Minutes/February 28, 2022

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, 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 February 28, 2022, board meeting.

Chair Hammond called the meeting to order and gave welcoming remarks.

Jan Hammond, Board Chair of the Board of Trustees, gave the Invocation and Pledge of Allegiance.

The Board conducted the School Board Spotlight.

During the Superintendent's Report, Dr. Ross presented updates on Safety and Security in our Schools, and Public Concerns and Complaints About Instructional Resources. Also, during the Superintendent's Report, Mr. Vann Holden presented an update on the COVID-19 Dashboard; and Mrs. Marty Rawls presented Monthly Financial Reports (Exhibit G).

During the public participation Todd Grosh spoke about communication between Superintendent Spearman and our District, books/materials and breaking laws.

The Board presented for discussion:

- Spring Bond Issuance (Exhibit H)
- Discussion of Potential Salary Study (Exhibit K)
- Discussion and First Reading of Proposed Revisions of Board Policy GCB "Professional Staff Contacts and Compensation" (Exhibit M)

- Discussion and First Reading of Proposed Revisions to Board Policy GDB "Support Staff Compensation" (Exhibit N)

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

Record of Voting

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of February 28, 2022

	BLACKBURN HINES S	GARDNER	HAMMOND	HOGAN	HUDDLE	LOVELESS	MOORE
1. M. Huddle S. Loveless Approve the agenda.							
M. Loveless S. Huddle	X	X	X	X	X	X	X
I make the motion that the Board deletes Executive Session Item 5(c.) (Legal advice regarding implications of Board Policy BC "Board Member Code of Conduct") from tonight's agenda.							
Vote on original motion.	X	X	X	X	X	X	X
2. M. Loveless S. Gardner	X	X	X	X	X	X	X
I make the motion to enter executive session to consider the following: a.) Selected employment items (Exhibit A) (Action); b.) Selected employment items (Exhibit B) (Information Only); c.) Receipt of legal advice regarding latent roof defects; d.) Contractual matter regarding the purchase of property (Exhibit C); e.) Receipt of confidential real estate appraisal information on the District Office property (Exhibit D); f.) Contractual matter regarding third-party inspections at Piney Woods Elementary School (Exhibit E); and g.) Contractual matter regarding the construction of Chapin High School stadium (Exhibit F).							
3. M. Gardner S. Huddle	N	X	X	N	X	X	N
I move that we send the following letter to Governor Henry McMaster and Superintendent Molly Spearman regarding a letter Superintendent Spearman sent to Trustee Blackburn							

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	BLACKBURN HINES	GARDNER	HAMMOND	HOGAN	HUDDLE	LOVELESS	MOORE
Hines on February 8, 2022 in response to a request Mrs. Blackburn Hines sent on School Board letterhead to Governor McMaster and Superintendent Spearman on February 4, 2022. *** Dear Ms. Spearman, We have received a copy of the attached letter that Trustee Blackburn Hines sent you on February 4, 2022 on our Board of Trustees letterhead and signed as "In Service to the District 5 Community, Rebecca Blackburn Hines, Board Trustee". We are also in receipt of the attached response from you to Ms. Blackburn Hines dated February 8, 2022. The letter from Ms. Blackburn Hines was never discussed nor agreed to by this board. In fact, most board members and our board chair were completely unaware that she was sending the letter and only became aware of her letter after your response was received. Per our board policies BB "All powers of the board lie in its action as a body. Board members acting as individuals have no authority over personnel or school affairs." and BDD board members will "function only as a board and not as individuals". In addition, the SCSBA Code of Ethics, to which all Trustees have agreed, states "As a school board member in South Carolina, I pledge my efforts to improve public education in my community and will solemnly try to take no individual action which would compromise the integrity of the board or administration". In addition, South Carolina law does not vest any authority in individual Trustees to act on their own on behalf of a school district. Ms. Blackburn Hines misrepresented our Superintendent's comments regarding this matter. During discussion at our 1/24/22 board meeting Dr. Ross referenced the Island Trees School District v. Pico case and the need to follow our policy for review of library materials. This meeting occurred the day before the 1/25/22 memorandum regarding best practices model policy for SBE Library Materials from Katie Nilges. In the Irmo News on 2/4/222 Dr. Ross							

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	BLACKBURN HINES	GARDNER	HAMMOND	HOGAN	HUDDLE	LOVELESS	MOORE
stated "The graphic sexual content caused me to ask the book to be pulled, but it was not. It was not supposed to be. The Supreme Court decided in 1982, in the Island Trees School District v. Pico case, that local school boards may not remove books from school libraries simply because they dislike the ideas contained in the book. **However, books can be removed when two review committees review the book and determine it is not educationally suitable for students.**" (https://thenewirmonews.com/in-our-schools/). Ms. Blackburn-Hines omitted this sentence in her letter to you. To-date the only objection our superintendent has received from Mrs. Blackburn Hines was made during November 2021. It referenced a textbook which is also not in use in our district. She did not inform the rest of the board as to her objections. She took the liberty to demand the removal all on her own. Textbook approval, of course, is a completely different matter from that of a library book and by law, the board, not an individual board member, has responsibility for textbook approval. It is disappointing that erroneous assertions by one board member led you to conclude that "Based on the timeline of events and the information provided to districts, it is clear District Five's Board and administration failed to do its job by properly vetting the obscene materials in question even after the state very publicly encouraged them to do so". We hope that by the timeline and facts presented in this letter, you now know that our board and administration followed our policy (one very similar to the model policy proposed on 1/25/22) and the book questioned by Governor McMaster was never in our libraries and was not mentioned by parents at the 1/24/22 board meeting. Our administration, exactly like the one before it, followed our policies ILJ and KEC. Our administration also followed the legal advice of our attorneys regarding district policy and Island Trees School District v. Pico. As such, our board and administration have properly followed policy and we have done our job. You are always welcome to contact our Board Chair, Jan Hammond, and we are sure Superintendent Ross also would welcome questions.							

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Our board does not support inappropriate content in our libraries; but we also recognize the need to follow policy and the law. We will certainly review our current policies in light of SCDOE's 1/25/22 memorandum and recommended model policy. As previously noted, our current policies are already substantially similar to our the model policy your department has proposed, including requiring a complaint form and committee review. In summary, our board fully supports the handling of this matter by our superintendent and administration. Sincerely, The Trustees of School District Five of Lexington and Richland Counties via a motion adopted by the board at its regular meeting on February 28, 2022.							
4. M. Loveless S. Huddle I make the motion that we approve the minutes of the February 7, 2022 board meeting.	X	X	X	X	X	X	X
5. M. Huddle S. Gardner I move that we accept the selected employment items per Exhibit A.	X	X	X	X	X	X	X
6. M. Hogan S. Huddle I make a motion that the Board approve the contract with Edcon and execute the contract with Edcon for renovations of the stadium at Chapin High School.	X	X	X	X	X	X	X
7. M. Huddle S. Gardner I move that we have the Superintendent move to gain access	X	X	X	X	X	X	X

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		BLACKBURN HINES	GARDNER	HAMMOND	HOGAN	HUDDLE	LOVELESS	MOORE
	via thoroughfare to S-40-80 / a/k/a Shady Grove Road from the proposed new District Office site including required access and improvements for the District Office to utilize.							
8.	M. Huddle S. Loveless I move to censure Trustee Rebecca Blackburn Hines. Board Policy BE states "Roberts Rules of Order will govern all matters not covered by the rules of the Board." Per chapter 72 of Roberts Rules of Order "A deliberative assembly has the inherent right to make and enforce its own laws and punish an offender," Further, SC law 59-19-60, as interpreted by our Attorney General, provides school boards the ability to censure a trustee. As such, I move that we censure Trustee Blackburn Hines for violation of: 1) Board Policy BB "School Board Legal Status" which states "All powers of the board lie in its actions as a body. Board members acting as individuals have no authority over personnel or school affairs"; 2) Board Policy BDD "Board-Superintendent Relationship" which states board members will "function only as a board and not as individuals"; 3) The SCSBA Code of Ethics which states "As a school board member in South Carolina, I pledge my efforts to improve public education in my community and will solemnly try to take no individual action which would compromise the integrity of the board or administration"; 4) Board Policy BCA "Board Member Code of Ethics," which states "A board member should honor the critical responsibilities that his/her membership demands by doing the following: refusing to play politics in either the traditional partisan or any petty sense." Specifically, Ms. Blackburn Hines, violated the SCSBA Code of Ethics and the above noted board policies through the following actions: At the 1/24/22 board meeting she stated	N	X	N	N	X	X	N

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"Dr. Ross we had a conversation this weekend and I expressed concern that there was a book in Irmo High School". Her intent became clear when, in the same meeting, she reprimanded him in public session for not following her demands to remove a book from the library with the words "you said it would be addressed first thing this morning and it's still in the Irmo High School library". She unilaterally directed the superintendent to act and encouraged him to violate board policy KEC. On 2/4/22 she sent a letter to the SC Superintendent, on board letterhead, critical of our superintendent without the knowledge, advice or consent of other board members and signed the letter as a trustee. This letter initiated an uninformed reply critical of our administration which was published on the front page of a local newspaper. Through her actions, Ms. Blackburn Hines has caused irreparable harm to the school district and its superintendent. In addition to this public reprimand, Mrs. Blackburn Hines shall be barred from serving as a committee chair or an executive officer of the board. If we don't acknowledge and censure a board member who disregards the trust placed in them by our superintendent, staff, students, and fellow board members, future boards will not be trusted by our community and other board members will be free to similarly disregard board policies.							
9. M. Gardner S. Moore I move that we approve the revised draft of the 2022-2023 School Calendar (Exhibit I).	X	X	X	X	X	X	X
10. M. Loveless S. Hogan I would like to make a motion that we approve the 2022-2023 Board Meeting Schedule as shown in Exhibit J.	X	X	X	X	X	X	X

