district five
OF LEXINGTON & RICHLAND COUNTIES

Minutes/ January 28, 2013

The Board of Trustees of School District Five of Lexington and Richland Counties met at The Center for Advanced Technical Studies with the following members present:

Mr. Robert Gantt, Chairman
Mrs. Beth Burn Watson, Vice Chairman
Mrs. Ellen Baumgardner, Secretary
Mrs. Jondy Loveless
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 Gantt called the meeting to order and gave welcoming remarks.

The Invocation was given by Mark Bounds. The Pledge of Allegiance was led by Tristan Yates, a student at the Center.

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

Dr. Bob Couch gave a welcome and brief overview of the Center.

During the Superintendent's report, Julie Schelbe gave a presentation on the English for Speakers of Other Languages (ESOL) Program; Dr. Karl Fulmer presented the monthly financials (Exhibit B); Chris Whitley presented the monthly update on construction (Exhibit C); and Keith McAllister presented the proposed renovation of the warehouse facility (Exhibit D).

During the public participation, Michelle Estridge spoke regarding the new middle school.

Helen Anderson presented the Magnet School proposals (Exhibit H).

Sara Webber presented an evaluation of the Pre-School Program at Irmo Elementary School.

Dr. Angela Bain presented the staffing plan for Spring Hill High School (Exhibit I)

Michael Harris presented proposed revisions to JICDA-R "Code of Conduct" (Exhibit J).

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of January 28, 2013

	BAUMGARDNER	GANTT	LOVELESS	MURPHY	TURNER	WATSON	WHITE
1. M. Baumgardner S. Loveless Enter executive session to consider the following: a) selected employment items (Exhibit A); and b) receipt of legal advice regarding employee hearing procedure	X	X	X	X	X	X	A
2. M. Watson S. Baumgardner Approve the agenda	X	X	X	X	X	X	A
3. M. Watson S. Loveless Approve the selected employment items (Exhibit A)	X	X	X	X	X	X	A
4. M. Watson S. Baumgardner Approve the proposed construction of new middle school (Exhibit E)	X	X	X	No	X	X	X
5. M. Watson S. Loveless Second reading approval of proposed revisions to "I" policies: replace current board policy JQH "Drop-Outs" with new policy IHBC "Programs for At-Risk/Disadvantaged Students", Add new policy IJ "Instructional Resources and Materials" and IJ-E "Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)", replace current board policy IFAA "Instructional Materials Selection and Adoption" with new policy IJJ "Textbook Selection and Adoption", add new policy IJKA "Technology Resource Selection and Adoption, replace current policies IFCC "Community Resource Persons" and IFCD "School Volunteers" with new policy IJOB/IJOC "Resource Persons/School Volunteers" and add Administrative Rule IJOB/IJOC-R "Resource Persons/School Volunteers", replace current policy IHAC "Cheating or Plagiarism" with new policy IKABA "Cheating or Plagiarism", replace current policy IHB "Homework" with new policy IKB "Homework", replace current policy IHEB "Acceleration" with new policy IKEA "Acceleration of Students", and add new Administrative	X	X	X	X	X	X	X

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

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of January 28, 2013

		BAUMGARDNER	GANTT	LOVELESS	MURPHY	TURNER	WATSON	WHITE
	Rule IKEA-R "Acceleration" (Exhibit F)							
6.	M. Watson S. Loveless First reading approval of proposed revisions to "I" policies: replace current board policy IDDF "Special Education" and Administrative Rule IDDF-R "Special Education Placement Procedures" with new policy IHBA "Special Education/Programs for Disabled Students", replace current policy IEK "Instruction at Place Other Than School" with new policy IHBG "Homeschooling", replace current Administrative Rule IEK-R "Instruction at Place Other Than School" with new Administrative Rule IHBG-R "Homeschooling", replace current policy ICF "Charter Schools" with new policy IHBH "Charter Schools", add new policy IHBIB "Primary/Pre-Primary Education (Child Development)", add new Administrative Rule IHBIB-R "Primary/Pre-Primary Education (Child Development)", replace current policy IFBGA(3) "Use of District Email Resources" with new policy IJNDB(3) "Use of District Email Resources", replace current policy IHAA "Final Examinations" with new policy IKAA "Tests and Examinations", replace current policy IKA "Teaching Methods" and IHAB "Report Cards" with new policy IKAB "Report Cards/Progress Reports", replace current policy IHAD "Parent-Student-Teacher Conferences" with new policy IKACA "Parent Conferences", and replace current policy IHAE "Placement of Non-Accredited Private and Home School Secondary Students" with new policy IKACC "Placement of Non-Accredited Private and Homeschool Secondary Students" (Exhibit G) M. Murphy S. Amend to vote separately on IHBG and IHGB-R Vote on original motion	X	X	X	AB	X	X	X
7.	M. Watson S. Loveless Approve the minutes of the January 14, 2013 board meeting	X	X	X	X	X	X	X

