



### ***Agenda***

Board of Trustees

Regular Meeting

Location: Center for Advanced Technical Studies

Video Livestream: <https://lexrich5.rev.vbrick.com/#/webcasts/boardmeeting>

January 10, 2022

1. Call to order at 4:30 p.m.
2. Approval of the agenda
3. Enter Executive Session to consider the following:
  - a. Selected employment items (*Exhibit A*) (Action)
  - b. Selected employment items (*Exhibit B*) (Information Only)
  - c. Discussion of employment matter regarding Superintendent
  - d. Discussion of possible procurement of real estate (Exhibit C)
  - e. Receipt of legal advice on Latent Roof Defects (Exhibit D)
4. Call to order at 5:30 p.m.
5. Welcoming remarks – Jan Hammond, Board Chair
6. Invocation – Ken Loveless, Board of Trustees
7. Pledge of Allegiance – Ken Loveless, Board of Trustees
8. School Board Spotlight
9. Superintendent's Report
  - a. Mission of District Five Schools
  - b. Whole Child Continuum
  - c. New Educator Retention Incentive
  - d. Threat Assessment
  - e. COVID-19/Dashboard Update
  - f. 1<sup>st</sup> Jobs Initiative Update
10. Approval of the minutes of the December 13, 2021 board meeting
11. Public Participation\*

### **ACTION AGENDA**

12. Action as Necessary or Appropriate on Matters Discussed in Executive Session
13. Approval of 2021-2022 General Fund Budget Amendment (Exhibit E)

### **DISCUSSION AGENDA**

14. Proposed 2022-2023 School Year Calendar (Exhibit F)
15. Discussion of Adding a Fine Arts Center to the Facilities Master Plan (Exhibit G)
16. Discussion of Prioritizing District Office Renovation/Replacement (Exhibit H)
17. Discussion and First Reading of Proposed Revisions to Board Policy DJ "Purchasing" (Exhibit I)
18. Discussion and First Reading of Proposed Revisions to Board Policy FEE "Site Acquisition" (Exhibit J)
19. Discussion and First Reading of Proposed Revisions to Board Policy DI/DIE "Fiscal Accounting/Audits" (Exhibit K)
20. Discussion and First Reading of Proposed Revisions to Board Policy BCA "Board Member Code of Ethics" (Exhibit L)
21. Discussion and First Reading of Proposed Revisions to Board Policy BCB "Board Member Conflict of Interest" (Exhibit M)
22. Adjourn

### **INFORMATION AGENDA**

23. The next regular scheduled board meeting will be January 24, 2022, at the Center for Advanced Technical Studies.

\* The Board welcomes and encourages public participation. However, the privilege of addressing the Board does not include the ability to make personal attacks on any Board Member, district employee, or other member of the public. We respectfully ask that you adhere to the procedures and the decorum provided in board policy BEDH "Public Participation at Meetings". Your comments should be limited to three minutes. Questions asked during public participation will be handled in accordance with board policy BEDH.

**COVID-19 NOTICE:** Due to state social distancing guidelines, seating capacity at our school board meeting will be limited. Mask use is encouraged. The district will live stream board meetings to provide virtual viewing options.



Minutes/December 13, 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  
Mrs. Jan Hammond, Chair  
Mr. Matt Hogan  
Mrs. Catherine Huddle  
Mr. Ken Loveless, Vice Chair  
Mrs. Tifani Moore  
Dr. Akil Ross, Interim Superintendent

The following staff were in attendance:

Mr. Todd Bedenbaugh, Executive Director of Operations  
Dr. Michael Harris, Chief Student Services and Planning Officer  
Mrs. Anna Miller, Chief of Academics and Administration  
Mrs. Marty Rawls, Chief Finance Officer  
Mrs. Amanda Taylor, Director of Communications  
Dr. Tamara Turner, Chief Human Resources Officer

A livestream video link was provided to the public as a viewing option for the December 13, 2021, board meeting.

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

The Board conducted the School Board Spotlight.

During the Superintendent's Report, Dr. Ross presented an update on Teacher Support Pilot Program/Expectations Coaches. Also, during the Superintendent's Report, Mr. Vann Holden presented updates on COVID-19 Dashboard and Strategic Plan; Mrs. Marty Rawls presented Monthly Financial Reports (Exhibit D); and Mr. Matthew Hodges with Burkett Burkett & Burkett presented the 2020-2021 Financial Audit Report (Exhibit E).

During the public participation, Alan Wright spoke regarding behavioral/discipline issues, curriculum review regarding books being read in schools and primary stakeholders, and Renee Kelly spoke regarding vaccines.

The Board presented for discussion the 2021-2022 General Fund Budget Amendment (Exhibit G).

The Board deferred discussion of agenda items 19-22 to the next board meeting.

Emergency, Sole Source, and Minority Procurement was presented as information (Exhibit M).

SCHOOL DISTRICT FIVE  
OF  
LEXINGTON AND RICHLAND COUNTIES

Meeting of December 13, 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	M O R E
1. M. Loveless                      S. Gardner  Approve the agenda							
2. M. Huddle                      S. Gardner  I would like to make a motion to amend the agenda to move item #17 (Approval of 2021-2022 General Fund Budget Amendment Exhibit G) from the action agenda to the discussion agenda and move before item #19.	X	X	X	X	X	X	X
3. Vote on the original motion	X	X	X	X	X	X	X
4. M. Loveless                      S. Huddle  I make the motion that we enter executive session to consider the following: a.) Selected employment items ( <i>Exhibit A</i> ) (Action); b.) Selected employment items ( <i>Exhibit B</i> ) (Information Only); c.) Legal advice regarding a potential debarment matter; d.) Legal update regarding C/A No. 2021-CP-40-03694; e.) Legal update regarding Cognia matter; f.) Legal advice regarding property at Harbison West Elementary ( <i>Exhibit C</i> ); g.) Update regarding Permanent Superintendent Search.	X	X	X	X	X	X	X
5. M. Huddle                      S. Blackburn Hines  I move that we approve the minutes of the November 15, 2021 board meeting.	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 December 13, 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	M O O R E
6. M. Huddle S. Moore  I move that we approve the minutes of the December 6, 2021 special-called board meeting.	X	X	X	X	X	X	X
7. M. Loveless S. Huddle  I make the motion that we approve the selected employment items listed under Exhibit A for action.	X	X	X	X	X	X	X
8. M. Hogan S. Blackburn Hines  I would like to make a motion that we move to ask our attorney to dismiss case number 2021-CP-32-03699, the School District 5 of Lexington and Richland Counties vs. Dr. Stephen Hefner.	X	N	N	X	N	N	X
9. M. Gardner S. Hogan  I move that Jeffery Herring be appointed to the Richland County Board of Assessment Appeals as shown in (Exhibit F).	X	X	X	X	X	X	X
10. M. Loveless S. Huddle  In accordance with Board Policy AE "Accountability/Commitment to Accomplishment," Board Administrative Rule AE-R, and State Board of Education Regulation 43-261, I make the motion that the Board of Trustees:	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 December 13, 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	M O O R E
<ul style="list-style-type: none"> <li>• Approve the goals and strategies for the District's 2021-22 through 2025-26 strategic plan as outlined in the board packet for the December 13, 2021 meeting, and</li> <li>• Advise the administration to continue their work on the action plans for the goals and strategies in the 2021-22 through 2025-2026 strategic plan.</li> </ul>							
<p>11. M. Loveless                      S. Huddle</p> <p>I make the motion that School District Five enter into a Memorandum of Understanding with the Town of Chapin to give the Town of Chapin sufficient time to complete its planning up until April 2023 shown in tonight's presentation, provided; however, that if a time sensitive offer from a legitimate buyer has been received, the District will revisit the matter by notifying the Town and providing a 90-day notice.</p>	X	X	X	X	X	X	X
<p>12. M. Huddle                      S. Gardner</p> <p>I move that the District adopt the Section 710 Procurement Code Exemptions per (Exhibit H) effective today with the following changes: removal of item 12 One of a Kind Items, removal of item 13 Emergency Repairs, and the addition of "Subject to Board Approval if Greater than \$25,000" to items 5a, 5e, issuance of refinancing of bonds in items 6a, 7, 19a, and 22 and the addition of the following definition of Board approval: "Board Approval shall mean approval of the proposed contract, payment, or, for recurring expenses. approval of the vendor(s) at least annually" (Exhibit H).</p>	X	X	X	X	X	X	X
<p>13. M. Huddle                      S. Loveless</p> <p>I move that the District adopt the S.C. State School District</p>	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 December 13, 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	M O O R E
Model Procurement Code and exemptions as approved effective today with the primary text recommended by the state for sections 1250, 1260, 4210, 4220, 4230, and 4410, with the "Board of Trustees" listed as the approver for Article 23 – Section 2025 items D and E (Exhibit H).							
14. M. Huddle S. Hogan  I move that we defer discussion agenda items 19-22 to our next board meeting.	X	X	X	X	X	X	X
15. M. Huddle S. Moore  I move that we convene a second executive session before adjournment in order to address item 3g (Update regarding Permanent Superintendent Search).	X	X	X	X	X	X	X
16. M. Hogan S. Moore  Adjourn at 10:42 p.m.	X	A	X	X	X	A	X

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

**MEMORANDUM**

To: Members of the Board of Trustees

Through: Dr. Akil E. Ross, Sr.  
Superintendent

From: Marty Rawls,  
Chief Finance Officer *Marty Rawls*

Date: January 10, 2022

Re: **ACTION ITEM**  
Approval of the Second Reading of the 2021-2022 General Fund Budget Amendment

---

Attached is a presentation providing information for the justification of a General Fund Budget Amendment. The increase is based on the 45<sup>th</sup> day ADM (Average Daily Membership) enrollment and the base student cost as finalized in the South Carolina Appropriations Act as ratified by the General Assembly on June 25, 2021. The School Board approved the 2<sup>nd</sup> reading of the District's current General Fund Budget on June 14, 2021.

This amendment allows for the available revenue to be allocated at 100% of the budgeted expenditures. The original budget included categories that were budgeted between 50%-75% of the anticipated expenditures for the year.