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	BLACKBURN HINES	GARDNER	HAMMOND	HOGAN	HUDDLE	LOVELESS	MOORE
11. M. Loveless S. Huddle I would like to make a motion that we direct administration to proceed with an RFP for a Potential Salary Study, and that the administration brings the results back to the Board for approval (Exhibit K).	X	X	X	X	X	X	X
12. M. Loveless S. Huddle I move that we defer agenda items #21 and #24 to our next scheduled board meeting (Exhibit L & Exhibit O).	X	X	X	X	X	X	X
13. M. Gardner S. Huddle I move that we approve First Reading proposed revisions to Board Policy GCB "Professional Staff Contracts and Compensation" as shown in (Exhibit M).	X	X	X	X	X	X	X
14. M. Gardner S. Huddle I move that we approve First Reading of proposed revisions to Board Policy GDB "Support Staff Compensation" as shown in (Exhibit N).	X	X	X	X	X	X	X
15. M. Hogan S. Blackburn Hines Adjourn at 9:59 p.m.	X	X	X	X	X	X	X

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February 18, 2022

Attachment #1 is included with the minutes of the 2-22-22 meeting, at the request of Board member Cathy Huddle 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.

The Honorable Molly Spearman
South Carolina Department of Education
1429 Senate Street
Columbia, South Carolina 29201

Dear Superintendent Spearman:

I am writing in response to your letter dated February 8, 2022, addressed to Rebecca Blackburn Hines, a member of the School District Five of Lexington and Richland Counties Board of Trustees. Though your letter directly criticizes my actions as Superintendent as the result of your apparent misunderstanding about how this District has handled public complaints about books contained in District Five media centers, you did not copy me on your letter.

I specifically directed principals to determine whether the book that was the subject of Governor McMaster's November 10, 2021, letter was in any of our schools. A second verification of the book in question, *Gender Queer*: *A Memoir* authored by Maia Kobabe found that the book is not and has never been in a District Five Library. I have a statement from our Coordinator of Instructional Technology, Instructional Technology Specialist, and Lead Librarians for both Secondary and Elementary levels verifying this book was never in circulation in our district. Significantly and contrary to your assertion, the book *Gender Queer: A Memoir* was <u>not</u> discussed during the January 24th, 2022, School District Five Board of Trustees meeting.

Please be advised that, following my receipt of the information provided by the Department in November 2021, I immediately began discussing the issue of controversial materials in school libraries with the District's building principals and District administrators.

As part of those meetings in November and December 2021, I also reviewed with principals the process outlined in District Five Board Policy KEC and Administrative Rule KEC-R for parents and/or District Five citizens to file a complaint about a specific book. I have enclosed a copy of that Policy and Administrative Rule, which has been in place since 2013, as well as the agendas of those meetings for your information.

A District Five of Lexington and Richland Counties Board meeting was held on January 24, 2022. During the public participation portion of that meeting, several District Five citizens read from sexually explicit portions of a book, *All Boys Aren't Blue*, authored by George Johnson. As I understand from my investigation into the matter, this book was on the shelf at one school, photographed by one student, and returned in less than one minute on January 24th. This book was never "checked out" of the library.

On January 25, 2022, I was contacted by a citizen via email who requested that the following books be removed from the District Five libraries:

1. All Boys Aren't Blue - George Johnson
2. Eleanor & Park - Rainbow Rowell
3. Monday's Not Coming - Tiffany D. Jackson
4. Me and Earl and the Dying Girl - Jesse Andrews
5. Dreaming in Cuban - Christina Garcia

I informed the citizen of Board Policy KEC "Public Concerns and Complaints about Instructional Resources" and provided the Complaint Form that must be used to file a formal complaint about instructional resources. I followed the same steps with a second citizen who emailed me requesting that I remove the same five books on February 1, 2022. To date, I have not received a complaint form for any book. Consequently and in accordance with Board Policy/Administrative Rule KEC/KEC-R, the books are currently in the library. If any book is ultimately determined "educationally unsuitable" for students as the result of a formal complaint and the two-step review process, the book may be removed. Our two-step review process is in line with the Model Policy for Library/Media Center Materials and Reconsideration Process your office released in the January 25th, 2022 Memoranda.

I explained our two-step process to the School District Five Board of Trustees via email on January 25th, 2022, and to the community in the Irmo News and Lake Murray News on Feb 2, 2022. As a result, I was surprised to read the February 4th, 2022, letter from Mrs. Blackburn Hines to you and Governor Henry McMaster which stated, "In a recent local media article, our Superintendent asserted the books in question were appropriately allowed to remain in our school libraries pursuant to U.S. Supreme Court case, Island Trees School District v. Pico." If I was provided the most basic form of due process, I could have shared that Mrs. Blackburn Hines' letter omitted the next sentence in the article which stated, "However, books can be removed when two review committees review the book and determine it is not educationally suitable for students."

Based on the above information, I am requesting you withdraw your letter to Ms. Blackburn Hines as it contains clearly erroneous information and has caused damage to both my reputation and the reputation of School District Five. I appreciate and look forward to your immediate attention to this matter.

Sincerely,

Dr. Akil E. Ross, Sr.
Superintendent

Attachment #2 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Hollis 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.

c: Mrs. Jan Hammond, Board Chair
Mr. Ken Loveless, Board Vice-Chair
Mrs. Nikki Gardner, Board Secretary
Mrs. Rebecca Blackburn Hines, Board Member
Mr. Matt Hogan, Board Member
Mrs. Cathy Huddle, Board Member
Mrs. Tifani Moore, Board Member

Enclosures: Board Policy KEC "Public Concerns And Complaints About Instructional Resources"
Administrative Rule KEC-R "Public Concerns And Complaints About Instructional Resources"
Form KEC-E "Citizen's Request for Review of Education Materials" -
November 17, 2021 Principals and Directors Meeting Agenda
December 1, 2021 Principals and Directors Meeting Agenda
February 2, 2022 Principals and Directors Meeting Agenda
The *Irmo News* Article

Attachment #3 is included with the minutes of the 3-28-22 meeting, at the request of Board member Cathy Huddle 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.

Policy KEC Public Concerns And Complaints About Instructional Resources

Issued 9/13

Purpose: To establish the basic structure for receiving and handling public concerns and complaints about instructional resources.

The board recognizes its responsibility in the matter of selection and provision of instructional materials. Any parent/legal guardian or citizen who resides within the district's boundaries may lodge a complaint against any books or instructional materials being used in the school system.

The complainant must submit criticism of books or other instructional materials in writing to the superintendent using the "Citizens Request for Review of Educational Materials" form KEC-E. Committees will review all complaints (building level and district level) in accordance with approved administrative rule KEC-R.

The board directs that any challenged materials remain in the school pending final action upon the complaint. However, the school may observe the request of a parent/legal guardian that his/her own child not be assigned a specific book or instructional resources.

The superintendent will inform the board of all complaints about instructional materials.

Adopted 3/17/75; Revised 6/7/82, 4/16/90, 9/23/13

Legal references:

S.C. Code, 1976, as amended:

Section 59-19-90(7) - The board of trustees shall control the educational interests of the district.

Case Law:

Board of Education v. Pico, 457 U.S. 853 (1982).

School District Five of Lexington and Richland Counties

Attachment #4 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Hollis 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.

AR KEC-R Public Concerns And Complaints About Instructional Resources

Issued 9/13

Two committees will review all complaints about instructional materials. The principal will name a school level committee. The superintendent will name a district level committee.

The superintendent will submit the written complaint to the appropriate building principal for review by a school level committee. The school level review committee will meet within 10 school days of the receipt of a completed book action request form to consider the complaint. The committee will review the complaint and formulate a recommendation and the principal will send the recommendation to the district level review committee within three days of the school level review committee's decision.

The superintendent will appoint the district level review committee annually. The district level review committee will meet to consider all school level review committee recommendations within 10 school days of their receipt of the school committee's recommendation. As a part of the review process, the committee may invite the complainant to appear before it to discuss the nature of the complaints. Following their review, the district committee will forward a recommendation to the superintendent for review and transmittal to the complainant. The superintendent will have five school days to respond.

The complainant may appeal the committee's decisions in writing through the superintendent to the board. Following notification, the board must respond no later than five school days after the second board meeting.

Instructions to evaluating committees

The board directs the evaluating committees to bear in mind the principles of the freedom to learn and to read. The committees must base their decisions on these principles rather than on defense of individual materials. Freedom of inquiry is vital to education in a democracy.

The committee should study all materials thoroughly and read available reviews. The committee should check the general acceptance of the materials by consulting standard evaluation aids and local holdings in other schools.

The committee must not pull passages or parts out of context. The committee must weigh values and faults against each other and base its opinions on the material as a whole.

Should a committee recommend the removal of a book, the committee's final report must demonstrate that its decision was not intended to remove books to deny students' access to ideas which committee members find to be repugnant. Such an intention would violate Constitutional standards. The committee must further demonstrate that the books in question are not educationally suitable.

The committee report, reflecting the majority opinion, will be given to the complainant at the conclusion of the committee's discussion on the questioned materials. Dissenting committee members must not publically challenge/attack the consensus decision of the entire committee.

The following is the suggested format or outline for report from evaluating committee.

