regarding parking at Chapin High School; Hope Lights spoke on behalf of the Irmo Chapin Education Association; and Dr. Jay Potts spoke regarding the turf fields.

Dr. Hefner discussed the superintendent's goals for 2012-2013 (Exhibit E).

The Board discussed the entrance area at Irmo High School (Exhibit F).

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of August 13, 2012

	BAUMGARDNER	GANTT	HAMMOND	MURPHY	TURNER	WATSON	WHITE
1. M. Watson S. Baumgardner Enter executive session to consider the following: a) selected employment items (Exhibit A); and b) briefing on litigation involving District 5	X	X	X	X	X	X	A
2. M. Watson S. Turner Approve the agenda as amended (move item 16 (Re-appointment to Richland County Board of Assessment Appeals) to 13a and move 13 (Superintendent's goals for 2012-2013) to 13 B	X	X	X	X	X	X	X
3. M. Watson S. Baumgardner Approve the selected employment items (Exhibit A)	X	X	A	X	X	X	X
4. M. Watson S. Baumgardner Approve the administration's request for approval of the sale of general obligation bonds (Exhibit D)	X	X	X	No	AB	X	X
5. M. Watson S. Baumgardner Approve the minutes of the July 23, 2012 board meeting							
M. Murphy S. Hammond Add the word "not" after "I am" in attachment # 17	X	No	X	X	X	AB	No
M. Murphy S. Turner I move that the statements and on the record documents be submitted in sequential order	No	No	No	X	No	No	No
Vote on original motion	X	X	X	No	X	X	X
6. M. Watson S. Hammond Table item 15 (BEDG "Minutes of Board Meetings" board policy) to a future meeting (Exhibit G)							

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

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of August 13, 2012

		BAUMGARDNER	GANTT	HAMMOND	MURPHY	TURNER	WATSON	WHITE
	M. Murphy S. Turner	No	No	No	X	X	No	No
	Amend to add this to the agenda of our next regularly scheduled meeting so we can address the procedures of the minutes							
	Vote on the original motion	X	X	X	No	X	X	X
7.	M. Watson S. Murphy	X	X	X	X	X	X	X
	Approve the re-appointment of Roger Banta to the Richland County Board of Assessment Appeals (Exhibit H)							
8.	M. Gantt S. Baumgardner	X	X	X	X	X	X	X
	Adjourn at 9:35 p.m.							

A = Absent
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X = Yes
R = Recuse

Attachment 1 is included with the minutes of the 8-13-12 meeting, at the request of Board member Beth Burn 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.

EXHIBIT B

district five
OF LEXINGTON & RICHLAND COUNTIES

August 13, 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 $12.5 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 $211,924.

- Attorney fees related to the protests and lawsuit continue to accumulate and currently total $634,094. In addition, the District has been billed $362,718 to date relating to the permit protests. Total attorney fees to date equal $996,812.

- Architectural fees currently total $131,267.

- To date, total staff time devoted to the wetlands litigation is approximately 1338.5 hours or $75,198.

- To date, fees for Tidewater Environmental Services total $37,809.

Item **"For The Record"** requested by **Beth Watson** for attachment to the Minutes.

Submitted by
Beth Burn Watson
8-13-2012

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, Sinclaire & 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 that one or more of the projects remaining to be funded will be affected.

Attachment 2 is included with the minutes of the 8-13-12 meeting, at the request of Board member Beth Burn 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.

Item **"For The Record"** requested by **Beth Watson** for attachment to the Minutes.

EXHIBIT B

district five
OF LEXINGTON & RICHLAND COUNTIES

Attachment 3 is included with the minutes of the 8-13-12 meeting, at the request of Board member Ed White 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.

August 13, 2012

TO: Stephen Hefner, Ed.D.
Superintendent

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Chief Financial Services Officer

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- To date, fees for Tidewater Environmental Services total $37,809.

Submitted by Ed White

8-13-2012

Item "For The Record" requested by Ed White for attachment to the Minutes.

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, Sinclaire & 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 that one or more of the projects remaining to be funded will be affected.

Item **"For The Record"** requested by **Ed White** for attachment to the Minutes.

Attachment 4 is included with the minutes of the 8-13-12 meeting, at the request of Board member Ed White 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.

Ellen Baumgardner

For the Record Agenda
Item 8b.

The costs of legal cost of Ms Murphy's lawsuit are based on carefully calculated cost.

Ms Murphy has no fact of any additional fact. These costs as shown in Exhibit 8b are accurate and the board majority accepts this as fact

Attachment 5 is included with the minutes of the 8-13-12 meeting, at the request of Board member Ellen Baumgardner 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.