**Recommendation:** It is the recommendation of Administration to approve this amendment to the 2021-2022 General Fund Budget.

Attachment





## MEMORANDUM

To: Members of the Board of Trustees

From: Amanda Taylor, Director of Communications *att*

Date: January 10, 2022

Re: Proposed 2022-2023 School Year Calendar

**Recommendation:**

**The administration recommends that the proposed 2022-2023 School Year Calendar proceed to final approval.**

Per Board Policy IC, "The superintendent or his/her designee, in consultation with the staff, will prepare the school calendar. The calendar will set forth starting dates, ending dates, days of attendance for students, days of in-service and organizational meetings for teachers, holidays and vacation periods, days of reports to parents/legal guardians, and other schedules of importance to the staff and public. The superintendent will present the proposed calendar to the board for approval."

School District Five annually gathers the input of parents, staff, and school leaders regarding the proposed calendar via several superintendent advisory groups (Superintendent's Faculty Advisory Cabinet, Superintendent's Parents Advisory Cabinet, principals, and other administrators). Key features of the proposed 2022-2023 School Year Calendar include:

- Six (6) teacher work days before the start of school for students. This allows more time for our teachers to prepare for the start of school and is the same amount of time as was allocated this year.
- The first day for students will be August 16 under the proposed calendar. Please note that South Carolina Code of Laws §59-1-425(A) requires public schools to start classes no earlier than the third Monday in August.
- Fall break for students has been a popular addition to our school year calendar. The proposed calendar for 2022-2023 has fall break for students planned for October 31-November 1.
- South Carolina Code of Laws §59-1-425(B) requires that all school districts designate annually at least three (3) days within their school calendar to be used as make-up days. Per a December 22, 2020, memo from the SC Department of Education, "This includes districts approved as eLearning districts..." Those days on the proposed 2022-2023 School Year Calendar are October 31, February 17, and April 7.

Once approved by the Board of Trustees, School District Five's calendar will be posted on the website and shared with staff and families directly using the district's email system. Alternate versions of the calendar will be posted on the website, including a version of the calendar in Spanish and alternate layouts.

# Lexington-Richland School District Five

## 2022-2023 Calendar

July 2022

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August 2022

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2022

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2022

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2022

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8*	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19*	20*	21*	22	23	24
25	26	27	28	29	30	31

January 2023

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2023

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17*	18
19	20	21	22	23	24	25
26	27	28				

March 2023

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April 2023

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May 2023

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June 2023

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

August 8 ..... First Day for Teachers  
 August 8-15.....Teacher Work Day/Staff Dev.  
 August 16..... First Day for Students  
 September 5.....Labor Day Holiday  
 October 31 .....Teacher & Student Holiday/Fall Break  
 November 1.....Teacher Work Day/Staff Dev.  
 November 8.....Election Day/Schools & Offices Closed\*  
 November 23-25.....Thanksgiving Holidays  
 December 19-30..... Winter Break  
 January 2.....Teacher Work Day/Staff Dev.

January 3.....Students Return to School  
 January 16.....Dr. M. L. King, Jr. Holiday  
 February 17.....Teacher & Student Holiday\*  
 February 20..... Teacher Work Day/Staff Dev.  
 April 7 -April 14.....Spring Break  
 May 29.....Memorial Day Holiday  
 May 31.....Half Day for Students  
 June 1.....Half Day for Students  
 June 1..... Last Day for Students  
 June 2 .....Teacher Work Day/Last Day For Teachers

\* Work day for 240-day employees

Possible severe weather make-up days: October 31, February 17, April 7  
 Half Days for Students: May 31 and June 1  
 Parent/Teacher Conferences: November 1



School Day



Schools & Offices Closed

\*Work day for 240-day employees



Staff Development/  
Teacher Work Day

No School for Students



School Day/End of Nine Weeks





Memorandum

To: Members of the Board of Trustees

From: Dr. Akil E. Ross, Sr.  
Interim Superintendent

Date: January 6, 2022

Re: January 10, 2022 Board Meeting  
Discussion Item  
Adding Fine Arts Center to the Facilities Master Plan

---

**Background:** Following the Chapin High School SIC's recommendation for the need of an on-site Fine Arts Center to support the performing arts programs, I present for your review the option of transferring the Palmetto Woods storage facility into a future Fine Arts Center.

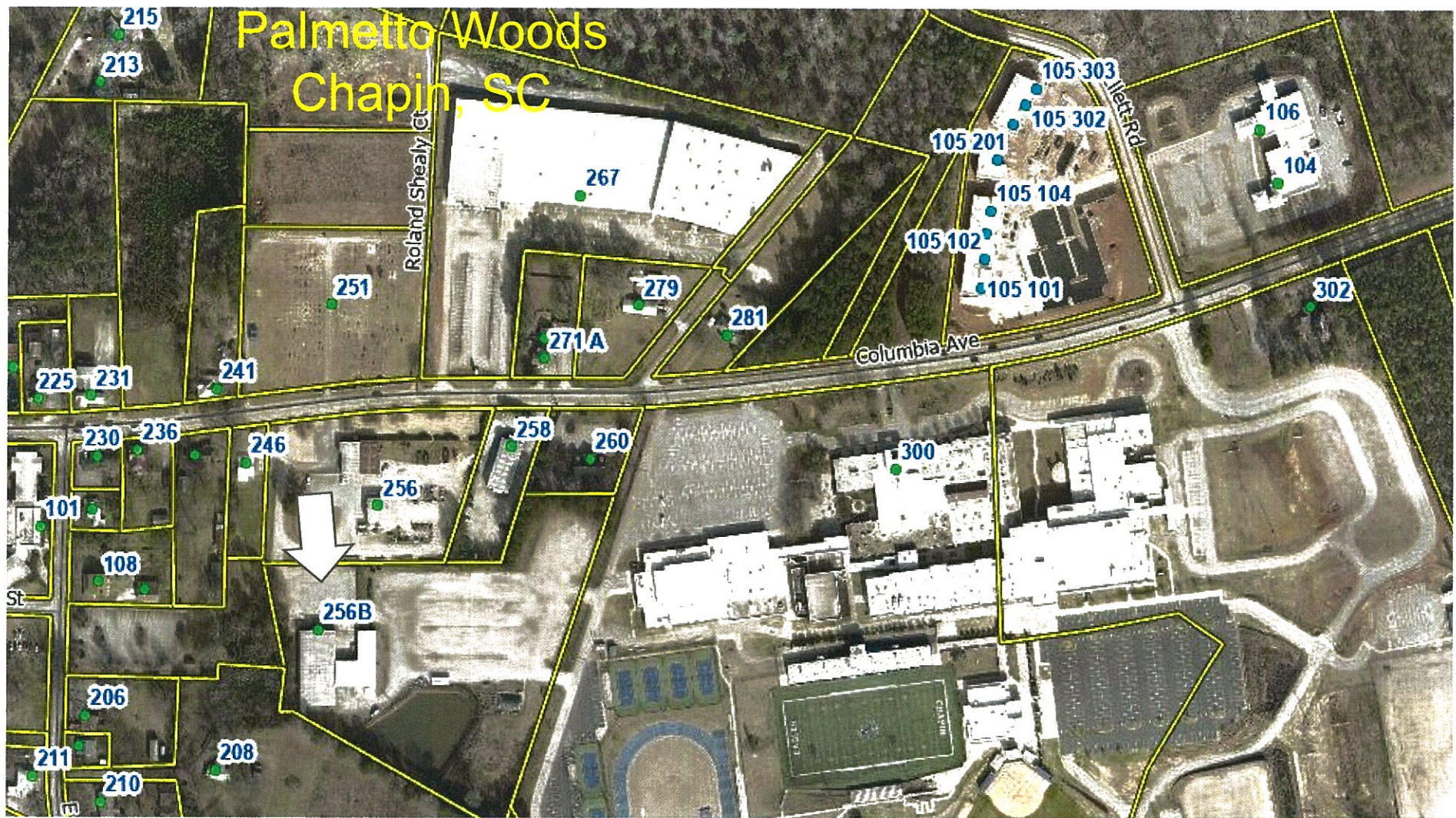
**Recommendation:** It is the recommendation of the Administration to add a Fine Arts Center on the Chapin High School campus to the Master Building Plan.

AERsr:aw

Attachment - Palmetto Woods Property Map



# Palmetto Woods Chapin, SC







## MEMORANDUM

To: Members of the Board of Trustees

Through: Dr. Akil E. Ross, Sr.  
Interim Superintendent

From: Todd A. Bedenbaugh *TB*  
Executive Director of Operations

Date: January 5, 2022

Re: January 10, 2022 Board Meeting  
**Discussion Item**  
Discussion of Prioritizing District Office Renovation/ Replacement due to Aging Facility

---

**Background:** Please see below timeline of the mold found in the accountability area:

- Mold was reported in the testing closet in the accountability area on 11/19/21.
- Three cleaners were contacted to provide quotes and Whitehall was the only one who was able to clean and treat the area on Monday 11/22/21 (also the lowest bid).
- An air scrubber was placed in accountability on 11/23/21 to purify the air.
- On 11/29/21 mold was reported again in a different area of the Accountability Office; Whitehall returned to inspect and treat for mold. The area the mold was found was on wood shelving in the testing closet that did not have proper ventilation. A fan has been installed in this room and vent has been placed in the door to allow for better ventilation in this closet. Wood shelving has been removed and replaced with wire shelving.
- On 11/30/21 Crossroads Environmental inspected the area for mold and samples were collected.
- The District received the Crossroads Environmental report on 12/8/21. The report stated that the samples do not indicate an indoor air quality issue in the accountability area or Board Room B.
- On 12/9/21 mold growth was detected in another part of the office area. Whitehall returned and applied an antimicrobial treatment with a peroxide-based disinfectant. The

area was closed off to staff. The mold was found in furniture that could not be removed or cleaned. We have permanently removed this furniture and will have to be replaced.