- list of committee members and their positions
- statement ensuring that each committee member read the material in its entirety
- list of review source(s) consulted
- statement of majority opinion

Attachment #5 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Hudle 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.

- committee's final decision

Issued 6/7/82; Revised 8/15/82, 4/16/90, 9/23/13

School District Five of Lexington and Richland Counties

Attachment #6 is included with the minutes of the 3-28-22 meeting, at the request of Board member Cathy Hudson 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.

FILE: KEC-E

CITIZEN'S REQUEST FOR REVIEW OF EDUCATION MATERIALS

Author _____ Type of material _____

Title _____

Publisher or producer _____

Request initiated by _____

Telephone _____ Address _____

City and state _____ ZIP code _____

Do you represent Yourself ___ An organization (name) _____

Other group (name) _____

1. To what in the work do you object? Please be specific. List pages. _____

2. What of value is there in this work? _____

3. What do you feel might be the result of using this material? _____

4. If you did not examine the entire body of this work, why not? _____

5. Are you aware of the judgements of this work by literary critics? _____

6. If the material was obtained from the media center as a result of a class assignment, are you aware of the teacher's purpose for using it? _____

Attachment #7 is included with the minutes of the 3-28-22 meeting, at the request of Board member Cathy Hudgens 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.

7. What do you believe is the theme or purpose of this work? _____

_____

_____

8. What do you prefer the school to do about this material?

_____ Do not assign/lend it to my child.

_____ Re-evaluate this material.

_____ Withdraw it from the use of all students.

Other (Explain) _____

_____

_____

9. In its place, what work would you recommend that would convey as valuable a picture and perspective of the subject treated?

_____

_____

_____

Attachment 8 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Keisler 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.

Principals and Directors Meeting
November 17, 2021
1:00pm - 3:00pm
In-Person: The Center - MPR

Agenda
American Education Week

Interim Superintendent's Office: **Dr. Ross**

1. Welcome
2. Flowchart
    a. Vision, Mission, **Outcomes**, Feedback
3. Board Meeting Update
4. 1st Jobs Initiative
5. Teachers Support Pilot Expectation Coaches

Academics and Administration Office: **Mrs. Miller**

1. Forces Impacting Students 11/3 Results: Table Discussion 11/3 results
    a. What can we do to **limit** the forces that push down against students? Google Form
2. Instructional/Library/Supplemental Materials and Resources
    a. SCDE Memo: Virtual Public Review for Instructional Materials
    b. Policy IJL Library/Media Center Materials Selection and Adoption
    c. Policy IJK Supplementary Materials Selection and Adoption
    d. Policy IJJ Textbook Selection and Adoption
    e. Policy KEC Public Concerns and Complaints about Instructional Resources

Communications Office: **Mrs. Taylor**

1. D5 Celebrations
2. American Education Week
3. District-Wide Weekly Newsletter

Finance Office: **Mrs. Rawls**

1. 2021-2022 Budget
2. 2022-2023 Staffing/Budget Meetings with Principals (Finance & HR)

Human Resources Office: **Dr. Turner**

1. Substitute Data

Attachment #9 is included with the minutes of the 2-22-22 meeting, at the request of Board member Cathy Waddle 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.

Operations Office: **Mr. Bedenbaugh**

1. Dec 1- Deadline for all safety meetings. Please utilize the attached template. Please send safety notes to Carli Rollins. Safety Minutes Template

Student Services and Planning Office **Dr. Harris**

1. Mandatory Drills Reminder

Around the Room **Mrs. Miller**

Attachment #10 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Hudgens 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.

Principals and Directors Meeting
December 1, 2021
1:00pm - 3:00pm
In-Person: The Center - MPR

Agenda

Academics and Administration Office: **Mrs. Miller**

1. Welcome
2. TED Talk from Principal Linda Cliatt-Wayman
    a. Table Discussion: Which slogan was your favorite and why? What resonated most with you and how will it influence your leadership?
    b. Strategic Plan action steps to counter factors that push down against students
3. Board Policy IB - Academic Freedom
    a. AR IB-R Academic Freedom
    b. Table Discussion: What is important to share with faculty and staff? How and when will you do that?
4. Concerts, Field Trips, and the Covid Dashboard

Communications Office: **Mrs. Taylor**

1. D5 Celebrations
    a. Dutch Fork Football at Benedict on Saturday at 5pm

Finance Office: **Mrs. Rawls**

1. 2022-2023 Budget Meetings

Human Resources Office: **Dr. Turner**

1. Policy GDBC Daily Time Records for Support Staff
2. AR GDBC-R Support Staff Overtime Hours

Operations Office: **Mr. Bedenbaugh**

1. Fire Inspections
2. Furniture

Student Services and Planning Office **Dr. Harris**

1. D5 Virtual Calming Room

Around the Room **Mrs. Miller**

Attachment #11 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Haddle 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.

Principals and Directors Meeting
February 2, 2022
1:00pm - 3:00pm
Google Meet

Agenda

Superintendent's Office: **Dr. Ross**

1. Welcome
2. Flowchart
    a. Vision, Mission, **Outcomes**, Feedback
3. Board Meeting Update
    a. Budget Philosophy
    b. Legislative Update
    c. Parents as Primary Stakeholders Resolution
    d. Board Policy KEC "Public Concerns and Complaints about Instructional Resources"
    e. Board Policy KB "Parent Involvement in Education"
    f. Dr. Ross' #1 Priority

Academics and Administration Office: **Mrs. Miller**

1. Supply Chain (Crayola/Dixon)
2. School level review committee (KEC)
3. Academic Trends in District and School
4. Special Education Child Count Data — Angie Slatton
5. Magnet & Choice Application Info and Awards — Sara Wheeler
6. School Spotlight
    a. Master Schedule Ideas (Huckabee)
    b. Admin Show and Recruiting (Norman)
7. Table Talks
    a. Thoughts on Spotlight Items
    b. Ideas for Summit and Nuts and Bolts

Communications Office: **Mrs. Taylor**

1. Celebrations
2. *Island Trees School District v. Pico* Case

Attachment #12 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Heald 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.

Finance Office: **Mrs. Rawls**

1. $50 Fridays - leave - accountability/certification
2. Budgets/Purchase Orders/End of Year Spending

Human Resources Office: **Dr. Turner**

1. Recruitment and Retention

Operations Office: **Mr. Bedenbaugh**

1. Operation Assessments
2. Chromebooks and Smart Board Replacements (Jenny Garris)

Student Services and Planning Office **Dr. Harris**

1. Update on CDC Foundation staff - Contact Tracers
2. Let's Talk! (Social Media Awareness for Students and Parents)

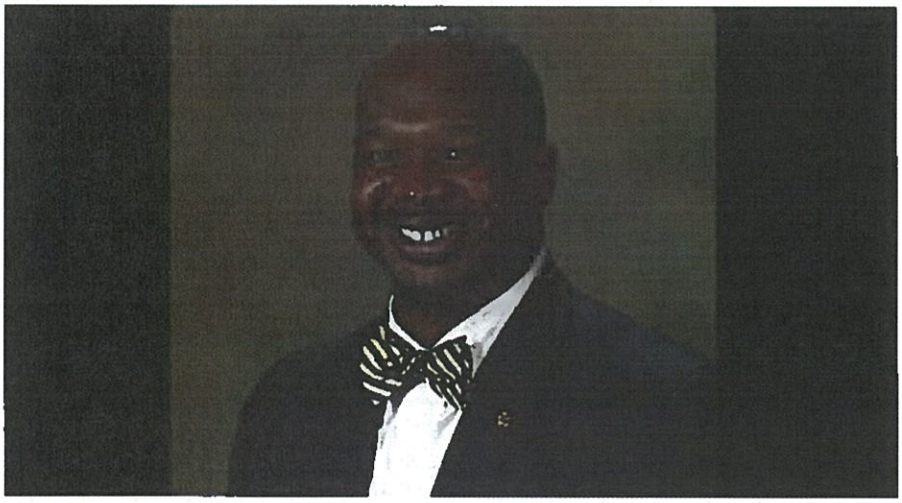
Around the Room **Mrs. Miller**

Attachment #13 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Hudelle 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.

THE NEW
IRMO NEWS
Your Community News... Online







In Our Schools

ON: FEBRUARY 2, 2022 / IN: COLUMNS, EDUCATION

Attachment #14 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Tuddle 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.

Akil E. Ross, Sr, Ed.D.
Superintendent

I am honored to be named superintendent of School District Five of Lexington and Richland Counties. The tradition of excellence of the schools is a direct reflection of the amazing support our community provides to the schools. As a result, I intend to use this platform to engage our

Type Search Term ...



LATEST POSTS

- Gail Lancaster recognized as IPD pillar of the community
- IPD welcomes new officer
- Silver Fox Grill is Business of the month
- The South Carolina Philharmonic presents the inaugural performance of its new Chamber Crawl Series tomorrow night.

community in the process of educating the over 17,000 students we serve from Piney Woods in Chapin to Seven Oaks in Irmo.

During public participation at the January 24 Board meeting, five parents and community members shared their objections to certain books in our school libraries. Most notably was the reading of sexually explicit language from the book All Boys Aren't Blue by George M. Johnson, located in one of our schools. The reading of passages from this book led many to ask the question, How did this material get into our schools?

The graphic sexual content caused me to ask the book to be pulled, but it was not. It was not supposed to be. The Supreme Court decided in 1982, in the Island Trees School District v. Pico case, that local school boards may not remove books from school libraries simply because they dislike the ideas contained in the book. However, books can be removed when two review committees review the book and determine it is not educationally suitable for students.