A = Absent
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N = No
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SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of January 28, 2013

		BAUMGARDNER	GANTT	LOVELESS	MURPHY	TURNER	WATSON	WHITE
8. M. Watson	S. Baumgardner	X	X	X	X	X	X	X
Adjourn at 10:15 p.m.								

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

Item **"For The Record"** requested by **Robert Gantt** for attachment to the Minutes.

Public Statement

January 28, 2013

The Chapin High School teacher remains on administrative leave, with pay. The teacher has requested a hearing before the Board regarding the Superintendent's recommendation that his employment with the District be terminated. The hearing will be scheduled by the Board at a future date, in consultation with the parties. The teacher has requested that the hearing be closed, so we cannot comment further on the matter.

Attachment 1 is included with the minutes of the 1-28-13 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.

Item "**For The Record**" requested by **Robert Gantt** for attachment to the Minutes.

PUBLIC STATEMENT
January 28, 2013

As promised, I plan to keep the public informed concerning Ms. Murphy's residency in question.

On Tuesday, January 15, 2013, following the January 14, 2013 Board Meeting in which substantial concerns were raised by Mr. Bobby Bowers' January 11, 2013 letter concerning the residency of Board Member Kim Murphy, I sent Ms. Murphy a letter requesting her position on the issues. Once the correct information was officially made known, the Board was compelled to follow the law. Richland County residency is required by the law that establishes the criteria to hold the office of School Board Trustee for the Richland County portion of School District 5. A copy of my letter to Ms. Murphy is attached. On Friday afternoon, January 18, 2013, attorneys for the District received a letter from Ms. Murphy's attorney, John Moylan

Attachment 2 is included with the minutes of the 1-28-13 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.

Chairman, SDS Board of Trustees

of the Wyche Law Firm in Columbia. A copy of his letter is attached.

The boundary of Richland and Lexington counties was established by the General Assembly. Lexington County's GIS shows one boundary line, while Richland County's GIS shows another. Mrs. Murphy's residence is in the area of the two counties' overlapping boundaries as shown on their GIS maps. The line is objectively determinable through State authorities responsible for these lines. The South Carolina Budget and Control Board, Division of Research and Statistics is the agency charged with that responsibility. The School Board has no authority to determine the lines but does have the responsibility to ensure that residency requirements are met.

Many of the statements in Mr. Moylan's letter on behalf of Ms. Murphy – for example, Ms. Murphy has a voter registration certificate for Richland County signed by Lillian McBride, and she has paid taxes as a resident of Richland County --

Attachment 3 is included with the minutes of the 1-28-13 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

(2)

seem to be entirely correct, but they do not determine if the county boundary established by the General Assembly was improperly located by Richland County and then used for these two purposes.

On Tuesday, January 22, 2013, I sent the attached letter to recently retired SC Circuit Judge The Hon. Thomas Cooper, as outlined (and authorized) by my public statement at the Board Meeting on January 14. The Board has designated Judge Cooper to act as a hearing officer in this matter. Judge Cooper is an experienced, highly respected, and impartial member of the South Carolina judiciary who we have asked to determine the facts and law in this matter, rather than have the issues under any cloud of suspicion and rumor. It is my understanding that Judge Cooper will meet with the attorneys this week to determine how to proceed. Judge Cooper's proceedings, and certainly his legal and factual conclusions and recommendations to our Board, will be made

Attachment 4 is included with the minutes of the 1-28-13 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

public. I will keep the public informed of any developments in this matter as it moves toward a desired timely conclusion.