- Crossroads Environmental inspected and completed air quality testing on 12/13/21. The report states that there was a visible mold, but that spore trap samples do not indicate it to be affecting the indoor air quality in this department.
- We are following Crossroads Environmental recommendations to have this area cleaned while using HEPA filter equipment vacuums, wet wipe methods with antimicrobial products on walls, furniture, wet clean all carpet, air scrubbers will be used during the cleaning process to capture air borne particles.
- We are in the process of meeting with three vendors this week to provide quotes for professional cleaning for these methods recommended by Crossroad Environmental in the entire accountability area.

**Recommendation:** The administration recommends this to be referred to the next scheduled board facility committee meeting for a plan of action to address recurring mold.

TAB: cr

Attachment: Crossroads Environmental LLC, Limited Mold Sampling Report

December 20, 2021

Mr. Clayton Cannon  
Lexington/Richland School District #5  
1020 Dutch Fork Road  
Irmo, South Carolina 29063

Re: Limited Mold Sampling Report  
District Office- Accountability Department & Above Ceiling Grid  
CRE Project Number: 20664-IA

Dear Mr. Cannon:

Crossroads Environmental, LLC performed sampling and inspection for visible mold and atypical spore concentrations in select areas of the District Office, located at 1020 Dutch Fork Road in Irmo, South Carolina on December 13, 2021. The sampling was conducted, as requested by a district representative, to determine indoor airborne spore concentrations with the recent discovery of visible surface mold in the Accountability Department of the district office. Visual inspection along with air sampling were performed to confirm the presence of any atypical visible or airborne mold concentrations present in these areas.

### **OBSERVATIONS**

During the site visit, surfaces and contents of the Accountability Department (rooms AC01 through AC07 and IN10) of the District Office were thoroughly inspected for visible mold growth while air samples were collected. At the time of sampling, visible mold was discovered on various furnishings and/or contents in AC01, AC02, AC04, AC07, and IN10. AC07 was observed to have visible mold growth on walls. One common observation made in each area inspected was the presence of heavy dust accumulations noted throughout. Dust is considered an allergen, and can cause similar respiratory effects as those caused by mold. Cleaning of interior dust and regular maintenance of HVAC filters is recommended in all HVAC conditioned buildings to reduce allergens. Methods such as wet wiping or dust removal by HEPA filtered vacuums is recommended during routine building maintenance to help reduce dust accumulations. Additional air sampling was requested to include several random air samples collected above the drop ceiling which provides for HVAC return purposes.



Visible mold in the Accountability Department is believed to be residual growth from an indoor humidity issue that occurred unnoticed at an earlier date. Typically, humidity issues develop during the cooling season as the result of an HVAC related issue. The HVAC was inspected and found to have recently replaced HERV 8 filtration, but with evidence of filter bypass that has caused dust and debris accumulation on the evaporator coil.

Temperature and relative humidity recorded at the time of sampling in each sampled area recorded temperature and humidity within recommendations. For thermal comfort, the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) recommends temperatures in occupied spaces to be between 73 degrees and 79 degrees Fahrenheit in the summer months and 68 degrees to 74.5 degrees Fahrenheit in the winter months. ASHRAE also recommends maintaining relative humidity between 30% to 60% in habitable spaces to minimize the growth of allergenic or pathogenic organisms. Temperature and relative humidity were recorded using a Peak Meter MS6508 digital temperature and humidity meter.

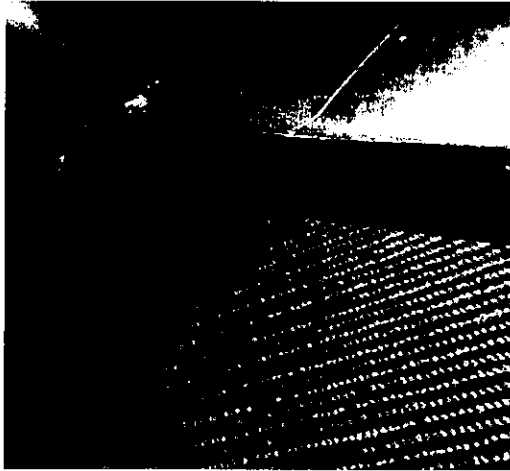
At the time of the investigation, visual observations and data recorded are as follows with any abnormal mold spore concentrations and/or visible mold growth noted during the inspection highlighted in red:

Table 1

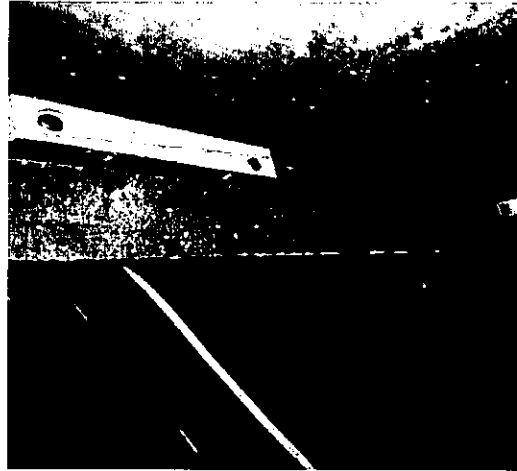
SCHOOL DISTRICT OFFICE				
Room Number	Temperature (°F)	Relative Humidity (%RH)	Observations	Total Spore Concentrations
Zachary AC05	66	47	Heavy dust. Mold on plastic board behind door.	Typical TOTAL spore concentrations (40 spores/m <sup>3</sup> )
Thomas AC06	68	45	Heavy dust.	Typical TOTAL spore concentrations (53 spores/m <sup>3</sup> )
Holden AC01	68	45	Heavy dust. Mold noticed underneath and at the base of furnishings.	Typical TOTAL spore concentrations (26 spores/m <sup>3</sup> )
Estridge AC02	68	46	Heavy dust. Mold noticed on stored picture and frame.	Typical TOTAL spore concentrations (53 spores/m <sup>3</sup> )
Solomon AC04	68	44	Heavy dust. Possible mold on carpet next to desk.	Typical TOTAL spore concentrations (13 spores/m <sup>3</sup> )

SCHOOL DISTRICT OFFICE				
Room Number	Temperature (°F)	Relative Humidity (%RH)	Observations	Total Spore Concentrations
Cope AC03	67	45	Extreme dust.	Typical TOTAL spore concentrations (27 spores/m <sup>3</sup> )
Kirby/Ouzts AC07	67	45	Dust noticed. Visible mold on walls and underneath furnishings.	Typical TOTAL spore concentrations (160 spores/m <sup>3</sup> )
Conference IN10	67	45	Dust. Visible mold noticed at the base of furnishings.	Typical TOTAL spore concentrations (53 spores/m <sup>3</sup> )
Accountability Ceiling	65	45	N/A	Typical TOTAL spore concentrations (13 spores/m <sup>3</sup> )
Instructional Services Ceiling	65	45	N/A	Typical TOTAL spore concentrations (40 spores/m <sup>3</sup> )
Planning Ceiling	71	40	N/A	Typical TOTAL spore concentrations (13 spores/m <sup>3</sup> )
Mail Hall Ceiling	66	44	N/A	Typical TOTAL spore concentrations (27 spores/m <sup>3</sup> )
Outdoors Rear	57	40	Clear, shade	TOTAL spore concentrations (947 spores/m <sup>3</sup> )
Outdoors Front	70	31	Clear, Sun exposure	TOTAL spore concentrations (1240 spores/m <sup>3</sup> )

**SITE PHOTOGRAPHS**



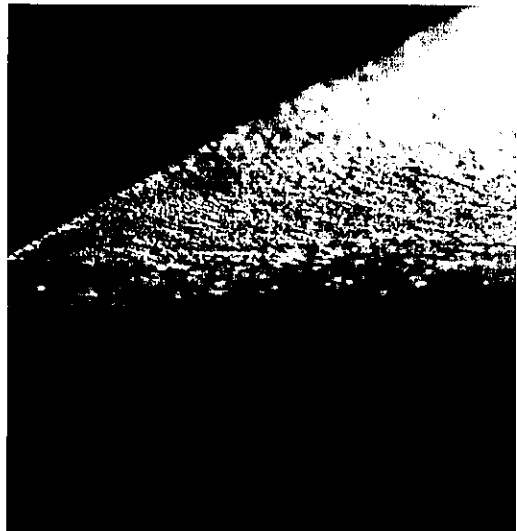
A. Examples furniture in Holden



B. Underneath furniture in Holden



C. Visible mold on picture in Estridge



D. Underneath table in Kirby



E. Dust as noticed throughout



F. Filter bypass in Accountability HVAC

### **SAMPLING PROTOCOL**

The air samples were collected using *Allergenco* spore traps and a BioAire™ pump calibrated to pull fifteen (15) liters of air per minute for five (5) minutes for a total of seventy-five (75) liters of air. Twelve (12) samples were collected from within the District Office; sample #4488804 was collected from the center of ACO5 Zachary office, sample #4488687 from the center of AC06 Thomas office, sample #4488561 from the center of AC01 Holden office, sample #4488640 from center of AC02 Estridge office, sample #4488607 from center of AC04 Solomon office, sample #4488836 from center of AC03 Cope office, sample #4488638 from center of AC Kirby/Ouzts office, and sample #4488489 from the center of IN10 conference. Samples collected from above the drop ceiling grid include sample #4488631 of the Accountability maintenance closet, sample #4488667 from the Instructional Services hall, sample #4488715 from the Planning department hall, and sample #4488705 from above the Mail room hall. Two (2) additional samples were collected outdoors for spore concentration comparison purposes (Sample #4488766 from the rear of the building and sample #4488623 at the front of the building). All samples were sealed, packaged, and shipped overnight to Hayes Microbial for analysis of fungal spores and particulates by optical microscopy.