A tremendous amount of District Five resources were spent investigating one copy of a book, in one school, checked out by one student for less than one minute. Meanwhile, there are 55 students in jeopardy of not graduating on time in the same school. The average reading level of these seniors is 6.2 (6th grade, 2nd month) and the book in question is leveled 6.8 (6th grade 8 month).

- Sheriff: Thieves still interested in what's under your car

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IRMO NEWS The New Irmo Ne
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IRMO NEWS **The New Irmo News**
on Wednesday

The Irmo Police Department re
Lancaster recently for her 34 y
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THENEWIRMONEWS.COM
Gail Lancaster recognize
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3 Comment Sha

IRMO NEWS **The New Irmo News**
on Wednesday

The Irmo Police Department w
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officer Jeff Thrun. Th

#15 is included with the minutes of the 2-24-22 meeting, at the request of Board member Cathy Tuddle 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.



This was eye-opening. The majority of the 12th graders struggling to graduate would struggle to read the book in question. The larger problem, spreading faster than COVID-19, is the growing number of students not able to read to proficiency in our schools. Globally, one billion people are not able to understand or produce written information. A longitudinal study of 4,000 participants by the Casey Foundation found that students not reading to proficiency at the end of the 3rd grade are 4x less likely to graduate on time. In our schools, 59.8% of 2nd through 5th graders are not on track to meet literacy expectations and 62.9% of 6th through 8th graders are not on track to meet literacy expectations. Literacy is so important that being able to read and write is often linked to life expectancy. Literacy is the foundation upon which all learning stands.
As superintendent, I am committed to the goal of improving literacy rates in our community by focusing on strategies to get all children at or above grade-level reading proficiency.

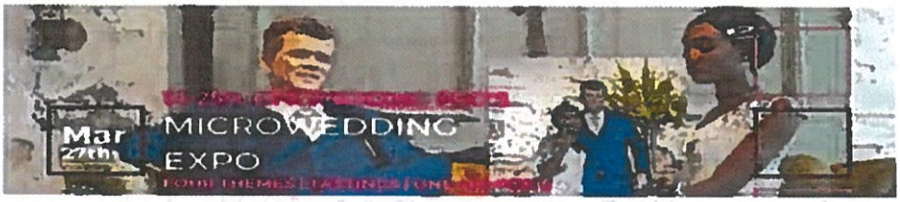
There is good news. The 2,600 employees of School District 5 are committed to the vision of making sure every child feels loved and is able to grow academically, socially, and emotionally.
In our schools, teachers and staff are working together to provide all of our children the tools to be successful readers. In 1987, Researchers William Nagy and Patricia Herman found that children who read 20 minutes a day gained 1.8 million words per year and scored in the 90th

Attachment #16 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Hudgens 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.

percentile on standardized tests whereas children reading 1 minute a day gained 8,000 words and scored in the 10th percentile.

We need your help! There are 180 days of the school year, which leaves 185 days a year that students are not in school. If you work with children in our homes, ball fields, churches, gymnasiums, youth groups and/or playgrounds, help us encourage children to read at least 20 minutes a day, every day.

The future of our community depends on the present education of our children.



Previous Post: **Branham to Run for Richland County Council in District 1**
Next Post: **Residents upset with proposed zoning change**

Attachment #17 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Hudle 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.

SEND US YOUR NEWS IDEAS

THE NEW IRMO NEWS
Your Community News... Online

Do you have a story idea or news that you would like to

LATEST POSTS

Gail Lancaster recognized as IPD pillar of the community
ON: FEBRUARY 16, 2022

GET IN TOUCH

Call Us

We'd love to hear from you. We can be reached at

share? We welcome all content ideas and Letters to the Editor.

803.772.7506. You can email us: irmonews@aol.com

LEARN MORE ABOUT US

IPD welcomes new officer

ON: FEBRUARY 16, 2022 / IN: PUBLIC SAFETY

Silver Fox Grill is Business of the month

ON: FEBRUARY 16, 2022 / IN: BUSINESS

Attachment #18 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Hundley 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.

Attachment #19 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Hudak 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.

I move to censure Trustee Rebecca Blackburn Hines

Board policy BE states "Roberts Rules of Order will govern all matters not covered by the rules of the board". Per chapter 72 of Roberts Rules of Order "A deliberative assembly has the inherent right to make and enforce its own laws and punish an offender." Further, SC law 59-19-60, as interpreted by our Attorney General, provides school boards the ability to censure a trustee.

As such, I move that we censure Trustee Blackburn Hines for violation of

1) Board policy BB School Board Legal Status which states "All powers of the board lie in its actions as a body. Board members acting as individuals have no authority over personnel or school affairs"
2) Board policy BDD Board-Superintendent Relationship which states board members will "function only as a board and not as individuals"
3) The SCSBA Code of Ethics which states "As a school board member in South Carolina, I pledge my efforts to improve public education in my community and will solemnly try to take no individual action which would compromise the integrity of the board or administration"
4) Board policy BCA Board Member Code of Ethics, which states "A board member should honor the critical responsibilities that his/her membership demands by doing the following: refusing to play politics in either the traditional partisan or any petty sense"

Specifically, Ms. Blackburn Hines, violated the SCSBA Code of Ethics and the above noted board policies through the following actions:

At the 1/24/22 board meeting she stated "Dr. Ross we had a conversation this weekend and I expressed concern that there was a book in Irmo High School". Her intent became clear when, in the same meeting, she reprimanded him in public session for not following her demands to remove a book from the library with the words "you said it would be addressed first thing this morning and it's still in the Irmo High School library". She unilaterally directed the superintendent to act and encouraged him to violate board policy KEC.

On 2/4/22 she sent a letter to the SC Superintendent, on board letterhead, critical of our superintendent without the knowledge, advice or consent of other board members and signed the letter as a trustee. This letter initiated an uninformed reply critical of our administration which was published on the front page of a local newspaper.

Through her actions, Ms. Blackburn Hines has caused irreparable harm to the school district and its superintendent.

In addition to this public reprimand, Ms. Blackburn Hines shall be barred from serving as a committee chair or an executive officer of the board.

If we don't acknowledge and censure a board member who disregards the trust placed in them by our superintendent, staff, students, and fellow board members, future boards will not be trusted by our community and other board members will be free to similarly disregard board policies.

It is truly unfortunate that we must spend any time at all addressing matters like this during board meetings.

The good news is that this administration and board have not and will not allow items like this (newspaper article titled "Spearman: LR5 didn't do its job") to distract from the many good things we are doing in our district like this (1st Jobs Recruitment Fair flyer).

While it might be uncomfortable to deal with a board member's actions, the foundational structure of this district is policy. Board policy BA School Board Operational Goals, list 5 goals, including "to govern the school system in accordance with policy". We cannot act for the betterment of our district if one board member is allowed to break policy by privately using board letterhead to contact state officials to throw our superintendent under the bus.

A misleading letter sent on board letterhead without the board's knowledge or approval served to discredit Dr. Ross' and our administration's integrity with the state department of education and with our community. In my 30+ years in business I have never seen anyone work as hard as Dr. Ross and his team have and get so much accomplished in such a short period of time. I am flat out appalled this has happened to him and this administration.

As expressed by one state's Ethics Reminders, "The use of agency letterhead for anything other than official agency business creates the false impression that the correspondence was written under the agency's authority and carries that agency's endorsement." Sending a letter on board letterhead, signed as a board trustee, without the approval, let alone the knowledge, of the entire board, falsely created the impression that the board endorsed the contents of the letter -and that action compromised the integrity of the board.

I serve on the board of a life insurance company. If I were to use that company's letterhead to write the state insurance commissioner and misrepresent the words of our CEO, I have no doubt that I would be removed from that board.

This board, as a whole, has sent several letters to government officials on board letterhead. In each and every case, **ALL** of the trustees had the opportunity to read and either sign or vote on the letter before it was sent.

Do board members have a right to contact state authorities on their own email or stationery? Absolutely! Do members have the right to communicate with their constituents? Absolutely! In fact, the SCSBA Code of Ethics also states that we will pledge our efforts "to seek regular communications between the board and students, staff and all segments of the community". I, like many school board trustees in our state, maintain a Facebook page where I regularly post happenings in our district and my personal recaps of board meetings for those were unable to attend. The key difference is those communications are clearly framed as being from an individual board member.

Attachment #30 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Hardee 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.

Tonight, we are faced with a decision on whether, or not, our policies matter. If they matter, we must act. If they don't matter, we might as well scrap all board policies for board members. If they don't matter, we send a message to staff and students that the board is above policy, but they are not. If policies don't matter, this board can't act the next time a board member breaks policy. The trust will be broken.

By Trustee Catherine Huddle

Attachment #21 is included with the minutes of the 2-28-22 meeting, at the request of Board member Cathy Huddle 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.

February 28,2022

The thing that I find most troubling about Ms. Hines conduct is the lack of personal responsibility for her actions and total absence of regard for what her actions have done to the reputations of our board, superintendent, and the district.

Her actions were as a single member of this board. According to Board Policy BB she knew or should have known that she does not speak for the district or the board. She wrote letters to the governor and the superintendent of education seeking "guidance" about a policy after disrespectfully questioning the district superintendent to the point of just short of interrogation at the board meeting on January 24. The letters were sent on district letterhead which Mrs. Hines signed as trustee. Her letters written on February 4 were not copied to the rest of the members as Board Policy BEDGA requires.

Neither did Mrs. Hines request advice on the appropriateness of personally writing the state education superintendent and the governor using district letterhead and her title. Is this legal? I don't know. If so, is it appropriate? Not to me. But it certainly begs the question why Mrs. Hines didn't ask before acting.