Item "For The Record" requested by **Ellen Baumgardner** for attachment to the Minutes.

Kim Murphy Agenda Item 8.b.1.

I want to go on the record that the information contained in the memo related to costs at Chapin High School is false and misleading and the administration has refused to provide me with any information to verify any of the purported costs.

Attachment 6 is included with the minutes of the 8-13-12 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.

Item "For The Record" requested by **Kim Murphy** for attachment to the Minutes.

Item **"For The Record"** requested by **Jim Turner** for attachment to the Minutes.

August 9, 2012

To: Dr. Karl Fulmer
Re: August 13th, Board Agenda Item Exhibit D/Approval of Resolution-Sale of General Obligation Bonds.

Dr. Fulmer, the following are questions that I hope you will be able to answer before our meeting on Monday night, even though, as of this morning, I am aware that you are presently out of town.

1. Of the $243,665,000 in bonds the District is empowered to issue, what amount has been issued to date?
2. Of the original amount of bonds that have been sold, what amount of those proceeds are still on hand, available to fund referendum projects?
3. What is the total budget for all approved referendum projects, with the exception of the new elementary school and the new middle school? I believe this total was included in the 3/12/12 VISION 2015, but please verify: $232,056,849?
4. The March 12, 2012 VISION 2015 listed the total of all referendum projects at $257,902,450. This total included $25,845,601 for a new elementary school as well as $11,343 in expenses/fees for the new middle school. If we were to back out the cost of the elementary school from the other projects, there would be an excess of referendum funds remaining in the amount of $11,608,151. (257,902,450-25,845,601=232,056,849) (243,665,000-232,056,849=11,608,151). In the proposed resolution to sell GOBs, is the $11,608,151 included?
5. Bids for Phase 2 at DFHS and IHS have not gone out. If the bids come in less than the budget, that would increase the excess noted in #4, correct?
6. In reviewing the referendum projects that have been bid in #4, what is the total amount of the expenditures to date? What is the remainder of the cost to complete these projects?
7. Is it the intent to sell 100% of the $115,656,000 GOBs at one time?

I assume my assumptions and calculations are correct.

Thank you for your time in compiling this information for me.

Jim Turner

Attachment 1 is included with the minutes of the 8-13-12 meeting, at the request of Board member Jim Turner 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.

Agenda 13 4 pages (pg 1)

Kim Murphy
August 13, 2012
Superintendent's Proposed Goals

I have said it before and I haven't changed my opinion on this. Like the goals that were used to evaluate the superintendent in June for the last school year, I believe, the proposed goals, which are put in front of us tonight, to be an extremely limited, bare-minimum evaluation instrument.

Many of these goals should be on a checklist list… they're just basic roles and responsibilities. The goals that we need developed by the superintendent should be ***stretch goals*** - based on identified needs in our schools.

Case in point… Goal #5… Is "bullying" a major issue in our schools? Is cyber-bullying a major issue in our schools? Do we have major security issues in our schools, and, if so, why haven't we, as board members, heard about that? What is this goal based on?

Goal #2: Ensure the District's instructional program is comprehensive and prepares our students for both post-secondary education and employment that will provide them with long-term economic security as measured by: a district graduation rate exceeding that of the national average and a CATE completer rate above the state average? Can we shoot any lower than that?

So the goal for my kid to know that they had a comprehensive instructional program is if they graduate from high school and they achieve the CATE completer rate above the state average? That's it? This is how we are going to prepare our students for post-education employment?

What if we begin tracking the kids beyond high school; where they are going, what schools they're attending… see how they did their freshman year of college? Let's get their addresses, get surveys out there. That would be a *stretch goal!*

To me, these proposed goals cookie-cutter, catchall- type goals with low expectations and I know we can do better!

Another example - Goal #1: We will get an "A" on the state accountability system:

The district already got an "A!" It's expected that we will get an "A" in that every year! And if we don't get that score, we need to have a serious conversation. That's not a goal. We're already there!

Attachment 8 Is included with the minutes of the 8-13-12 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.

Item "For The Record" requested by **Kim Murphy** for attachment to the Minutes.

Roman numeral ii of that section: A performance index among the top 10% of the districts on the state accountability system –

If we drop below the top 10% of the districts in the state, we have taken a major nose-dive!

That's a goal to keep us from falling backward… not a goal to move us forward!

I am going on the record tonight with this statement as I did during the superintendent's evaluation in June. I don't want to belabor this point, which was totally disregarded then and, Mr. Chair, it will likely happen again. But to be in the top 10% in the state? That's it? To be a district moving forward, **we have got to have a more robust evaluation instrument**.