### **SAMPLE RESULTS/CONCLUSIONS**

Interpretation of quantitative fungal levels in indoor environments is often complex and may involve a variety of parameters including chemical, microbial, and physical agents. To date, there are no regulatory requirements for indoor air quality involving fungi such as the Permissible Exposure Limits (PELs) utilized by the Occupational Safety and Health Administration (OSHA) for occupational health issues. There are, however, suggested guidelines on indoor air quality published by the American Conference of Governmental Industrial Hygienists (ACGIH), the AIHA, the New York City Department of Health-Bureau of Environmental & Occupational Disease (Guidelines on Assessment and Remediation of Fungi in Indoor Environments), the United States EPA (Mold Remediation in Schools and Commercial Buildings), and other national and international organizations and governmental agencies. Most of these guidelines do not focus on quantitative assessments (i.e., the amount of measured fungi), but rather rely on interpretation of data that focuses on identification of fungal species and genera, comparison of indoor and outdoor relationships, specific indicator species and the potential susceptibilities of exposed populations to various fungi<sup>1</sup>.

A comparison of indoor and outdoor airborne mold concentrations for the spore trap samples collected on December 13, 2021 **do not** indicate an indoor air quality issue in relation to atypical airborne mold spore concentrations in the Accountability Department nor in the return plenums of the building throughout. The sample results reported **Total** concentrations of indoor mold spores that were significantly lower than that of the concentrations reported from the outdoor samples collected, with no atypical concentrations of spore types that are commonly found indoors. Most importantly, the visible surface mold discovered in the Accountability Department does not appear to be affecting the indoor air quality in this department or adjacent departments at this time.

### **RECOMMENDATIONS**

The recommendations at this time are to maintain temperature and relative humidity within ASHRAE's recommended comfort guidelines, this includes sustaining relative humidity below 60% to deter future mold growth. Wet wipe methods with an antimicrobial product, such as *Shockwave™* by *Fiberlock Industries*, and usage of HEPA filter equipped vacuums should be implemented during a thorough cleaning of surfaces and furnishings of the Accountability department. Carpet flooring is recommended to be cleaned with the use of HEPA filtered vacuums. Several air

---

<sup>1</sup> Janet Macher et al. (eds.), *Bioaerosols: Assessment and Control*, ACGIH, Cincinnati, Ohio, 1999, p. 19-10.

scrubbers should also be in use during cleaning to collect any mold spores disturbed during cleaning. Follow-up sampling is not necessary at this time, but can be conducted upon request.

**CLOSING STATEMENTS**

This document was prepared at the request of the Lexington/Richland School District #5 and was based on sampling conducted in the Accountability Department and above the drop ceiling at the District Office on December 13, 2021. The results presented within this report are indicative of conditions only at the time of the testing. This report does not purport to include all health hazards at the site and is limited in scope to the parameters mentioned.

Crossroads Environmental, LLC appreciates the opportunity to provide the Lexington/Richland School District #5 with our consultative services. If you have any questions or need additional information, please do not hesitate to contact us.

Sincerely,



Travis Williams  
Certified Indoor Environmental Consultant



Kay H. Horton  
Certified Indoor Environmental Consultant

Attachments (lab results)



#21051647

Analysis Report prepared for

## Crossroads Environmental, LLC

1258 Boiling Springs Road  
Spartanburg, SC 29303

Phone: (864) 541-8736

20664-1A  
Lexington/Richland SD#5  
District Office  
1020 Dutch Fork Rd.

Collected: **December 13, 2021**  
Received: **December 14, 2021**  
Reported: **December 14, 2021**

We would like to thank you for trusting Hayes Microbial for your analytical needs!  
We received 14 samples by FedEx in good condition for this project on December 14th, 2021.

The results in this analysis pertain only to this job, collected on the stated date, and should not be used in the interpretation of any other job. This report may not be duplicated, except in full, without the written consent of Hayes Microbial Consulting, LLC..

This laboratory bears no responsibility for sample collection activities, analytical method limitations, or your use of the test results. Interpretation and use of test results are your responsibility. Any reference to health effects or interpretation of mold levels is strictly the opinion of Hayes Microbial. In no event, shall Hayes Microbial or any of its employees be liable for lost profits or any special, incidental or consequential damages arising out of the use of these test results.

Steve Hayes, BSMT(ASCP)  
Laboratory Director  
Hayes Microbial Consulting, LLC.



EPA Laboratory ID: VA01419



Lab ID: #188863



DPH License: #PH-0198

**Travis Williams**  
**Crossroads Environmental, LLC**  
 1258 Boiling Springs Road  
 Spartanburg, SC 29303  
 (864) 541-8736

**20664-1A**  
 Lexington/Richland SD#5  
 District Office  
 1020 Dutch Fork Rd.

**#21051647**

**Spore Trap**  
 SOP - HMC#101

Sample Number	14488804			24488687			34488561			4448640		
Sample Name	Zachary			Thomas			Vanholden			Estridge		
Sample Volume	75.00 liter			75.00 liter			75.00 liter			75.00 liter		
Reporting Limit	13 spores/m³			13 spores/m³			13 spores/m³			13 spores/m³		
Background	2			2			2			2		
Fragments	ND			ND			ND			13/m³		
Organism	Raw Count	Count / m³	% of Total	Raw Count	Count / m³	% of Total	Raw Count	Count / m³	% of Total	Raw Count	Count / m³	% of Total
Alternaria												
Ascospores	1	13	33.3%	1	13	25.0%	1	13	50.0%			
Aspergillus Penicillium				2	27	50.0%				4	53	100.0%
Basidiospores												
Bipolaris Drechslera												
Chaetomium												
Cladosporium	2	27	66.7%									
Curvularia												
Epicoccum												
Fusarium												
Memnoniella												
Myxomycetes				1	13	25.0%	1	13	50.0%			
Pithomyces												
Stachybotrys												
Stemphylium												
Torula												
Ulocladium												
Total	3	40	100%	4	53	100%	2	26	100%	4	53	100%

Water Damage Indicator

Common Allergen

Slightly Higher than Baseline

Significantly Higher than Baseline

Ratio Abnormality

Collected: Dec 13, 2021

Received: Dec 14, 2021

Reported: Dec 14, 2021

Project Analyst:

Date:

Reviewed By:

Date:

Ramesh Poluri, PhD

12 - 14 - 2021

Steve Hayes, BSMT

12 - 14 - 2021

3005 East Boundary Terrace, Suite F. Midlothian, VA. 23112

(804) 562-3435

contact@hayesmicrobial.com

Page: 2 of 7





**Travis Williams**  
**Crossroads Environmental, LLC**  
 1258 Boiling Springs Road  
 Spartanburg, SC 29303  
 (864) 541-8736

**20664-1A**  
 Lexington/Richland SD#5  
 District Office  
 1020 Dutch Fork Rd.

**#21051647**

**Spore Trap**  
 SOP - HMC#101

Sample Number	5	4488607		6	4488836		7	448638		8	448489	
Sample Name	Soloman			Cope			Kirby Ouzts			Conf.		
Sample Volume	75.00 liter			75.00 liter			75.00 liter			75.00 liter		
Reporting Limit	13 spores/m³			13 spores/m³			13 spores/m³			13 spores/m³		
Background	2			2			2			2		
Fragments	ND			ND			ND			ND		
Organism	Raw Count	Count / m³	% of Total	Raw Count	Count / m³	% of Total	Raw Count	Count / m³	% of Total	Raw Count	Count / m³	% of Total
Alternaria												
Ascospores	1	13	100.0%	2	27	100.0%	2	27	16.7%	1	13	25.0%
Aspergillus Penicillium							10	133	83.3%	2	27	50.0%
Basidiospores												
Bipolaris Drechslera												
Chaetomium												
Cladosporium										1	13	25.0%
Curvularia												
Epicoccum												
Fusarium												
Memnoniella												
Myxomycetes												
Pithomyces												
Stachybotrys												
Stemphylium												
Torula												
Ulocladium												
Total	1	13	100%	2	27	100%	12	160	100%	4	53	100%

Water Damage Indicator

Common Allergen

Slightly Higher than Baseline

Significantly Higher than Baseline

Ratio Abnormality



Collected: Dec 13, 2021

Received: Dec 14, 2021

Reported: Dec 14, 2021

Project Analyst:

Ramesh Poluri, PhD

Date:

12 - 14 - 2021

Reviewed By:

Steve Hayes, BSMT

Date:

12 - 14 - 2021

3005 East Boundary Terrace, Suite F. Midlothian, VA. 23112

(804) 562-3435

contact@hayesmicrobial.com

Page: 3 of 7

**Travis Williams**  
**Crossroads Environmental, LLC**  
 1258 Boiling Springs Road  
 Spartanburg, SC 29303  
 (864) 541-8736

**20664-1A**  
 Lexington/Richland SD#5  
 District Office  
 1020 Dutch Fork Rd.

**#21051647**

**Spore Trap**  
 SOP - HMC#101

Sample Number	94488631			104488667			114488715			124488705		
Sample Name	Accountability			Industrial Services			Planning Hall			Hall @ Mail Room		
Sample Volume	75.00 liter			75.00 liter			75.00 liter			75.00 liter		
Reporting Limit	13 spores/m³			13 spores/m³			13 spores/m³			13 spores/m³		
Background	2			2			2			2		
Fragments	ND			ND			ND			ND		
Organism	Raw Count	Count / m³	% of Total	Raw Count	Count / m³	% of Total	Raw Count	Count / m³	% of Total	Raw Count	Count / m³	% of Total
Alternaria												
Ascospores	1	13	100.0%	2	27	66.7%	1	13	100.0%	2	27	100.0%
Aspergillus Penicillium												
Basidiospores												
Bipolaris Drechslera												
Chaetomium												
Cladosporium				1	13	33.3%						
Curvularia												
Epicoccum												
Fusarium												
Memnoniella												
Myxomycetes												
Pithomyces												
Stachybotrys												
Stemphylium												
Torula												
Ulocladium												
Total	1	13	100%	3	40	100%	1	13	100%	2	27	100%

Water Damage Indicator

Common Allergen

Slightly Higher than Baseline

Significantly Higher than Baseline

Ratio Abnormality

Collected: Dec 13, 2021

Received: Dec 14, 2021

Reported: Dec 14, 2021

Project Analyst:

Date:

Reviewed By:

Date:

Ramesh Poluri, PhD

12 - 14 - 2021

Steve Hayes, BSMT

12 - 14 - 2021

3005 East Boundary Terrace, Suite F. Midlothian, VA. 23112

(804) 562-3435

contact@hayesmicrobial.com

Page: 4 of 7



Sample Number	13	4488766		14	4488623	
Sample Name	Outdoor Rear			Outdoor Front		
Sample Volume	75.00 liter			75.00 liter		
Reporting Limit	13 spores/m³			13 spores/m³		
Background	2			2		
Fragments	ND			ND		
Organism	Raw Count	Count / m³	% of Total	Raw Count	Count / m³	% of Total
Alternaria						
Ascospores	48	640	67.6%	64	853	68.8%
Aspergillus Penicillium	2	27	2.8%	3	40	3.2%
Basidiospores	16	213	22.5%	20	267	21.5%
Bipolaris Drechslera						
Chaetomium						
Cladosporium	5	67	7.0%	6	80	6.5%
Curvularia						
Epicoccum						
Fusarium						
Memnoniella						
Myxomycetes						
Pithomyces						
Stachybotrys						
Stemphylium						
Torula						
Ulocladium						
Total	71	947	100%	93	1240	100%

Water Damage Indicator

Common Allergen

Slightly Higher than Baseline

Significantly Higher than Baseline

Ratio Abnormality



Collected: Dec 13, 2021

Received: Dec 14, 2021

Reported: Dec 14, 2021

Project Analyst:

Ramesh Poluri, PhD

Date:

12 - 14 - 2021

Reviewed By:

Steve Hayes, BSMT

Date:

12 - 14 - 2021

Spore Trap Information

Reporting Limit	The Reporting Limit is the lowest number of spores that can be detected based on the total volume of the sample collected and the percentage of the slide that is counted. At Hayes Microbial, 100% of the slide is read so the LOD is based solely on the total volume. Raw spore counts that exceed 500 spores will be estimated.
Blanks	Results have not been corrected for field or laboratory blanks.
Background	<p>The Background is the amount of debris that is present in the sample. This debris consists of skin cells, dirt, dust, pollen, drywall dust and other organic and non-organic matter. As the background density increases, the likelihood of spores, especially small spores such as those of <i>Aspergillus</i> and <i>Penicillium</i> may be obscured. The background is rated on a scale of 1 to 5 and each level is determined as follows:</p> <p><b>NBD:</b> No background detected due to possible pump or cassette malfunction. Recollect sample. (Field Blanks will display NBD)</p> <p><b>1 :</b> &lt;5% of field occluded. No spores will be uncountable.</p> <p><b>2 :</b> 5-25% of field occluded.</p> <p><b>3 :</b> 25-75% of field occluded.</p> <p><b>4 :</b> 75-90% of field occluded.</p> <p><b>5 :</b> &gt;90% of field occluded. Suggested recollection of sample.</p>
Fragments	Fragments are small pieces of fungal mycelium or spores. They are not identifiable as to type and when present in very large numbers, may indicate the presence of mold amplification.
Control Comparisons	There are no national standards for the numbers of fungal spores that may be present in the indoor environment. As a general rule and guideline that is widely accepted in the indoor air quality field, the numbers and types of spores that are present in the indoor environment should not exceed those that are present outdoors at any given time. There will always be some mold spores present in "normal" indoor environments. The purpose of sampling and counting spores is to help determine whether an abnormal condition exists within the indoor environment and if it does, to help pinpoint the area of contamination. Spore counts should not be used as the sole determining factor of mold contamination. There are many factors that can cause anomalies in the comparison of indoor and outdoor samples due to the dynamic nature of both of those environments.
Water Damage Indicator	<b>Blue:</b> These molds are commonly seen in conditions of prolonged water intrusion and usually indicate a problem.
Common Allergen	<b>Green:</b> Although all molds are potential allergens, these are the most common allergens that may be found indoors.
Slightly Higher than Baseline	<b>Orange:</b> The spore count is slightly higher than the outside count and may or may not indicate a source of contamination.
Significantly Higher than Baseline	<b>Red:</b> The spore count is significantly higher than the baseline count and probably indicates a source of contamination.
Ratio Abnormality	<b>Violet:</b> The types of spores found indoors should be similar to the ones that were identified in the baseline sample. Significant increases (more than 25%) in the ratio of a particular spore type may indicate the presence of abnormal levels of mold, even if the total number of spores of that type is lower in the indoor environment than it was outdoors.
Color Coding	Fungi that are present in indoor samples at levels lower than 200 per cubic meter are not color coded on the report, unless they are one of the water damage indicators.

Organism Descriptions

Ascospores	<b>Habitat:</b> A large group consisting of more than 3000 species of fungi. Common plant pathogens and outdoor numbers become very high following rain. Most of the genera are indistinguishable by spore trap analysis and are combined on the report.
	<b>Effects:</b> Health affects are poorly studied, but many are likely to be allergenic.
Aspergillus Penicillium	<b>Habitat:</b> The most common fungi isolated from the environment. Very common in soil and on decaying plant material. Are able to grow well indoors on a wide variety of substrates.
	<b>Effects:</b> This group contains common allergens and many can cause hypersensitivity pneumonitis. They may cause extrinsic asthma, and many are opportunistic pathogens. Many species produce mycotoxins which may be associated with disease in humans and other animals. Toxin production is dependent on the species, the food source, competition with other organisms, and other environmental conditions.
Basidiospores	<b>Habitat:</b> A common group of Fungi that includes the mushrooms and bracket fungi. They are saprophytes and plant pathogens. In wet conditions they can cause structural damage to buildings.
	<b>Effects:</b> Common allergens and are also associated with hypersensitivity pneumonitis.
Cladosporium	<b>Habitat:</b> One of the most common genera worldwide. Found in soil and plant debris and on the leaf surfaces of living plants. The outdoor numbers are lower in the winter and often relatively high in the summer, especially in high humidity. The outdoor numbers often spike in the late afternoon and evening. Indoors, it can be found growing on textiles, wood, sheetrock, moist window sills and in HVAC supply ducts.
	<b>Effects:</b> A common allergen, producing more than 10 allergenic antigens and a common cause of hypersensitivity pneumonitis.
Myxomycetes	<b>Habitat:</b> Found on decaying plant material and as a plant pathogen.
	<b>Effects:</b> Some allergenic properties reported, but generally pose no health concerns to humans.

N

SHIP: FEDEX - PAK 50  
DATE: 12-14-2021

8166 2475 1737

crossroads  
environmental, llcZ = Spore Trap  
P = Particulate  
S = Swab  
T = Tape Lift  
V = VOC  
O = Other

21051647

4 = Outside Containment

## TURNAROUND TIME

N = Normal Turnaround

R = Rush

CROSSROADS ENVIRONMENTAL, LLC  
1258 BOILING SPRINGS RD.  
SPARTANBURG, SC 29303  
Phone (864) 541-8736  
Fax (864) 541-8776  
E-mail Results To: results@crossroadsenv.net  
Collected by: T. Williams  
Analyzed by:

Page 1 of 2

Project #: 20664-1A Date: 12-13-21  
Client: Lexington/Richland SD #5  
Project Name: District office  
Site: 1020 Dutch Fork Rd.  
Weather: Sun

## IEQ Sampling Form

Outside AM Temp \_\_\_\_\_ Humidity \_\_\_\_\_

Outside PM Temp \_\_\_\_\_ Humidity \_\_\_\_\_

Sample #	Type	Area	Pump #	Location	Type of Analysis	CO <sub>2</sub>	Temp. (°F)	Humidity (Rh)	Total Mins.	Time	FR (LPM)	Volume	Turn-around Time
4488804	Z	1	BIS2656	Zachary			66	47	5min	1105	15	75	24
4488687	Z	1	BIS2656	Thomas			68	45	5min	1113	15	75	24
4488901	Z	1	BIS2656	Vanhorden			68	45	5min	1120	15	75	24
4488640	Z	1	BIS2656	Estridge			68	46	5min	1127	15	75	24
4488607	Z	1	BIS2656	Solomon			68	44	5min	1136	15	75	24
4488836	Z	1	BIS2656	Cope			67	45	5min	1145	15	75	24
4488638	Z	1	BIS2656	Kirby Quits			67	45	5min	1152	15	75	24
4488489	Z	1	BIS2656	Cent.	House on		67	45	5min	1159	15	75	24
4488631	Z	1	BIS2656	Accountability			65	48	5min	1210	15	75	24
4488667	Z	1	BIS2656	Instructional Services			65	45	5min	1215	15	75	24

## SAMPLE CHAIN OF CUSTODY

Signature of Handlers:

Relinquished By:

Relinquished By:

Date:

Date:

Submitted To:

Date Sent:

Received By:

Received By:

Date: 12-13-21

Date: 12-14-21

Time:

Time:

WHITE - LAB

YELLOW - OFFICE

CRE FORM #10-005  
SCANNED COMM ACTION DOWNTIME IMP 462 682 682

N

SHIP: FEDEX - PAK 50  
DATE: 12-14-2021

8166 2475 1737

CROSSROADS  
environmental, llc- = Spore Trap  
P = Particulate  
S = Swab  
T = Tape Lift  
V = VOC  
O = Other

MOLD



21051647

4 = Outside Containment

## TURNAROUND TIME

N = Normal Turnaround  
R = RushCROSSROADS ENVIRONMENTAL, LLC  
1258 BOILING SPRINGS RD.  
SPARTANBURG, SC 29303  
Phone (864) 541-8736  
Fax (864) 541-8776  
E-mail Results To: [results@crossroadsendv.net](mailto:results@crossroadsendv.net)  
Collected by: T. Williams  
Analyzed by:Page 2 of 2Project #: 20664-1A Date: 12-13-21  
Client: Lexington/Richland #5  
Project Name: District office  
Site: 1020 Dutch Fork Rd.  
Weather: SUN

## IEQ Sampling Form

Outside AM Temp \_\_\_\_\_ Humidity \_\_\_\_\_

Outside PM Temp \_\_\_\_\_ Humidity \_\_\_\_\_

Sample #	Type	Area	Pump #	Location	Type of Analysis	CO <sub>2</sub>	Temp. (°F)	Humidity (Rh)	Total Mins.	Time	FR (LPM)	Volume	Turn-around Time
4488715	Z	1	B1526SL6	Planning Hall			71	40	Smw	1231	15	75	24
4488705	Z	1	B1526SL6	Hall @ mail Room			66	46	Smw	1242	15	75	24
4488766	Z	2	B1526SL6	Outdoors Rear			57	40	Smw	1308	15	75	24
4488623	Z	2	B1526SL6	Outdoors Front			70	31	Smw	1315	15	75	24

816624751737

## SAMPLE CHAIN OF CUSTODY

Signature of Handlers:

Relinquished By: T. Williams Date: 12-13-21

Relinquished By: \_\_\_\_\_ Date: \_\_\_\_\_

Submitted To: Hays M. RobertDate Sent: 12-13-21Received By: TH Date: 12-14-21 Time: \_\_\_\_\_

Received By: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

WHITE - LAB

YELLOW - OFFICE

CRE FORM #10-005  
REORDER FROM ACTION PRINTING, IMP. DEF. COE. REC.