In fact, a full accounting of her actions remained hidden until a private citizen sent an email on February 15. On February 15, eleven days after her initial action, Mrs. Hines provided a letter of response penned on February 8 from State Superintendent Spearman. The letter included a scathing condemnation of our district superintendent and board. The letter criticized us for a factually incorrect lack of action about an item Mrs. Hines had concealed for 8 full days. As it turns out, Board Policy KEC in place for years is very similar to the state's recommended policy.

This board set up a committee to discuss items related to board policies. At the conclusion of each board committee meeting, the chairs of each committee have asked members for future agenda items. Mrs. Hines has attended committee meetings sparingly. There is no record of her asking any "guidance" at any policy committee meeting or board meeting. Why did Mrs. Hines not make other board members aware of her concerns before going to Superintendent Spearman? And, most troubling, what was the point of going to the governor at all?

Mrs. Hines should at the very least, own up to what she has done, stop making excuses, live up to the fact that any repercussions from this will be on her personally and not the board, apologize to all involved and then pledge to unite the district in her future actions.

Life is an adventure. It does not have to be filled with negativity, gloom and doom.

Let's finish this chapter and move forward.

Respectfully submitted,

Kenneth B. Loveless, Trustee

Attachment #22 is included with the minutes of the 2-28-22 meeting, at the request of Board member Ken Loveless 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.

Comment for Feb 28th, 2022's Full Board Meeting regarding agenda item pertaining to Censure of Rebecca Blackburn-Hines:

It is fundamentally important for any organization to develop policy. **Policies** provide guidance, consistency, accountability, efficiency, and clarity on how an organization operates.

Our board policy BBA Board Powers and Duties states that "The board is responsible for the adoption of policy. The policies will be put in written form and continually re-evaluated in terms of the changing needs and functions of public education."

Board policy BCA Board Member Code of Ethics says that we as board members should understand "that the basic function of a school board is policymaking."

Therefore, each of us board members was elected by popular vote in our local elections to be policymakers first and foremost.

When we have an issue that becomes important to us or important to the public, our first place to look for confirmation of our procedure or for change, we must look to our policies first. We must first make sure that our policies are being followed as they are written. If there needs to be a change, then we must first look to change the policy, not direct the school district to disregard the policy as individual board members.

The reason we have had to talk about this censure of one of our board members is because one of us has lost their way and should be thanking our Superintendent Dr. Ross for following our policy first and foremost. Instead, this board member has become upset about our policy and has decided instead to slander our district's name and our Superintendent to get political gain. She has decided to ignore our policies and board procedure and the basic ethics of working on a school board.

Our board policy BA School Board Operational Goals says that one of our board goals is "to govern the school system in accordance with board policy."

We currently have a policy committee that meets once a month to talk about pressing issues that need our immediate attention. This board member has never asked to have our policies KEC and ILJ that deal with materials in our libraries to be brought before this committee to discuss. She has decided to circumvent our main role as a board member to update policy to get political gain.

If this board member truly wanted to make a difference in how our school district and our Superintendent operates with inappropriate instructional resources, she would have started the policy change process. Writing unofficial and secret letters behind the rest of the board's back in order to accomplish a change is underhanded, illegal, unethical, and frankly, should end in censure.

Attachment #23 is included with the minutes of the 2-28-22 meeting, at the request of Board member Nikki Gaddy 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

I would like to remind all board members including myself, that we are here to ensure that the school district's policies are being followed by the school district. These policies protect us as a board and the will of the public. We have these policies to ensure that we have the ability to locally direct education. We cannot circumvent these policies, but work together to change them.

Dr. Ross, our new and current beloved Superintendent did and has continued to follow our policy when it came to these inappropriate library books in our schools. The fault for these books falls squarely on our shoulders as a board, since we are the policymaking body and it is our responsibility to discuss and change these policies. I am in support of this censure to remind each of us on this board, that our political aspirations are not as important as our job as policymakers and that we should point the finger to ourselves to lay blame before we damage reputations that can affect each of our beloved District 5 staff and students.

In light of pointing fingers at our ourselves, I would like to officially apologize for the mistakes and unintended consequences of my own words that have been spoken or written that may have damaged a reputation. My actions were my own and I realize that stating my opinions and repeating rumors can be detrimental to individuals, schools, and ultimately the students in those schools. We need to work together not tear each other down, and I apologize for my insensitivity. I hope we can move forward, apologize where we need to, and change the policy that has caused all of this discord.

Nikki Gardner
1 of 7 Trustees
School District 5 of Lexington & Richland Counties.

Attachment #24 is included with the minutes of the 2-28-22 meeting, at the request of Board member N. KK. Gardner 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.

District Five OF LEXINGTON & RICHLAND COUNTIES

Rebecca Hines <rhines@lexrich5.org>

Board of Trustees Letterhead

1 message

Erin Strange <estrange@lexrich5.org> Thu, Jan 14, 2021 at 3:15 PM
To: Erin Strange <estrange@lexrich5.org>
Bcc: d5-board-members@lexrich5.org

Please be advised this email is being blind copied and shared with all members of the Board of Trustees

Good afternoon -

Attached for your use as needed is a letterhead template with the Board of Trustees District logo.

Respectfully,
Erin

Erin Strange
Executive Administrative Assistant
Board of Trustees and Superintendent
School District Five of Lexington & Richland Counties
1020 Dutch Fork Road, Irmo, SC 29063
office: 803.476.8169
estrange@lexrich5.org
www.lexrich5.org

Pursuing Excellence for Tomorrow's Challenges

Board Letterhead 2021.doc
170K

Attachment #25 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Blackburn Hines 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.

District Five OF LEXINGTON & RICHLAND COUNTIES

Rebecca Hines <rhines@lexrich5.org>

Ltr from Supt Spearman re: Concerns Regarding Obscenity in Schools

Rebecca Hines <rhines@lexrich5.org> Tue, Feb 8, 2022 at 5:12 PM
To: Janis Hammond <jhammond@lexrich5.org>, Akil Ross <aross@lexrich5.org>

Chairwoman Hammond,

After the January 24th, 2022 meeting in which controversial books were discussed, I sent a letter (on my personal behalf, not the behalf of the board) to Governor McMaster and Superintendent Spearman to ask for guidance and clarification as to what constitutes "obscenity" in schools. The State Superintendent sent a response to me today. I have attached her response and accompanying documents, and my original letter to this email for your review. Thank you.

Kind regards,
Rebecca Blackburn Hines
[Quoted text hidden]

7 attachments

- **Reconsideration of Library Media Center Materials Form.pdf** 118K
- **2021-11-10 Gov. McMaster to Sup't Spearman re Inappropriate Materials in School Libraries.pdf** 204K
- **Best Practices Model Policy for SBE Library Materials.pdf** 114K
- **District and SBE Public Review Memo-Nov. 9 2021.pdf** 133K
- **Model Policy for Library Materials and Reconsideration Form Memo Jan. 25 2022.pdf** 131K
- **RebeccaHinesResponseLtr 2.8.22.pdf** 73K
- **Letter to Gov. McMaster & Sup. Spearman_2.4.22.pdf** 164K

Attachment #26 is included with the minutes of the 3-28-22 meeting, at the request of Board member Rebecca Blackburn Hines 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.

District Five OF LEXINGTON & RICHLAND COUNTIES

Rebecca Hines <rhines@lexrich5.org>

Ltr from Supt Spearman re: Concerns Regarding Obscenity in Schools

Traywick, Laurie <ltraywick@ed.sc.gov> Tue, Feb 8, 2022 at 4:37 PM
To: Rebecca Hines <rhines@lexrich5.org>
Cc: "governormcmaster@governor.sc.gov" <governormcmaster@governor.sc.gov>

Ms. Hines,

Please find attached a letter from Superintendent Spearman regarding your concerns related to obscenity in schools. There are additional attachments that include supporting documentation. Thank you.

Sincerely,

Laurie Traywick

Office of the Superintendent

SC Department of Education

Attachment #27 is included with the minutes of the 2-28-22 meeting at the request of Board member Rebecca Blackburn Hines 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.

From: Rebecca Hines <rhines@lexrich5.org>
Sent: Friday, February 4, 2022 1:45 PM
To: SC Superintendent; GovernorMcMaster@governor.sc.gov
Subject: Concerns Regarding Obscenity in Schools

Governor McMaster and Superintendent Spearman,

Please find attached correspondence regarding my concerns both as a Trustee and as a parent with the issue of obscenity in public schools. I am aware of current board policies and state-level education policies relating to library materials selection; however, I would appreciate your consideration in providing specific guidance relating to obscene and explicit materials.

Kind regards,

Rebecca Blackburn Hines

--

Kind regards,

Rebecca Blackburn Hines

Board Trustee

School District Five of Lexington and Richland Counties

The information contained in this transmission is intended only for the use of the person(s) named above. If you are not the intended recipient, please contact the sender by reply email. The South Carolina Department of Education is neither liable for the proper and complete transmission of the information contained in this communication nor for any delay in its receipt. Communications to and from the South Carolina Department of Education are subject to the South Carolina Freedom of Information Act, unless otherwise exempt by state or federal law.

6 attachments

Reconsideration of Library Media Center Materials Form.pdf
118K

2021-11-10 Gov. McMaster to Sup't Spearman re Inappropriate Materials in School Libraries.pdf
204K

Best Practices Model Policy for SBE Library Materials.pdf
114K

District and SBE Public Review Memo-Nov. 9 2021.pdf
133K

Model Policy for Library Materials and Reconsideration Form Memo Jan. 25 2022.pdf
131K

RebeccaHinesResponseLtr 2.8.22.pdf
73K

Attachment #28 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Blackburn Hines 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.