Finally, I most sincerely regret Mrs. Murphy's statements in The State newspaper on Saturday, January 26, 2013, and her e-mail statements sent yesterday circulating in the community. Any suggestion that there is a conspiracy among board members in this matter is totally false. The apparent error in Richland County's placement of the true county line was confirmed by the Office of Research and Statistics using three sources, as stated in Mr. Bobby Bowers' letter of January 11, 2013. The School Board does not, and cannot, establish county lines or the residency qualifications for public offices.

As always, School District 5 will continue its efforts to provide our students, community, and citizens with a high-quality educational program. We certainly regret any distraction from

Attachment 5 is included with the minutes of the 1-28-13 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.

our mission and primary responsibility to our students.

Item **"For The Record"** requested by **Robert Gantt** for attachment to the Minutes.

Attachment 6 is included with the minutes of the 1-28-13 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.

Chairman, Bd of Trustees

(5)

Public Statement Amendment #1

January 28, 2013

The attorneys for the School District were informed this afternoon that Mr. Moylan does not represent Ms. Murphy. Nevertheless, our attorneys, and I am certain Judge Cooper, will work cooperatively and professionally with Ms. Murphy and whomever she selects to represent her.

Item **"For The Record"** requested by **Robert Gantt** for attachment to the Minutes.

Attachment 7 is included with the minutes of the 1-28-13 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.

Chairman, DS Board of Trustees

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

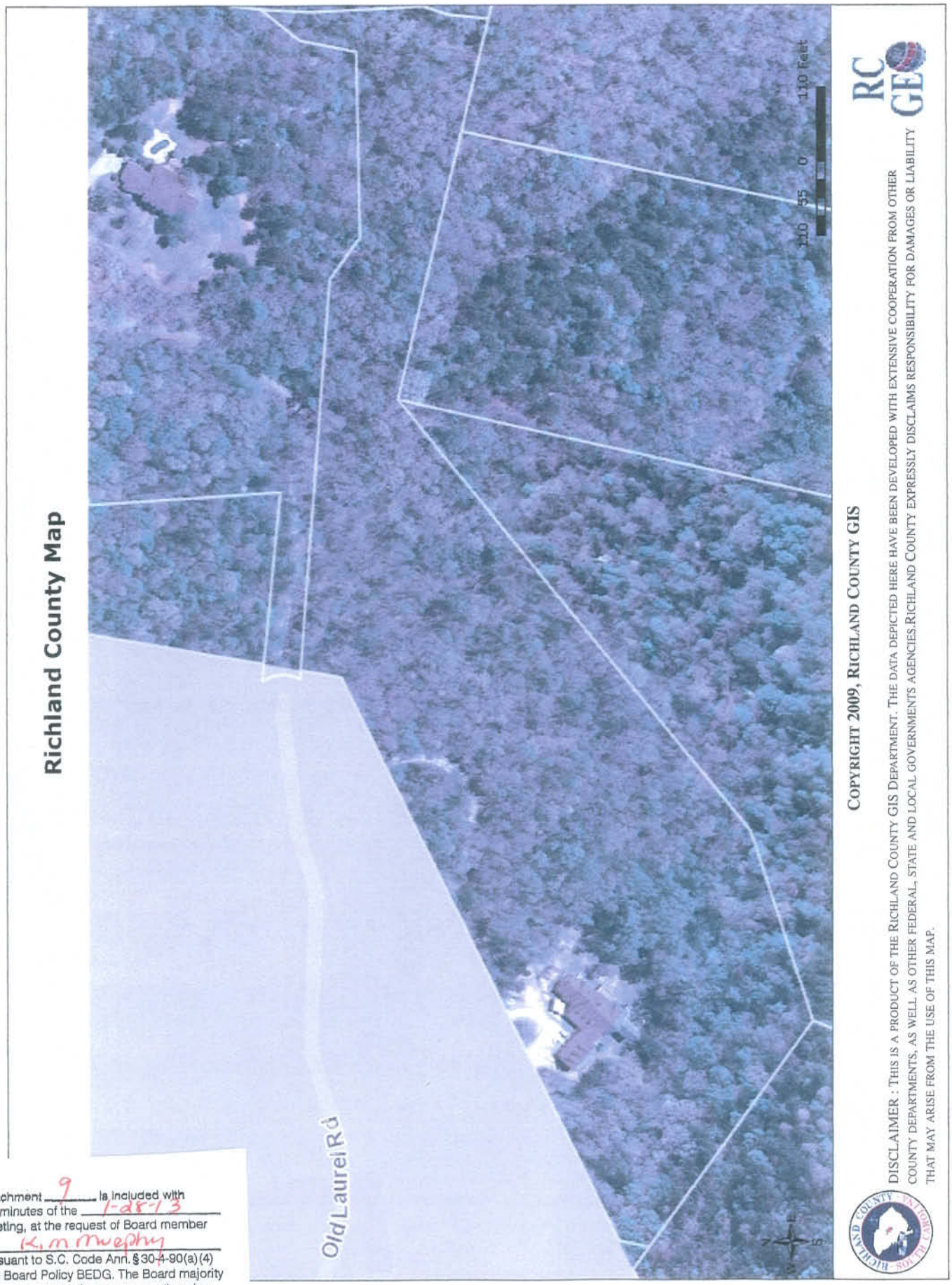
Kim Murphy
On the record statement
January 28, 2013