We **do** need to have bare minimum standards, and to solidify the superintendent's roles and responsibilities, including a job description him, **and then we need to have *stretch goals* based on identified needs.**

Back to Goal #1 - If we fail to get an "A" on the ESEA accountability system or we drop below the top 10% of districts on the state accountability system, we have taken a major step backward. That should be a "box" that we check off. It's a bare-minimum standard. So I don't think it's a positive goal to have a goal that keeps us from moving backward, as opposed to moving *forward*.

Goal #4: Renovation projects… of course you're going to do that. That's not a goal… you better being doing that. The only one that is seemingly a goal is developing a plan for addressing the enrollment at Chapin Elementary, Lake Murray Elementary and Chapin Middle School. And addressing that does not necessarily require a new school!

Goal #5- related to bullying, cyber-bullying and physical security of our campuses: Again, what is that based upon? Do we have a lot of issues with bullying, and cyber-bullying and security of our campuses? If so, why haven't we heard about it? What did it take to mandate this goal?

Goal #6 – Continue to improve the emotional, psychological and physical well-being of our students and staff as measured by an increase in initiatives to promote healthier staff and students.

Really… with everything that we have going on and that is a major initiative and goal! I also think that backfired on us last year when we tried to mandate some of

Attachment 9 is included with the minutes of the 8-13-12 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.

Item "For The Record" requested by Kim Murphy for attachment to the Minutes.

(P9 3)

this stuff anyway. So I'm not quite sure that this should be one of the superintendent's goals.

Goal #7 – The creation of additional avenues for the **superintendent's** communication with teachers:

Does it need to be a *top down* way of communication? I think we already have plenty of that. How about improving ***two-way communication*** and talk about ways we can ***receive*** communication?

As far as goals go… there is a well-known issue with teacher moral. There absolutely should be a goal to address this.

And, in light of the fact that we have had all kinds of change and transition and new directions and a bond referendum that was sold that has not been followed, we need to do another facilities snapshot and take a look at what we have *and what is truly needed.*

Additionally, to be sure taxpayers' resources are focused in the classroom, we need a written justification for every position and program outside of classroom teaching. We need to be looking at this and asking ourselves *what is truly needed.*

And when it comes to time to put together the operation budget, there needs to be a justification for every penny spent. We need to be looking at every item in the budget, line item by line item, and you should be able to tell us what it is and why it's needed.

So to summarize, we need:

1. A Job Description for the superintendent;
2. A Checklist to make sure the superintendent understands that the roles and responsibilities and tasks to complete, and our expectations, such as we maintain our status as one of the top districts in the state;
3. And ***Stretch Goals*** to move us forward -- not keep us from moving backwards or at status quo.

On that note, **I move that we schedule a workshop to discuss the tools that will be used for the superintendent's evaluation, beginning with the development of real stretch goals that do more for District 5 than maintain the status quo.**

Item "For The Record" requested by Kim Murphy for attachment to the Minutes.

Attachment 10 is included with the minutes of the 8-13-12 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.

Item "For The Record" requested by **Kim Murphy** for attachment to the Minutes.

page 4

Agenda Item #13
Kim Murphy
On the record

EXHIBIT E

Proposed Superintendent's Goals for 2012-13

Timeline: July 1, 2012 – June 30, 2013

A goal to keep us from moving backward - not forward

Goal 1: Sustain and enhance the District's record of excellence in student achievement as measured by:

i. a district grade of "A" on the ESEA accountability system, and

ii. a performance index among the top 10% of districts on the state accountability system.

Status quo - not a stretch goal

Goal 2: Ensure the District's instructional program is comprehensive and prepares our students for both post-secondary education and employment that will provide them with long-term economic security as measured by:

i. a district-wide graduation rate exceeding the national average, and

ii. a CATE completer rate above the state average.

We only want to be better than the national average??

Goal 3: Continue to expand our access to and utilization of technology to improve teaching and learning as measured by: We are already doing this. Not a goal.

i. the successful implementation of the year 1 activities in five-year district technology plan.

Goal 4: Proceed with "all deliberate speed" on our new facilities construction / facilities improvement program as measured by:

i. the completion of renovations at Irmo Elementary,

ii. the completion of the construction of the Center of Advanced Technical Studies,

iii. the completion of scheduled construction at Spring Hill High School,

iv. the satisfactory progress on the renovations and additions at Chapin High School,

v. the satisfactory progress on scheduled renovations and additions at Irmo High School,

vi. the satisfactory progress on scheduled renovations and additions at Dutch Fork High School, and

vii. the development of a plan for addressing the increased student enrollment at Chapin Elementary, Lake Murray Elementary, and Chapin Middle Schools.