February 4, 2022

The Honorable Henry McMaster
South Carolina State House
1100 Gervais Street
Columbia, South Carolina 29201

The Honorable Molly Spearman
South Carolina Department of Education
1429 Senate Street
Columbia, South Carolina 29201

Attachment #29 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Blackburn 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.

Re: Obscenity in Public Schools

Dear Governor McMaster and Superintendent Spearman:

At a recent school board meeting for School District 5 of Lexington and Richland Counties, several parents spoke during public participation expressing concerns about library books containing sexually explicit and obscene material. These parents read passages taken from books confirmed to be within District 5's high school libraries so offensive that our Superintendent asked the Board of Trustees to redact the audio before publishing the meeting video online. In fact, the District disclosed to parents that YouTube would not allow the audio to be published because it did not comply with their community guidelines for an educational entity in which "sexually explicit language or narratives" is prohibited. Understandably, many parents have expressed their frustration over the contradictions between allowing obscene material in school libraries that are not allowed to be presented at school board meetings.

In a recent local media article, our Superintendent asserted the books in question were appropriately allowed to remain in our school libraries pursuant to U.S. Supreme Court case, *Island Trees School District v. Pico.* The *Pico* case held that local school boards may not remove books from school libraries because they simply "dislike the ideas contained in those books." However, the case also recognized that school boards could remove books that were "pervasively vulgar" or lacked "educational suitability." This ambiguity has raised questions about what constitutes "obscenity" within the resources provided in our public schools.

As one Board Trustee for School District 5 of Lexington and Richland Counties, and as a parent of two elementary school students, I am asking for your guidance on this issue at a state level. I am not in favor of "banning books" soley due to moral or political differences and other matters of opinion, because it is imperative that we encourage a student's ability to develop critical thinking skills. Literacy proficiency is a crucial area of need in our public schools; our students need access to a variety of literary resources. Nevertheless, parents strongly believe that materials containing obscenity require a different standard. As such,

I am asking for you to provide guidance and clarification on these issues mentioned above so that parents, teachers and administrators can resolve this conflict and move forward with educating the students in South Carolina.

Thank you for your consideration.

In Service to the District 5 Community,

/s *Rebecca Blackburn Hines*

Rebecca Blackburn Hines
Board Trustee

Attachment #30 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Blackburn Hines 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.

STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

MOLLY M. SPEARMAN
STATE SUPERINTENDENT OF EDUCATION

Attachment #31 is included with the minutes of the 2-28-22 meeting at the request of Board member Rebecca Blackburn Hines 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.

February 8, 2022

Ms. Rebecca Blackburn Hines
Board of Trustees Member
School District Five of Lexington and Richland Counties
1020 Dutch Fork Road
Irmo, SC 29063

Dear Ms. Blackburn Hines:

Thank you for your service on School District 5 of Lexington and Richland Counties (District Five) Board of Trustees and your advocacy as both a parent and a board member on educational issues in your community and our state.

On November 4, 2021, district superintendents, including the District Five interim superintendent, attended a statewide meeting where the topic of library materials was discussed. Specifically, a book that would become the subject of a widely publicized November 10, 2021 letter from Governor McMaster was brought to the attention of every district. I asked each district to review their library materials and ensure that the book in question was not on their shelves. This is the same book that I have come to understand was brought up by concerned parents in the January 24, 2022 District Five School Board meeting.

In a November 9, 2021 memorandum, I again requested "each district to review their own purchased texts including those used in classrooms, libraries, and media centers to ensure they are age and content appropriate".

At the request of Governor McMaster and at the direction of the State Board of Education, the South Carolina Department of Education (SCDE) developed and the State Board of Education adopted a "Model Policy for Library/Media Center Materials Selection and Reconsideration Process" and "Reconsideration of Library/Media Center Materials Form". The model policy and

form were created with the input of parents, school and district administrators, and representatives from the South Carolina Association of School Librarians. On January 25, 2022, the policy and form were distributed statewide to district superintendents, district supervisors of library services, school librarians, and school board members.

Ultimately, local school boards are responsible for vetting, adopting, and financing local library materials. School boards and the school and district personnel they charge with overseeing this process must be deliberate and comprehensive in deciding which materials are appropriate for the students they serve. Local leaders should not rely solely on publishers or clearinghouses to make selections for them.

Once proper vetting has taken place and materials are purchased and placed on shelves, students, parents, and community members must have a transparent process and procedure for the review and removal they believe to be educationally unsuitable. The model policy and form developed by the SCDE provide this without interfering with state and federal laws so long as the books are being challenged and subsequentially removed for a nondiscriminatory reason.

Based on the timeline of events and the information provided to districts, it is clear District Five's Board and administration failed to do its job by properly vetting the obscene materials in question even after the state very publicly encouraged them to do so. I again strongly recommend your district to adopt and follow the model policy, remove the inappropriate texts, and ensure that students in your community are no longer subjected to obscene and pornographic depictions.

Sincerely,

Molly M. Spearman

Molly M. Spearman
State Superintendent of Education

Enclosures

Attachment #32 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Blackburn Hines 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.

STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

MOLLY M. SPEARMAN
STATE SUPERINTENDENT OF EDUCATION

MEMORANDUM

Attachment #33 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Blackwell Hines 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.

TO: District Superintendents
State Board of Education
District Instructional Materials Coordinators

FROM: Molly M. Spearman
State Superintendent of Education

DATE: November 9, 2021

RE: Virtual Public Review for Instructional Materials

The Instructional Materials Review Panels have finalized their instructional materials recommendations for the 2021 adoption cycle. The student editions of each of the recommended programs will be on display from November 9 through December 9, 2021, at 15 review locations across the state and available virtually using publisher-provided links. A report of the Review Panel recommendations with citizen comments from the public review will be submitted to the State Board of Education on December 14, 2021. Upon approval of the panel recommendations, districts and schools will receive notification of the newly adopted materials.

We would like to invite you and members of your district and community to participate in the public review. The following press release provides the link to the South Carolina Department of Education's website to access information on the virtual public review. Please assist us by distributing this information to appropriate persons in your district and schools.

This is a fitting time for each district to review their own purchased texts including those used in classrooms, libraries, and media centers to ensure they are age and content appropriate. Schools and districts should not rely solely on publishers' vetting. We must work alongside students, families, and educators for this process to be successful.

HENRY MCMASTER
GOVERNOR

November 10, 2021

Attachment #34 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Hackbuen Hines 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.

The Honorable Molly Spearman
Superintendent of Education
South Carolina Department of Education
1429 Senate Street
Columbia, South Carolina 29201

Dear Superintendent Spearman:

It has come to my attention that public schools in South Carolina may be providing students with access—whether in school libraries, electronic databases, or both—to completely inappropriate books and materials, including sexually explicit and obscene images or depictions. After learning of this issue from understandably outraged parents and reviewing the examples provided of such obscene and pornographic depictions, I was shocked and disappointed. Although my staff previously contacted the Department of Education regarding this issue, I write to bring this matter to your immediate attention and to request both a comprehensive investigation and a detailed explanation of how these materials were allowed to be introduced in our State's schools.

By way of example, it is my understanding that concerned parents were recently required to petition the Fort Mill School District to remove a book from a school's physical or digital library, titled *Gender Queer: A Memoir*, by Maia Kobabe. If school personnel had performed even a cursory review in this particular instance, it would have revealed that the book contains sexually explicit and pornographic depictions, which easily meet or exceed the statutory definition of obscenity. Thus, I am concerned that further examination may identify additional instances in which inappropriate materials have been introduced into our State's public schools.

For sexually explicit materials of this nature to have ever been introduced or allowed in South Carolina's schools, it is obvious that there is or was either a lack of, or a breakdown in, any existing oversight processes or the absence of appropriate screening standards. Therefore, I respectfully request that the Department of Education promptly investigate this matter, on a statewide basis, and identify whether any systemic policy or procedural deficiencies exist at the state or local levels, or both. Upon completion of this investigation, pursuant to article IV, section 17 of the South Carolina Constitution and sections 1-1-840 and 1-3-10 of the South Carolina Code of Laws, please provide me with a detailed explanation of how such materials were allowed to be

introduced into our State's schools and what measures the Department of Education intends to take to address this matter.

In the interim, I call on the Department of Education or the State Board of Education, as appropriate, to promulgate statewide standards and directives to prevent pornography and other obscene content from entering our State's public schools and libraries and to identify any such materials that may already be available to children. Additionally, the Department of Education should develop—or, if existing, obviously improve upon—a transparent statewide process and procedure to review and approve the books and other materials that are available to students. In doing so, the Department of Education should also advise parents of this process and ensure that they, as well as the public at large, have a formal mechanism by which to notify the Department of Education and local school districts in the event they identify obscene or otherwise inappropriate material in schools or school libraries.

I trust you agree that pornography and obscenity have no place in our State's public schools, much less in their libraries. Aside from being deeply disturbing and manifestly inappropriate, it is likely illegal under South Carolina law. Accordingly, by copy of this letter, I am notifying the South Carolina Law Enforcement Division of this matter for further evaluation.

Thank you in advance for your prompt attention to this important matter. I look forward to hearing from you.

Yours very truly,

Henry McMaster

cc: Chief Mark Keel
South Carolina Law Enforcement Division

Attachment #35 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Black Hines 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.

STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

MOLLY M. SPEARMAN
STATE SUPERINTENDENT OF EDUCATION

MEMORANDUM

TO: District Superintendents
District Supervisors of Library Services
School Librarians
School Board Members

Attachment #36 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Blackwell Hawks 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.

FROM: Katie Nilges
Director, Office of Governmental Affairs

DATE: January 25, 2022

RE: Model Policy for Library/Media Center Materials and Reconsideration Process

The purpose of this memorandum is to inform districts of the recent model policy adopted by the State Board of Education (SBE) on January 11, 2022, regarding the selection and reconsideration of library materials.

Districts are encouraged to use the Best Practices Model Policy for SBE Library Materials adopted by the SBE to review current policies and amend accordingly. Additionally, districts shall consider adopting the Reconsideration of Library Media Center Materials Form for use when a material is challenged.

For questions, please contact Katie Nilges, Director of Governmental Affairs at Knilges@ed.sc.gov.

Model Policy for Library/Media Center Materials Selection and Reconsideration Process

Purpose.

To establish the local board's direction for selection and use of library/media center materials and the basic structure of handling questioned or challenged library/media center materials.

Role of the School Library/Media Center Professionals.

The function of the school library/media center is to support and enrich the instructional program and recreational reading needs of the school and must provide a broad range of materials.

The local board has the legal responsibility for the approval of all instructional materials. The selection and ordering of library books, audiovisuals, electronic resources, and other materials for the library/media centers are the responsibility of the school librarian in accordance with this adopted policy.

The school librarian will identify, order and organize materials that will implement, enrich and support the educational program of the school district. Principals, teachers, supervisors, students, and members of the community may give suggestions, recommendations and other assistance.

Materials Selection Criteria.

Materials should be consistent with the district's general educational goals and the educational goals and objectives of each individual school. Consideration should be given for purchase based on the work as a whole and on the basis of the following:

1. educational significance;
2. appropriateness for students in each school, such as grade and age level;
3. needs of the school and value to the collection;
4. reputation and significance of author and producer;
5. clarity, adequacy, and scope of text;
6. validity, accuracy, objectivity, currency, and appropriateness of text;
7. organization and presentation of contents;
8. high degree of readability and/or comprehensibility;
9. high artistic quality and/or literary style; and
10. value commensurate with cost.

The school librarian shall use their professional training and expertise to evaluate the existing collection and consult reputable, unbiased, professionally prepared selection aides when selecting materials for the library/media centers.

Procedures for Handling Questioned or Challenged Library/Media Center Materials.

Any individual residing within the attendance area of the school district or who has a child who attends a school in the school district may lodge a complaint against any material used in the

Attachment #37 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Black Myers 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

school library/media center within the district. Prior to lodging the complaint, the complainant shall read the material in full. A student who objects to or finds offensive any material located in the library/media center should be provided alternatives. If the complaint cannot be resolved satisfactorily during an informal conference with the principal and school librarian or teacher concerned, then the following procedure will be used:

A materials challenge shall be filed by completing and returning to the principal of the school in which the material is being used a form entitled "Reconsideration of Library/Media Center Materials Form". (See attached for sample form.) A separate form must be completed for each material being requested for reconsideration. This form shall be attached to this policy, posted prominently on the district website, and available upon request at schools.

To evaluate the challenged resource(s), the Superintendent shall annually appoint a review committee composed of an odd number of individuals. Depending on the membership size of the district, there may be a school level and/or district level committee established. An example of an appropriate composition for the committee(s) is the following:

1. The district supervisor of library media services (if applicable);
2. At least one school library media specialist within the district/school;
3. At least one teacher within the district/school;
4. At least one parent representing a school family other than complainant;
5. At least one principal within the district/school; and
6. At least one member of a School Improvement Council within the district/school.

Members of the committee shall read the materials referred to them in its entirety. Pending review by the committee, the challenged books or materials shall be withdrawn for use throughout the district.

The committee shall complete its review and issue a report within fifteen (15) business days after receipt of the complaint. A copy in writing shall be sent to the complainant, the district Superintendent, and the local board.

If the materials are deemed to be inappropriate, the district must ensure no other copies exist in circulation within the district for the school level(s) in which it is found to be inappropriate. If the materials are deemed to be acceptable and appropriate, the district must immediately place such materials back into circulation.

The local board shall be responsible for determining an appeals process. Such process shall not extend longer than 15 business days, effective from the date the appeal is requested.

The committee's decision, and if applicable, the local board's review, regarding the appropriateness of a book or reading material cannot be challenged again until the expiration of five years from the original challenge date.

Local board policies shall list all relevant policies connected to library/media centers to this policy. Local boards shall periodically review and update this policy.

the minutes of the 3-20-23 meeting, at the request of Board member Robert Blackwell 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.

Reconsideration of Library/Media Center Materials Form

School in which the material is being used: _____

Your Name (*please print and sign*): _____

Date: _____

Do you currently reside within the attendance area of the school district? **(Yes/No)**

Telephone #: _____

Address: _____

Do you have a student who attends the school listed above? **(Yes/No)**

Please check the type of material in question:

— Book	— Video	— Kit
— Magazine	— Audio	— Other
— Pamphlet	— Software	

Title of material: _____

Author/Distributor:_____

Copyright Year: _____

The following questions are to be answered after the complainant has read, viewed, or listened to the material. If sufficient space is not provided, attach additional sheets. (Please sign your name to each additional attachment.)

1. Did you read, view, or listen to the material in its entirety? If not, why?

   _____

   _____

2. Are students required to use the material? (Yes/No/Unsure)

3. Have you read reviews of this material by reputable sources? If so, please list sources.

   _____

   _____

4. To what do you object? (Please be specific. Cite pages or particular sequences of material.)

   _____

   _____

   _____

   _____

Attachment #39 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Blackwell Hines 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.

Attachment _____ is included with the minutes of the _____ meeting, at the request of Board member _____ 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.

5. What do you believe is the theme or purpose of this material?

_____

_____

6. What do you feel might be the result of a student using this material?

_____

_____

7. Would you recommend this material for a different age group? If so, which age group?

_____

8. What other materials of the same subject and format would you recommend?

_____

_____

9. What is your request in regard to this material?

- Do not assign/lend this material to my student
- Refer to an official committee to re-evaluate material for use by all students

Attachment #40 is included with the minutes of the 3-28-22 meeting, at the request of Board member Rebecca Black Burnhines 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.





In today's paper
SPORTS: USC baseball pitching coach Justin Parker is a 'superstar in the making.' 1B

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The State

SC could see major investment in electric car industry

BY LUCAS DAPRILE
ldaprilethestate.com

The electric car industry is set to take off in 2022, but will South Carolina get a piece of the manufacturing pie?

According to experts, South Carolina is a prime candidate to see investment for making either electric cars or the batteries that power them.

In some ways, electric vehicle and battery manufacturers are already coming to South Carolina. In December, Proterra announced a $76 million investment in an electric vehicle battery production plant in Greer. BMW has already promised to build electric vehicles in its South Carolina plant in Greer, according to Forbes. Volvo, which has a manufacturing facility in Berkeley County, also plans to produce an all-electric SUV in South Carolina, according to CNBC.

It's possible even more electric vehicle or battery companies could be coming to the Palmetto State. The market for electric cars is growing faster than companies can produce the batteries, said Bernard Swiecki of the Center for Automotive Research, an international, non-profit group that seeks to boost the competitiveness of the U.S. automotive industry.

"It's a bit of a land rush," Swiecki said.

Last month, Vietnamese car maker VinFast told Reuters it plans to assemble and eventually build batteries at a U.S. location. The company CEO told Reuters it had narrowed down its U.S. locations to three possible places, but did not name the locations.

It's unclear whether more investment in electric vehicle or battery plants could be in South Carolina's near future. S.C.

SEE ELECTRIC CAR, 11A



JOSHUA BOUCHER jboucher@thestate.com

Two chicken strip sandwiches, both made at Hooters, but one marketed under the Hootie's Chicken Tenders brand on delivery apps. While both items look very similar, the sandwich from Hootie's Chicken Tenders was $7.69 and the sandwich from Hooter's was $15.72.

Your delivery app order might come from a 'ghost kitchen'

BY SARAH ELLIS
sellis@thestate.com

COLUMBIA, S.C.

Tender Shack, a national "online only" chicken restaurant brand, announced last fall it was expanding delivery to more than a dozen cities across South Carolina, including Columbia. In its unveiling, the "dang good chicken" brand didn't mention that its meals actually are cooked inside Outback Steakhouse restaurants.

Similarly, some folks who frequent food delivery apps in the Columbia and Lexington areas have been surprised to learn their MrBeast Burger orders are coming out of a Ruby Tuesday's kitchen.

Scrolling DoorDash and thinking about Pasqually's Pizza for dinner? Your meal is coming from Chuck E. Cheese. Wings from It's Just Wings? Chili's.

A sandwich from Chicken Sammy®'s? Red Robin.

Dozens of kitchen crossovers like these are popping up on food delivery apps in and around Columbia. They've left some delivery customers feeling duped or, at the very least, confused about where their food is coming from, as a rising concept known as "ghost kitchens" trickles down to the local market.

In some cases, independent companies are joining forces to crank meals out of one kitchen and funnel them through the delivery app pipeline. In other cases, singular companies are spinning off new online brands of their own but capitalizing on the kitchens in their already well-known restaurants. But in almost every case, these ghost

SEE GHOST KITCHEN, 7A

Spearman: LR5 didn't 'do its job' on banned book

BY BRISTOW MARCHANT
bmarchant@thestate.com

South Carolina's state education superintendent said a local school district "failed to do its job" after the Department of Education warned schools earlier this school year to check for certain controversial books on library shelves.