Since learning for the first time at the last board meeting that my residency, and subsequently my eligibility to serve on this board to which I was duly elected is being questioned, I have taken every measure and step possible to verify and validate that I am indeed a citizen of Richland County. I have supporting documents available that do just that. Attached to this statement is a copy of a map showing my home clearly located within Richland County line. I have also attached a printout summarizing the property taxes my husband and I have paid in Richland County as well as a copy of my voter registration card just reissued last week. Hopefully, this documentation puts to rest any lingering questions or concerns regarding my residency and eligibility to continue serving the thousands of Richland County voters who elected me.

I do not desire to spend any more time or energy on this issue. I am confident in my position and I do not feel that their claim(s) have any merit. However, if our board chair decides to pursue it further in spite of the evidence I have presented this evening, then I will certainly respond. In the meantime, we have much more pressing issues to address and our students, teachers, parents and taxpayers cannot afford for us to waste any more of their time and money engaging in this back and forth bickering and pursuing our own personal agendas.

Attachment 8 is included with the minutes of the 1-28-13 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



Attachment 9 is included with the minutes of the 1-28-13 meeting, at the request of Board member K. M. 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.

Residential Taxes

RICHLAND COUNTY
POST OFFICE BOX 11947
COLUMBIA, SC 29211

David A. Adams
Treasurer
803-576-2250
treasurer@rcgov.us

PRINTED: 1/17/2013 ****** REAL ESTATE TAXES *******
CLERK:
LEVY-YEAR 2012 — Current Year

TY-YEAR-RECEIPT MAP-BLOCK-PARCEL
R-2012-117883 00600-01-36.

LOC: 154 OLD LAUREL LN
RMKS:
DIGEST 21,700
CHANGE 0
NET-ASSM 21,700

R-2012-117883
MURPHY D JAY

DIST-NO:
6UD

154 OLD LAUREL LANE
CHAPIN SC 29036

401.50

CNTY-TAX	8,712.55
CNTY-SALES	699.83-
RESID-CR	4,801.92-
PEN/COST	.00
CNTY-TOT	3,210.80
CITY-TAX	.00
CITY-PEN	.00
GARB	249.00
PYMTS-TO-DATE	.00
ADJ-TO-DATE	.00

Attachment 10 is included with the minutes of the 1-28-13 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.

RICHLAND COUNTY
POST OFFICE BOX 11947
COLUMBIA, SC 29211

David A. Adams
Treasurer
803-576-2250
treasurer@rcgov.us

PRINTED: 1/17/2013 ****** REAL ESTATE TAXES *******
CLERK:
LEVY-YEAR 2010 — Election Year

TY-YEAR-RECEIPT MAP-BLOCK-PARCEL
R-2010-116775 -D 00600-01-36.