Attachment 11 Is Included with the minutes of the 8-13-12 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.

We have not heard that this has been an issue. Why a "goal"?

Goal 5: Reinforce and expand our efforts to ensure the safety of our students and staff to include bullying, cyber-bullying and the physical security of our campuses as measured by:

i. a comprehensive needs assessment of the security systems and procedures in our buildings, and

ii. professional development training for all staff members designed to prevent bullying, cyber-bullying, and sexual harassment/misconduct.

Goal 6: Continue to improve the emotional, psychological, and physical well-being of our students and staff as measured by: With every thing that is going on, this is a major initiative??

i. an increase in initiatives to promote healthier staff and students.

Goal 7: Expand an effective communication system for the District with its employees, parents, students, and community as measured by:

i. the enhancement of the district's communication strategies using electronic media, and

ii. the creation of additional avenues for the superintendent's communication with teachers.

We don't need top down - we need two-way! What about developing ways we can "receive" communication. How about a major goal to address teacher moral?

Agenda Item 14

Gmail by Google

Kim Murphy <movingmountainskwm@gmail.com>

Irmo High School/Dutch Fork High - Budgets, Design Development Plans and Programs

Kim Murphy <movingmountainskwm@gmail.com> Mon, Aug 13, 2012 at 5:44 PM
To: Stephen Hefner <shefner@lexrich5.org>, Superintendent Steve Hefner <swhefner@gmail.com>
Cc: Beth Hutchison <EFH@sc.rr.com>, Beth Watson <bhwatson@lex5.k12.sc.us>, "bhwatson@lexrich5.org" <bhwatson@lexrich5.org>, "ebaumgar@lexrich5.org" <ebaumgar@lexrich5.org>, Ed White <ekw@sc.rr.com>, Ed White <EWhite@lex5.k12.sc.us>, Ellen Baumgardner <EBaumgar@lex5.k12.sc.us>, Ellen Baumgardner <ebaumgardner@sc.rr.com>, "ewhite@lexrich5.org" <ewhite@lexrich5.org>, "Gantt, Robert" <ganttrw@bellsouth.net>, Jan Hammond <jhammond@lex5.k12.sc.us>, JanH08 <janh08@aol.com>, Jim Turner <jturner@lex5.k12.sc.us>, jimturnjr <jimturnjr@gmail.com>, Kim Murphy <kwmurphy@lex5.k12.sc.us>, Kim Murphy <movingmountainskwm@gmail.com>, Robert Gantt <rgantt@lex5.k12.sc.us>

Dear Dr. Hefner,

At the July 23, 2012 board meeting and prior to the vote to approve of the renovation projects at Dutch Fork High School (30,000 square foot field house, entrance drive improvements and minor interior renovations) and Irmo High School (600-seat fine arts center, 15,000 square foot field house and minor interior renovations), I requested the dollar amount of the budgets for the projects. District 5 administration, construction manager, and the architects were unable to answer the question. Please provide me with of the budget for the projects.

In addition, I requested a copy of the "Programs" for the renovation projects. The "Program" is the written directive (requirement) from the District, with assistance from the construction management firm to the architect that identifies the scope of work and components that are to be integrated in the project within the budget. This document should have been provided to the board on the onset of the project and has not been. Please provide the programs for the projects.

Please provide me with a copy of the Design Development floor plans and elevations for Irmo High and Dutch Fork High schools. At the last board meeting, the board was asked to approve the Design Development phase of the project (and the majority did), however the Design Development plans were not provided to the board, only simple renderings.

Because the District could not provide the me with the answer to the budget question and only vague, nondescript plans were given to the board, instead of the detailed drawings and the fact that these projects were not advertised at being part of the $243 million bond referendum, I voted against approving the projects.

Additionally, because no plans of any type were presented to the board of the previously discussed renovations to Irmo High's **front** entrance, board members questioned whether the entrance was to be renovated. The project was subsequently approved (without viewing the entrance plans). In this (Aug. 13) board meeting's packet, there is now a rendering of the entrance to the school. Is the entrance renovation included in the budget for the project?

I would appreciate your prompt response.

Thanks,
Kim Murphy

Attachment 12 is included with the minutes of the 8-13-12 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 446-6565
154 Old Laurel Lane

Item "For The Record" requested by **Kim Murphy** for attachment to the Minutes.

Chapin, SC 29036

Item **"For The Record"** requested by **Kim Murphy** for attachment to the Minutes.

Attachment 13 is included with the minutes of the 8-13-12 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.