## Policy DJ Purchasing

Issued 12/08

It is the policy of the district to conduct all matters involving purchasing in accordance with the district's procurement code adopted July 28, 1998 and December 9, 2008.

A copy is available in the district administrative offices or at  
<http://www.lex5.k12.sc.us/files/filesystem/d5procurement.pdf>.

Adopted 7/28/98; Revised 5/23/00, 7/25/00, 12/9/08

School District Five of Lexington and Richland Counties



**DISCUSSION AND FIRST READING – JANUARY 10, 2022**

**Policy DJ Purchasing**

Issued 12/08

---

*It is the policy of the district to conduct all matters involving purchasing in accordance with the district's procurement code adopted July 28, 1998, ~~and December 9, 2008~~, and December 13, 2021.*

A copy is available in the district administrative offices or at <http://www.lex5.k12.sc.us/files/filesystem/d5procurement.pdf>.

Adopted 7/28/98; Revised 5/23/00, 7/25/00, 12/9/08, ~~1/xx/22~~

**School District Five of Lexington and Richland Counties**

## Policy FEE Site Acquisition

Issued 2/14

Purpose: To establish the basic structure for the acquisition of sites for school construction.

The board believes it is appropriate and necessary to identify and acquire land in a formalized manner to assure the most advantageous pieces of real estate are obtained for School District Five of Lexington and Richland Counties.

The board will charge the district administration to begin the selection process. The district administration will do the following.

- Establish parameters for selection.
  - Analyze attendance zones to determine general location boundaries.
  - Determine range of acreage requirements (typically based on state guidelines).

The board believes that properly located schools lie within reasonable travel distance of the neighborhoods they serve. The district administration will do the following.

- Identify and evaluate potential sites.
  - Collect preliminary data on each potential site that includes the following items (these items should be readily available and at little or no cost).
    - location (address, city, zip code, county)
    - tax map, block and lot number
    - current ownership
    - size and shape (get recorded plat from county)
    - percentage wooded
    - accessibility
    - road frontage
    - topography variation estimate
    - any improvements (size, age and condition)
    - photographs at street level and aerial photos (to include a copy of the US Geological - Survey (USGS) topographic map of the site)
    - Natural Resources Conservation Service (NRCS) soils survey map
    - water and sewer provider and proximity to site
    - asking price for whole tract
    - asking price for subdivision of parts of tract

- most recent traffic count of cars per day on each road that the property fronts
- flood zone determination (obtain from the district insurance agent)
- copy of the current zoning map and applicable zoning text
- historical environmental reports from seller, if available
- Retain a realtor to represent the district as a buyer, if necessary.
- Eliminate unsuitable sites leaving two to four final sites.
- Perform technical evaluation and comparative analysis (two to four sites). Consider the following.
  - development cost (on and off site costs)
  - political implications
  - campus safety
  - environmentally sensitive conditions (if any)
  - letter from the applicable zoning authority that the intended use is permitted, out right, without special exception and, if not, procedure necessary for obtaining approval
  - highway department immediate and future plans for changes/ improvements near the prospective site

Difficulties of site acquisition, problems arising from land use, residential development and the configuration of city boundaries make the precise spacing of school facilities difficult if not impossible. However, the board will make the most appropriate site selection based on general location, usability and price. District administration will do the following.

- Perform final site selection.
  - Provide site recommendation to board.
  - Obtain "contingent" board approval.
  - Have "Letter of Intent to Purchase" sent to the seller. This is to be followed by a "Purchase and Sale Agreement" (consider requesting a "First Right of Refusal" on contiguous land owned by the seller. Also, request that cost of plat and topographic survey be credited towards the purchase price at closing).
  - Perform "contingent" technical evaluation.
    - Obtain plat and all available topographic survey information. Request copy from seller of previous plat if available.
    - Obtain title search (request copies of seller's policy and provide to the attorney performing title work).
    - Perform wetlands assessment.
    - Perform geotechnical testing to determine soil suitability and for soil management purposes.

-- Phase I Environmental Study

- Request copy(s) of any environmental surveys that may have been previously performed for the site.
- If a suitable site assessment is not available, select an environmental firm for the district and perform a Phase I environmental study.
- In the event the Phase I report indicates any areas of concern that require sub-surface investigation (Phase II and/or Phase III), get written authorization from the seller with the proposed scope of work from the environmental engineer attached before work is done.
- After receiving a clean environmental report, hire a South Carolina State Certified General Real Estate Appraiser to represent the district. Request the selected appraiser provide a full, self-contained narrative appraisal report (be sure to specify the number of original reports needed in the final engagement letter). Provide the appraiser with all previously collected data on the selected site and other third party reports and plat.
- Obtain department of education approval.
- Obtain "final" board approval.

Just prior to acquisition of the land, add the proposed site to the district's commercial general liability policy.

The district administration will purchase the approved site.

Whenever possible, the board will acquire school sites long before they are needed. Such a policy will permit a better choice of site at acreage rather than lot prices and will reduce the need for costly demolition of residential or other structures.

Adopted 5/19/03; Revised 2/10/14

School District Five of Lexington and Richland Counties

DISCUSSION AND FIRST READING – JANUARY 10, 2022

**FEE - Site Acquisition**

Issued 2/14

---

Purpose: To establish the basic structure for the acquisition of sites for school construction.

The board believes it is appropriate and necessary to identify and acquire land in a formalized manner to assure the most advantageous pieces of real estate are obtained for School District Five of Lexington and Richland Counties.

The board will charge the district administration to begin the selection process. The district administration will do the following.

- Establish parameters for selection.
  - Analyze attendance zones, **existing capacity, and forecasted enrollment** to determine general location boundaries.
  - Determine range of acreage requirements (typically based on state guidelines)

The board believes that properly located schools lie within reasonable travel distance of the neighborhoods they serve. The district administration will do the following.

- Identify and evaluate potential sites.
  - Collect preliminary data on each potential site that includes the following items (these items should be readily available and at little or no cost).
    - location (address, city, zip code, county)
    - tax map, block and lot number
    - current ownership
    - size and shape (get recorded plat from county)
    - percentage wooded
    - accessibility
    - road frontage
    - topography variation estimate
    - any improvements (size, age and condition)
    - photographs at street level and aerial photos (to include a copy of the US Geological Survey (USGS) topographic map of the site)
    - Natural Resources Conservation Service (NRCS) soils survey map
    - water and sewer provider and proximity to site
    - asking price for whole tract
    - asking price for subdivision of parts of tract
    - most recent traffic count of cars per day on each road that the property fronts

- flood zone determination (obtain from the district insurance agent)
- copy of the current zoning map and applicable zoning text
- historical environmental reports from seller, if available
- Retain a licensed ~~R~~realtor **approved by the board** to represent the district as a buyer, if necessary.
- Eliminate unsuitable sites leaving ~~three two~~ to ~~four-five~~ final sites.
- **Following the elimination of unsuitable sites, the Superintendent is authorized to exercise options as needed to protect the district's financial interest in any of the final sites to be brought to the board.**
- Perform technical evaluation and comparative analysis (~~two~~ three to ~~four~~ five sites). Consider the following.
  - development cost (on and off site costs), **including sewer and water**
  - ~~political implications~~
  - campus safety
  - **Community input and concerns**
  - environmentally ~~ly sensitive~~ conditions (if any)
  - letter from the applicable zoning authority that the intended use is permitted, out right, without special exception and, if not, procedure necessary for obtaining approval
  - highway department immediate and future plans for changes/ improvements near the prospective site
  - **Zoning and all county and municipality laws and restrictions, including but not limited to required set-backs and road access**

Difficulties of site acquisition, problems arising from land use, residential development and the configuration of city boundaries make the precise spacing of school facilities difficult if not impossible. However, the board will make the most appropriate site selection based on general location, usability and price. District administration will do the following.

- Perform final site selection.
  - Provide site recommendation to board, **including the preliminary technical evaluation above and any and all concerns known to the district, Realtor and seller.**
  - Obtain "contingent" board approval **for a** "Letter of Intent to Purchase" sent to the seller. This is to be followed by a "Purchase and Sale Agreement" (consider requesting a "First Right of Refusal" on contiguous land owned by the seller. Also, request that cost of plat and topographic survey be credited towards the purchase price at closing). **All such agreements must include a clause allowing the district to cancel the sale, with full refund of all monies paid to the seller and Realtor, if at any point prior to construction, all necessary permits to construct a school, including but not limited to zoning, water and sewer or road access are not received by the district.**



- Perform "contingent" technical evaluation.

**--With board approval, contract with a board approved licensed engineer or architect Professional, to provide a final recommendation regarding the site evaluation, including any and all issues which may arise with the proposed site.**

-- Obtain plat and all available topographic survey information. Request copy from seller of previous plat if available.

-- Obtain title search (request copies of seller's policy and provide to the attorney performing title work).

-- Perform wetlands assessment.

-- Perform geotechnical testing to determine soil suitability and for soil management purposes.

-- Phase I Environmental Study

--- Request copy(s) of any environmental surveys that may have been previously performed for the site.

--- *If a* suitable site assessment is not available, select an environmental firm for the district and perform a Phase I environmental study.