LOC: 154 OLD LAUREL LN
RMKS:
DIGEST 21,700
CHANGE 0
NET-ASSM 21,700

R-2010-116775 D
MURPHY D JAY

DIST-NO:
6UD

154 OLD LAUREL LANE
CHAPIN SC 29036

387.20

	CNTY-TAX	8,402.24
	CNTY-SALES	575.05-
	RESID-CR	4,626.63-
	PEN/COST	517.43
	CNTY-TOT	3,717.99
	CITY-TAX	.00
	CITY-PEN	.00
	GARB	249.00
2011/04/01	PYMTS-TO-DATE	3,966.99
	ADJ-TO-DATE	.00
	BALANCE-DUE	.00

THIS IS NOT A TAX BILL, (DO NOT PAY) FOR YOUR INFORMATION ONLY. (PAID RECEIPT)

RICHLAND COUNTY
POST OFFICE BOX 11947
COLUMBIA, SC 29211

David A. Adams
Treasurer
803-576-2250
treasurer@rcgov.us

PRINTED: 1/17/2013 ****** REAL ESTATE TAXES *******
CLERK: SUSAN
LEVY-YEAR 2001 — First Year

TY-YEAR-RECEIPT MAP-BLOCK-PARCEL
R-2001-089030 -D 00600-01-36.

LOC: 154 OLD HILTON RD
RMKS:
DIGEST 26,440
CHANGE 8,790-
NET-ASSM 17,650

R-2001-089030 D
MURPHY D JAY

DIST-NO:
6UD

154 OLD LAUREL LA
CHAPIN SC 29036

312.60

	CNTY-TAX	8,265.14
	CNTY-SALES	.00
	RESID-CR	.00
	PEN/COST	498.26
	CNTY-TOT	8,763.40
	CITY-TAX	.00
	CITY-PEN	.00
	GARB	.00
2002/04/24	PYMTS-TO-DATE	4,943.39
	ADJ-TO-DATE	3,820.01-
	WASTE-DUE	.00

THIS IS NOT A TAX BILL, (DO NOT PAY) FOR YOUR INFORMATION ONLY. (PAID RECEIPT)

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

RICHLAND COUNTY

David A. Adams

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

Attachment 11 Is included with
the minutes of the 1-28-13
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.

You are now registered to vote in the state of South Carolina. Your official notification of registration is attached. To vote at your polling place, you must present one of the following types of photo identification:

* S.C. Driver's License
* ID Card issued by S.C. Department of Motor Vehicles
* S.C. Voter Registration Card with Photo
* Federal Military ID
* U.S. Passport

Congr	Senate	House	County Council	School
02	20	071	01	05

This stub along with the attached notification may be used as a
VOTER REGISTRATION CARD with PHOTO
To use as a photo ID, DO NOT DETACH STUB.



STATE OF S.C. VOTER REGISTRATION NOTIFICATION

COUNTY: RICHLAND
PRECINCT: Springville

REG. NO: 406724091 REG. DATE: 9/26/2000

Murphy, Kim A
154 Old Laurel Ln
Chapin, SC 29036

SIGNATURE OF ELECTOR

FOLD HERE

SEX: Female RACE: White DOB: 6/27/1957

VOTE AT:
Lake Murray Elementary
1531 Three Dog Rd

Lillian A. McBride

COUNTY / STATE ELECTION OFFICIAL

Rch
1-17-13

January 28, 2013
Kim Murphy
154 Old Laurel Lane
Chapin, SC 29036

Dear Sirs:

Per the SCFOIA, please provide me with a copy of the $562,000.00 change order at the new high school and all backup documents.

I requested this information in November 2012 as a board member so I am hopeful that I will recieve it prior to the 15 days allowed by SCFOIA. It is very discouraging that as a boardmember I cannot get the information that I need to make a informed decision to do the job I was elected to do.

Kim Murphy

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

Attachment 12 is included with the minutes of the 1-28-13 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