



Minutes/August 9, 2021

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:

Mrs. Rebecca Blackburn Hines
Mrs. Nikki Gardner, Secretary, Virtual
Mrs. Jan Hammond, Chair
Mr. Matt Hogan
Mrs. Catherine Huddle
Mr. Ken Loveless, Vice Chair
Dr. Akil Ross, Interim Superintendent

The following staff were in attendance:

Mr. Todd Bedenbaugh, Executive Director of Operations
Dr. Michael Harris, Chief Planning and Administrative Officer
Mrs. Tina McCaskill, Director of Elementary Education
Mrs. Marty Rawls, Chief Finance Officer
Dr. Tamara Turner, Chief Human Resources Officer

A livestream video link was provided to the public as a viewing option for the meeting.

Chair Hammond called the meeting to order and gave welcoming remarks. The Invocation and Pledge of Allegiance were led by Jan Hammond, chair, board of trustees.

During the Superintendent's Report, Dr. Ross gave a presentation on Back to School 2021-2022, COVID-19 Operations Guidance; Follow-up discussion regarding safety concerns across the District; and Community Engagement.

During the public participation, Sarah Wildt, Mallory Greene, Elizabeth Hucks, Roger Nelson, Todd Grosh, Renee Kelly, Pamela Godwin, Alan Wright, Katie Million spoke regarding COVID; Zoe Warren and Ernest Floyd spoke regarding CRT; and Joshua Lazenby spoke regarding communication with the Board and students.

Dr. Turner presented for discussion and first reading proposed revisions to board policy GCG "Part-Time and Substitute Professional Staff Employment" (Exhibit E).

Cassy Paschal gave an update on Piney Woods Elementary School.

Revisions to Administrative Rule GCG-R "Part-Time and Substitute Professional Staff Employment" (Exhibit F) were presented for Information.

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of August 9, 2021

	B L A C K B U R N H I N E S	G A R D N E R	H A M M O N D	H O G A N	H U D D L E	L O V E L E S S	V A C A N T
1. M. Blackburn Hines S. Hogan Approve the agenda	X	A	X	X	X	X	
2. M. Loveless S. Huddle Enter executive session to consider the following : a) selected employment items (Exhibit A) (Action); b) selected employment items (Exhibit B) (Information Only); c) legal advice regarding personnel matter; d) legal update regarding C.A. No 2021-CP-4003694; e) receipt of legal advice related to a potential legal claim; and f) legal advice regarding an accreditation complaint referenced in The State newspaper on August 8, 2021	X	A	X	X	X	X	
3. M. Loveless S. Huddle I move that District 5 provides an additional allocation of \$100.00 to each eligible employee who is employed by the District as of November 30th of the current fiscal year to offset expenses incurred for supplies directly related to the education of students. The total allocation for each eligible employee will then be \$375.	X	X	X	X	X	X	
4. M. Huddle S. Blackburn Hines Approve the minutes of the July 12, 2021 board meeting	X	X	X	AB	X	X	
5. M. Huddle S. Blackburn Hines Approve the selected employment items (Exhibit A)	X	X	X	X	X	X	
6. M. Huddle S. Blackburn Hines I move that, effective immediately, the Board consider meetings of its officers to set the agenda for Board meetings to be meetings of a public body for purposes of	X	X	X	X	X	X	

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

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FOIA. While neither FOIA nor applicable case law specifically addresses this issue and the agenda has been set in this manner for over 28 years, I believe that those meetings should be public to the extent appropriate.							
7. M. Huddle S. Loveless I move that the Board formally accept the resignation of Dr. Christina Melton as Superintendent of School District Five and also formally ratify the Separation Agreement entered into by Dr. Melton and the Board on June 14, 2021. This Agreement was mutually negotiated between the Board and Dr. Melton in Executive Session, as required by Section 11 of Dr. Melton's employment contract and as permitted by Section 30-4-70(a)(1) and (2) of the South Carolina Freedom of Information Act. While our legal counsel has advised us that FOIA does not require a vote to accept a resignation and/or to ratify a Separation Agreement, she also has advised us to take this action in the hope of resolving the lawsuit filed by the Editor of the State paper before we spend monies in defending against litigation that would be much better spent in the classroom.	X	X	X	X	X	X	
8. M. Loveless S. Huddle Approve the list of attorneys as provided in Exhibit C	X	X	X	X	X	X	
9. M. Blackburn Hines S. Hogan Reinstate board policy ECB, "Building and Grounds Maintenance" (Exhibit D)	X	X	X	X	X	X	
10. M. Loveless S. Blackburn Hines First Reading of proposed revisions to board policy GCG "Part-Time and Substitute Professional Staff Employment" (Exhibit E)	X	X	X	X	X	X	

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SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES Meeting of August 9, 2021		B L A C K B U R N H I N E S	G A R D N E R	H A M M O N D	H O G A N	H U D D L E	L O V E L E S S	V A C A N T	
11. M.	Hogan	S.	Blackburn Hines	X	X	X	X	X	X
Adjourn at 9:15 p.m.									

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As some of you may be aware, an article appeared in The State paper yesterday stating that reporter Bristow Marchant had a letter of complaint signed by two former Trustees and three former Superintendents of School District Five. The complaint was sent by these individuals to Cognia, formerly known as AdvancED, which accredits a majority of school districts in South Carolina, including School District Five.

In their letter, these individuals are attempting to invalidate the District's accreditation status by alleging impropriety on behalf of the Board and Dr. Akil Ross in the formation of the employment agreement between Dr. Ross's for-profit LLC, HeartEd, and the Board. Our attorney has advised us that these accusations have no merit and that the community should not be concerned about the District losing its accreditation. Also, Dr. Ross has advised the Board that he is in the process of retaining legal counsel to represent him in response to the accusations of impropriety made against him by the former Trustees and Superintendents.

Ironically, one of the individuals quoted in the State article as being involved with the complaint, Dr. Herb Berg, served as the District's Interim Superintendent for a period of several years, during which he was employed through his LLC. Also, there are several factual inaccuracies in the letter of complaint that I will ask Dr. Ross to address.

We will continue to keep our stakeholders informed about this matter. In the meantime, I would ask that we focus on what is really important, our students and teachers as we welcome a new school year.

Jan Hammond
August, 9, 2021

Attachment 1 is included with
the minutes of the 8-9-21
meeting, at the request of Board member
Jan Hammond
pursuant to South Carolina Code
Ann. Section 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.