--- *In* the event the Phase I report indicates any areas of concern that require sub-surface investigation (Phase II and/or Phase III), get written authorization from the seller with the proposed scope of work from the environmental engineer attached before work is done.

--- After receiving a clean environmental report, hire a South Carolina State Certified General Real Estate Appraiser to represent the district. Request the selected appraiser provide a full, self-contained narrative appraisal report (be sure to specify the number of original reports needed in the final engagement letter). Provide the appraiser with all previously collected data on the selected site and other third party reports and plat.

--- Obtain department of education approval.

--- Obtain "final" board approval.

Just prior to acquisition of the land, add the proposed site to the district's commercial general liability policy.

**Because population and enrollment forecasts change over time, sewer and water permits are not indefinite and zoning, transportation and other applicable requirements can change, the district will not purchase land unless a specific need for replacement or expansion in a particular enrollment zone has been approved by the board as part of the Five-Year Master Facilities Plan per policy FB.**

The district administration will purchase the approved site **only after receiving approval from the Board.**

~~**Whenever possible, the board will acquire school sites long before they are needed. Such a policy will permit a better choice of site at acreage rather than lot prices and will reduce the need for costly demolition of residential or other structures.**~~

Adopted 5/19/03; Revised 2/10/14

## Policy DI/DIE Fiscal Accounting/Audits

Issued 6/07

Purpose: To establish the basic structure for accounting for and reporting of the district's financial resources.

The district accounting system will provide an accurate record of financial transactions. The superintendent will maintain accounting procedures adequate to properly record all financial transactions in accordance with the **Financial Accounting Handbook** developed by the South Carolina State Department of Education.

The superintendent is ultimately responsible for receiving and properly accounting for all funds of the district.

The superintendent will present the board with monthly financial statements of revenue and expenditures including budgeted amounts which reflect the financial operations of the district.

In accordance with state law and regulation, all financial records and program funds of the district will be audited following the close of each fiscal year.

The board will contract with an independent certified public accountant to conduct the annual audit. The district will forward a copy of appropriate audited financial statements to the state department and other state or federal agencies as required by applicable state law or regulations.

An internal financial review of accounting procedures and expenditure records will be conducted for all schools on a two-year cycle by the finance office.

Adopted 2/24/69; Revised 3/29/81, 4/28/86, 6/25/07

### Legal references:

S.C. Code, 1976, as amended:

[Section 59-17-100](#) - Districts to provide state department of education with copies of audit reports.

[Section 59-13-60](#) - Spending priority; audits; reports; Education Finance Review Committee.

[Section 59-20-60](#) - Audit requirements of the Education Finance Act.

[Section 59-20-80](#) - School budgets will be made public; itemization of salaries.

### State Board of Education Regulations:

[R-43-172](#) - Accounting and reporting.

[R-43-231](#) - Defined program grades K-five.

[R-43-234](#) - Defined program, grades 9-12.

School District Five of Lexington and Richland Counties



DISCUSSION AND FIRST READING – JANUARY 10, 2022

**DI/DIE - Fiscal Accounting/Audits**

Issued 6/07

---

Purpose: To establish the basic structure for accounting for and reporting of the district's financial resources.

The district accounting system will provide an accurate record of financial transactions. The superintendent will maintain accounting procedures adequate to properly record all financial transactions in accordance with the **most current Financial Accounting Handbook** developed by the South Carolina State Department of Education.

The superintendent is ultimately responsible for receiving and properly accounting for all funds of the district.

The superintendent **or designee** will present the board with monthly financial statements of revenue and expenditures including budgeted amounts which reflect the financial operations of the district.

In accordance with state law and regulation, all financial records and program funds of the district will be audited following the close of each fiscal year.

The board will contract with an independent certified public accountant to conduct **an the annual financial audit and a purchasing audit to be conducted a minimum of every three years, covering the preceding years. The financial audits and purchasing audits will comply with all state laws and regulation audit standards.**

**In addition, purchasing audits will require the auditing of all payments of more than \$50,000 total in any fiscal year to any vendor to ensure the Procurement Code was followed with respect to contracting and payments. This includes payments of all types, regardless of the funds used for such payments and regardless whether purchase orders were used. These requirements will be included in all Requests for Proposals and all proposed contracts for Purchasing Audit Services.**

The district will forward a copy of appropriate audited financial statements to the state department and other state or federal agencies as required by applicable state law or regulations. **The full audit reports, including all notes and schedules as provided to the district, will be provided to the board at the first regularly-scheduled board meeting after receipt of the final audit results. The administration will recommend to the board any policy, process or procedure changes necessary to remediate any deficiencies found as a result of audits.**

An internal financial review of accounting procedures and expenditure records will be conducted for all schools on a two-year cycle by the finance office.

Adopted 2/24/69; Revised 3/29/81, 4/28/86, 6/25/07

Legal references:

S.C. Code, 1976, as amended:

[Section 59-17-100](#) - Districts to provide state department of education with copies of audit reports. [Section 59-13-60](#) - Spending priority; audits; reports; Education Finance Review Committee. [Section 59-20-60](#) - Audit requirements of the Education Finance Act. [Section 59-20-80](#) - School budgets will be made public; itemization of salaries.

State Board of Education Regulations:

[R-43-172](#) - Accounting and reporting.  
[R-43-231](#) - Defined program grades K-five.  
[R-43-234](#) - Defined program, grades 9-12.

## Policy BCA Board Member Code of Ethics

Issued 1/06

Purpose: To establish the basic structure for ethical board conduct.

The public schools play a vital and important role in our state and country by providing the basic foundation for democratic living and for sustaining the American way of life. Therefore, school board membership represents a challenging responsibility. This code of ethics is adopted by the board as a guide to its members as they strive to render effective and efficient service to their community.

A board member should honor the critical responsibilities that his/her membership demands by doing the following:

- thinking always in terms of "children first"
- understanding that the basic function of a school board is policymaking, not administration, and by accepting the responsibility of learning to discriminate intelligently between these two functions
- accepting the responsibility along with his/her fellow board members of ensuring that optimal facilities and resources are provided for the proper functioning of schools
- refusing to play politics in either the traditional partisan or any petty sense
- representing, at all times, the entire school district
- accepting the responsibility of becoming well informed concerning the duties of board members and the proper functions of public schools
- recognizing responsibility as a state official to seek the improvement of education throughout the state

A board member should respect his/her relationships with other members of the board by doing the following:

- recognizing that authority rests only with the board in official meetings and that the individual member has no legal status to bind the board outside of such meetings
- recognizing the integrity of his/her predecessors and associates and the merit of their work
- refusing to make statements or promises as to how he/she will vote on any matter which should properly come before the board as a whole
- making decisions only after all facts bearing on a question have been presented and discussed
- respecting the opinion of others and graciously conforming to the principle of majority rule
- refusing to participate in irregular meetings such as secret or "star chamber" meetings which are not official and which all members do not have the opportunity to attend
- maintaining the confidentiality of matters discussed in executive session

A board member should maintain desirable relations with the superintendent of schools and his/her staff by doing the following:

- striving to procure, when a vacancy exists, the best professional leader available for the head administrative post
- giving the superintendent full administrative authority for properly discharging his/her professional duties and holding him/her responsible for acceptable results
- acting only upon the recommendation of the superintendent in matters of employment or dismissal of school personnel
- having the superintendent present at all meetings of the board except when his/her contract and salary are under consideration
- referring all complaints to the superintendent and discussing them only at a regular meeting if a failure to arrive at an administrative solution occurs
- striving to provide adequate safeguards around the superintendent and other staff members to the end that they can live happily and comfortably in the community and discharge their educational functions on a thoroughly professional basis

- presenting personal criticisms of any employee directly to the superintendent

Adopted 2/24/69; Revised 1/9/06

Legal references:

School board members are under the jurisdiction of the " Ethics, Government Accountability and Campaign Reform Act," Section 8-13-100, *et seq.*, S.C. Code, and are subject to rules of conduct of the statute.

School District Five of Lexington and Richland Counties

DISCUSSION AND FIRST READING – JANUARY 10, 2022

BCA – BOARD MEMBER CODE OF ETHICS

Issued 1/06

---

Purpose: **The Board and its members will conduct themselves lawfully with integrity and high ethical standards in order to model the behaviors expected of staff and students and to build public confidence and credibility. To establish the basic structure for ethical board conduct. The public schools play a vital and important role in our state and country by providing the basic foundation for democratic living and for sustaining the American way of life. Therefore, school board membership represents a challenging responsibility.** This code of ethics is adopted by the board as a guide to its members as they strive to render effective and efficient service to their community.

A board member should honor the critical responsibilities that his/her membership demands by doing the following:

- thinking always in terms of "children first"
- understanding that the basic function of a school board is policymaking, not administration, and by accepting the responsibility of learning to discriminate intelligently between these two functions
- accepting the responsibility along with his/her fellow board members of ensuring that optimal facilities and resources are provided for the proper functioning of schools
- refusing to play politics in either the traditional partisan or any petty sense
- representing, at all times, the entire school district
- accepting the responsibility of becoming well informed concerning the duties of board members and the proper functions of public schools
- recognizing responsibility as a state official to seek the improvement of education throughout the state

A board member should respect his/her relationships with other members of the board by doing the following:

- recognizing that authority rests only with the board in official meetings and that the individual member has no legal status to bind the board outside of such meetings
- recognizing the integrity of his/her predecessors and associates and the merit of their work
- refusing to make statements or promises as to how he/she will vote on any matter **in which the board is presiding in a quasi-judicial capacity and in** which **the matter** should properly come before the board as a whole
- making decisions only after all facts bearing on a question have been presented and discussed
- respecting the opinion of others and graciously conforming to the principle of majority rule
- refusing to participate in irregular meetings such as secret or "star chamber" meetings which are not official and which all members do not have the opportunity to attend
- maintaining the confidentiality of matters discussed in executive session

A board member should maintain desirable relations with the superintendent of schools and his/her staff by doing the following:



- striving to procure, when a vacancy exists, the best professional leader available for the head administrative post
- 
- giving the superintendent full administrative authority for properly discharging his/her professional duties and holding him/her responsible for acceptable results
- acting only upon the recommendation of the superintendent in matters of employment or dismissal of school personnel
- having the superintendent **or his designee** present at all meetings of the board except when his/her contract and salary are under consideration
- referring all complaints to the superintendent and discussing them only at a regular meeting if a failure to arrive at an administrative solution occurs
- striving to provide adequate safeguards around the superintendent and other staff members to the end that they can live happily and comfortably in the community and discharge their educational functions on a thoroughly professional basis
- presenting personal criticisms of any employee directly to the superintendent

Adopted 2/24/69; Revised 1/9/06

Legal references:

School board members are under the jurisdiction of the " Ethics, Government Accountability and Campaign Reform Act," Section 8-13-100, et seq., S.C. Code, and are subject to rules of conduct of the statute.

School District Five of Lexington and Richland Counties

## Policy BCB Board Member Conflict of Interest

Issued 12/09

Purpose: To establish the basic structure for determining board member conflict of interest.

A trustee may provide services or sell products to the district where he/she is a board member provided all transactions are in accordance with the State Ethics Act (see policy [BCA](#)).

If, in the discharge of official responsibilities, the board member is required to take an action or make a decision which affects his/her economic interest or the economic interest of a member of his/her immediate family or an individual with whom he/she is associated, the board member must prepare a written statement outlining the conflict and give it to the chairman of the board. The board member must also be excused from deliberating or voting on the matter. The minutes of the meeting should reflect the disqualification and reasons for it.

The board member may vote on matters where he/she has no greater interest than does any other member of the class to which the board member belongs. For example, a board member may vote on a budget that includes salaries of all employees, even if the board member has a family member employed by the district. However, the board member may not vote on the contract of the family member.

The State Ethics Act provides that a public official may not have an economic interest in a contract with the district if the official is authorized to perform an official function relating to the contract. The law defines official function to include accepting bids and awarding contracts.

A board member may not participate in an action relating to the discipline of his/her family member.

A board member may not receive pay as a teacher of a public school that is located in the same school district where such person is a trustee.

A board member will not be employed by the district. This does not apply to a board member's service as a trustee.

### Nepotism

South Carolina law [Section 59-25-10](#) provides that no board member's immediate family member may be employed as a teacher without the written consent of the board of trustees.

No employee who is an immediate family member (spouse, parent, child, sibling) of a board member/superintendent is eligible for position promotion during the tenure of such board member/superintendent.

When a board member's immediate family member is being recommended for any position in the district, the board member will disclose this to the other board members and recuse him/herself from the vote to hire that employee.

An individual who is a candidate for employment in the district will, upon offer of employment, disclose that he/she has an immediate family member who is an employee of the district.

The district will not place an employee in a position wherein an employee will exercise **direct** administrative or supervisory authority over a member of his/her immediate family. Supervisory authority includes principal and assistant principal in a school. Neither a board member nor an employee may participate in an action relating to the discipline of his/her immediate family member. This rule applies to all levels and categories of certified, administrative and support staff employees in the school district.

This prohibition of employment and/or promotion does not apply to individuals employed and/or promoted prior to the passage of this policy.

Adopted 8/1/73; Revised 11/16/81, 4/6/92, 1/9/06, 12/14/09

Legal references:

S.C. Constitution:

[Article XVII](#), Section 1A - Dual office holding prohibited.

S.C. Code, 1976, as amended:

[Section 8-13](#)-100, *et seq.* - State Ethics Act.

[Section 59-19](#)-300 - Prohibits receiving pay as teacher in same district where serving on board.

[Section 59-25](#)-10 - Prohibits board from employing members of immediate family, with exceptions.

[Section 59-31](#)-590 - Prohibits service as agent of school book publisher.

[Section 59-69](#)-260 - Authorizes board member to provide services or sell products to the district...so long as these transactions are in accordance with state ethical provision of law.

School District Five of Lexington and Richland Counties



DISCUSSION AND FIRST READING – JANUARY 10, 2022

BCB - BOARD MEMBER CONFLICT OF INTEREST

Issued 12/09

---

~~Purpose: To establish the basic structure for determining board member conflict of interest.~~

~~A trustee may provide services or sell products to the district where he/she is a board member provided all transactions are in accordance with the State Ethics Act (see policy BCA).~~

Board members are required to disclose any potential conflict of interest to the board. A board member with a personal or private interest in a matter proposed or pending before the board will disclose such interest to the board, will not deliberate on the matter, will not vote on the matter, and will not attempt to influence other members of the board regarding the matter.

If, in the discharge of official responsibilities, the board member is required to take action or make a decision which affects his/her economic interest or the economic interest of a family member or an individual **or business** with whom he/she is associated, the board member must prepare a written statement outlining the conflict and give it to the chairman of the board. ~~The board member must also be excused from deliberating or voting on the matter.~~ The minutes of the meeting should reflect the ~~disqualification and reasons for it~~ **nature of the conflict and the board member's recusal.**

The board member may vote on matters where he/she has no greater interest than does any other member of the board. For example, a board member may vote on a budget that includes salaries of all **employees staff members**, even if the board member has a family member employed by the district. However, the board member may not vote on the contract of the family member.

The **S.C. Ethics, Government Accountability, and Campaign Reform Act ("Ethics Act")** provides that a public official may not have an economic interest in a contract with the district if the official is authorized to perform an official function relating to the contract. The law defines official function to include accepting bids and awarding contracts.

**A board member may provide services or sell products to the district in which he/she serves, provided any such all transactions are in compliance accordance with the State Ethics Act and the board member recuses him/herself is-excluded from deliberating or voting on the matter.**

A board member may not participate in an action relating to the discipline of his/her family member.

~~A board member may not receive pay as a teacher of a public school that is located in the same school district where such person is a trustee.~~

~~A board member will not be employed by the district. This does not apply to a board member's service as a trustee.~~

Nepotism

~~South Carolina law Section 59-25-10 provides that~~ no ~~board member's~~ immediate family member **of a board member** will be **newly** employed as a teacher **or as an administrator without the written consent approval of the board.**



## PAGE 2 - BCB - BOARD MEMBER CONFLICT OF INTEREST

~~No employee who is an immediate family member (spouse, parent, child, sibling) of a board member/superintendent is eligible for position promotion during the tenure of such board member/superintendent.~~

When a board member's **immediate** family member is being recommended for any position in the district, the board member will disclose this to the other board members and recuse him/herself from the vote to hire that employee.

~~An individual who is a candidate for employment in the district will, upon offer of employment, disclose that he/she has an immediate family member who is an employee of the district.~~

~~The district will not place an employee in a position wherein an employee will exercise direct administrative or supervisory authority over a member of his/her immediate family. Supervisory authority includes principal and assistant principal in a school.~~ Neither a board member nor an employee may participate in an action relating to the discipline of his/her **immediate** family member. This rule applies to all levels and categories of certified, administrative and support staff employees in the school district.

~~This prohibition of employment and/or promotion does not apply to individuals employed and/or promoted prior to the passage of this policy.~~

This does not apply to teachers or administrators employed before his/her family member became a member of the board.

"Family Member" for purposes of this policy means an individual who is a spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent or grandchild.

### Employment and Volunteering Prohibited

A board member may not receive pay as a teacher of a public school, or otherwise be employed, in the same district where he/she serves. This includes employment handled through third party entities such as temporary agencies that place substitute teachers. A board member is not permitted to serve in a ~~volunteer~~ position in the district ~~whereas~~ he/she would have responsibility for a curricular, co-curricular, extracurricular program or activity, or students and would report directly to the superintendent, principal, athletic director, or other school administrator.

### Other Conflicts of Interest

In carrying out his/her duties, a board member will not do the following:

- perform an official act which directly and substantially confers an economic benefit on a business or other undertaking in which he/she has a substantial financial interest or in which he/she is engaged as a counsel, consultant, representative, or agent
- accept a gift of substantial value, or substantial economic benefit tantamount to a gift of substantial value, as a payment or reward for official action taken or advice and assistance given
- disclose or use confidential information acquired in the course of official duties for personal financial gain, which includes, but is not limited to, economic gain for family members, associates, or business interests
- employ or promote a family member to a position which the board member supervises or manages (i.e. superintendent)

## PAGE 3 - BCB - BOARD MEMBER CONFLICT OF INTEREST

- participate in an action relating to the discipline of a family member
- accept anything of value for speaking before a public or private group as a board member
- neglect to annually submit a statement of economic interest to the South Carolina Ethics Commission
- special treatment should not be considered for family members of a board member in any school or personnel matter

It will not be considered a breach of ethics for a board member to receive the following:

- an occasional non-pecuniary gift which is insignificant in value
- a non-pecuniary award publicly presented in recognition of public service
- payment or reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a speaking engagement, convention, or other meeting at which he/she is scheduled to participate
- a benefit as an indirect consequence of transacting district business

Each board member will be knowledgeable of and comply with these and all other applicable provisions of the S.C. Ethics, Government Accountability, and Campaign Reform Act.

Adopted 8/1/73; Revised 11/16/81, 4/6/92, 1/9/06, 12/14/09, ^

---

### Legal References:

#### A. S.C. Constitution:

1. Article XVII, Section 1A - Dual office holding prohibited.

#### B. S.C. Code of Laws, 1976, as amended:

1. Section 8-13-100, *et seq.* - **Ethics, Government Accountability, and Campaign Reform Act.**
2. Section 59-19-300 - Prohibits receiving pay as teacher in same district where serving on board.
3. Section 59-25-10 - Prohibits board from employing members of immediate family as a teacher, with exceptions.
4. Section 59-31-590 - Prohibits service as agent of school book publisher.
5. Section 59-69-260 - Authorizes board members to provide services or sell products to the district so long as these transactions are in accordance with state ethical provision of law.

#### C. Attorney General's Opinion:

1. **Op. S.C. Att'y Gen., 2016 WL 386066 (January 5, 2016) A master-servant conflict would arise if a board member were to serve as the head or assistant coach, even on a volunteer basis, and as a trustee of the board in the same district.**