Superintendent Molly Spearman gave that assessment in response to a letter from a Lexington-Richland 5 school board member asking for guidance on handling controversial books that include sexually explicit material. The books had drawn complaints from some parents.



Molly Spearman

Spearman notes in her Feb. 8 letter that her department warned school districts to check their libraries for specific books in November after concerns were raised by Gov. Henry McMaster and others about books the governor called "obscene and pornographic." McMaster asked Spearman in a public letter to ensure books in public schools were age appropriate and educationally oriented.

The department met with district superintendents Nov. 4 to ask them to review specific library books on their shelves. Some of those same books were brought up by parents at a Jan. 24 meeting of the Lexington-Richland 5 school board who had found them in district libraries.

"Based on the timeline of events and the information provided to districts, it is clear District Five's Board and administration failed to do its job by properly vetting the obscene materials in question even after the state very publicly encouraged them to do so," Spearman said in her letter. "I again strongly recommend your district to adopt and follow the model policy, remove the inappropriate texts, and ensure that students in your community are no longer subjected to obscene and pornographic depictions."

Lexington-Richland 5 said they don't accept Spearman's assessment of the situation.

"The School District Five Board of Trustees and Superintendent Akil E. Ross, Sr. disagree with the allegations presented in a letter from State

SEE SPEARMAN, 5A

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0 07770 00050 8 A



Attachment #44 is included with the minutes of the 2-28-22 meeting at the request of Board member Rebecca Blackwell Hayes 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.

FROM PAGE 1A

SPEARMAN

Superintendent Molly Spearman," the district said in a statement. "We look forward to working with Superintendent Spearman to ensure she is clear that there was no failure on the part of our board or superintendent."

The books school districts were warned about included "Gender Queer: A Memoir" by Maia Kobabe, and "All Boys Aren't Blue" by George Johnson. Both books take the form of personal coming-of-age memoirs by LGBTQ+ authors that frankly discuss and depict sexual experiences, and which have been challenged in school districts around the country.

Both of those books were referenced by Lexington-Richland 5 parents in their complaints to the school board, said education department spokesman Ryan Brown.

Spearman's letter was written in response to a letter from board member Rebecca Blackburn Hines asking for guidance on responding to parents' complaints. When the parents read the offending portions of the book during a school board meeting, "our Superintendent (Akil Ross) asked the Board of Trustees to redact the audio before publishing the meeting video online," Hines wrote.

"Understandably, many parents have expressed their frustration over the contradictions between allowing obscene material in school libraries that are not allowed to be presented at school board meetings," Hines said.

Hines referenced concerns about a federal Supreme Court precedent that limits a school district's ability to remove books from the library. District Superintendent Akil Ross addressed the issue separately in a column for the New Irmo News.

"The graphic sexual content caused me to ask the book to be pulled, but it was not. It was not supposed to be," Ross wrote. "The Supreme Court decided in 1982, in the Island Trees School District v. Pico case, that local school boards may not remove books from school libraries simply because they dislike the ideas contained in the book.

"However, books can be removed when two review committees review the book and determine it is not educationally suitable for students," he wrote.

The state Education Department doesn't believe that precedent stops schools from dropping obscene or inappropriate material.

"If you had Hillary Clinton's autobiography in the library, and a school board said 'this doesn't align with our conservative values,' you can't remove that," Brown said. "You can't remove a book for having LGBTQ themes. But a school board can remove obscene material."

State education officials made the policy clear at its November meeting with district officials. "Other superintendents left that meeting and called their libraries to check for these books," Brown said.

The department's recommended policy includes the steps needed to remove a challenged book, including the form it recommends using to complain about library items.

It recommends the superintendent annually appoint a committee to evaluate challenged material. The committee should include a library specialist, teacher, principal and a parent other than the one making the complaint, according to the department's recommendations. Department guidelines say a book can be removed from circulation pending the committee's review.

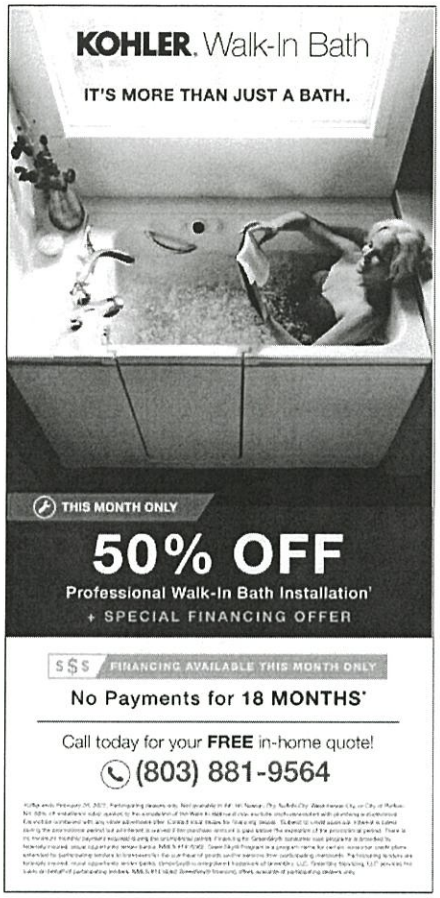
Lexington-Richland 5 said that it follows a similar policy to the department's recommendation. But despite parents' public complaints at school board meetings, the district has not received a formal complaint about any of the books available in its libraries, so no books have been removed.

Spearman followed up November's meeting with another letter on department policies.

"This is a fitting time for each district to review their own purchased texts including those used in classrooms, libraries, and media centers to ensure they are age and content appropriate," Spearman said in a follow-up Nov. 9 letter to district superintendents. "Schools and districts should not rely solely on publishers' vetting. We must work alongside students, families, and educators for this process to be successful."

The controversy around school library books comes as districts across the country are dealing with complaints about what materials are and aren't appropriate to teach in schools. Perhaps the most national attention has gone to a Tennessee school district's decision to ban "Maus," the Pulitzer Prize-winning graphic novel about author Art Spiegelman's family's experience during the Holocaust because the book includes profanity and a depiction of nudity.

Bristow Marchant: 803-771-8405, @BristowatHome





Attachment #42 is included with the minutes of the 3-28-22 meeting, at the request of Board member Rebecca Blackburn Hines 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.

District Five OF LEXINGTON & RICHLAND COUNTIES

Rebecca Hines <rhines@lexrich5.org>

Sociology Book Concerns

2 messages

Rebecca Hines <rhines@lexrich5.org> Fri, Nov 12, 2021 at 11:38 AM
To: Akil Ross <aross@lexrich5.org>

Dr. Ross,

I have had several constituents reach out to me concerned about a book that was apparently approved by the SC Dept. of Education for Sociology grades 9-12 entitled "The Real World" 7th Edition, by W.W. Norton & Company, Inc.

The information in this book is entirely inappropriate. Can you confirm that it is not currently being used in District 5? Thank you!

Kind regards,
Rebecca

--
Kind regards,
Rebecca Blackburn Hines
Board Trustee
School District Five of Lexington and Richland Counties

Akil Ross <aross@lexrich5.org> Sun, Nov 14, 2021 at 9:40 AM
To: Rebecca Hines <rhines@lexrich5.org>

We do not use that text.

We use Sociology, The Study of Human Relationships from Holt McDougal

[Quoted text hidden]
--
Dr. Akil E. Ross, Sr.
Interim Superintendent
District 5 of Lexington & Richland Counties

Attachment #43 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Blackburn Hines 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.

3:37 5GE

Rebecca Blackburn Hines
Jan 14, 2021 ·

from Rep. Chip Huggins and Rep. Nathan Ballentine that legislation to reinstate step increases made it through the Ways & Means Committee today and is headed to the full House of Representatives. I encourage everyone to continue to reach out to your legislators to express how important this legislation is for our teachers. I know I will.



January 14th, 2021

The Honorable Henry McMaster
South Carolina State House
1100 Gervais Street
Columbia, South Carolina 29201

W. Marshall Taylor, Jr.
S.C. Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201

Re: Phase 1b – Priority for Educator & Education Support Staff Vaccinations

Dear Governor McMaster and Director Taylor

As you are well aware, it is critical to the educational success of the students in South Carolina that our public schools are able to properly operate on a full five-day face to face schedule in every school district. To this point, the Centers for Disease Control's Prevention Advisory Committee on Immunization Practices and South Carolina's COVID-19 Vaccine Committee have identified educators and education support staff as frontline essential workers eligible to receive the COVID-19 vaccine in Phase 1b of the vaccination distribution schedule.

I would ask that you prioritize the vaccination of educators and support staff at the beginning of Phase 1b and work with the South Carolina Department of Education and our school districts to swiftly and efficiently carry out the vaccination process as soon as possible.

As a Board Trustee for School District 5 of Lexington and Richland Counties, I have observed first-hand how difficult it can be to maintain operations of a school when educators and support staff are unavailable due to positive cases and quarantines related to COVID-19. This disruption to instructional models is negatively impacting our students and causing upheaval in our community. With the hope of a vaccine that prioritizes accessibility to our essential school personnel, we may alleviate some of the compounding factors caused by this virus and return to a more consistent schedule for our students, staff, and community.

cc: Via Electronic Mail
The Honorable Greg Hembree, Senate Education Committee Chairman
The Honorable Rita Allison, House Education & Public Works Chairwoman
The Honorable Ronnie Cromer, Senate District 18
The Honorable Richard A. Harpootlian, Senate District 20
The Honorable Nathan Ballentine, House District 71
The Honorable Chip Huggins, House District 85

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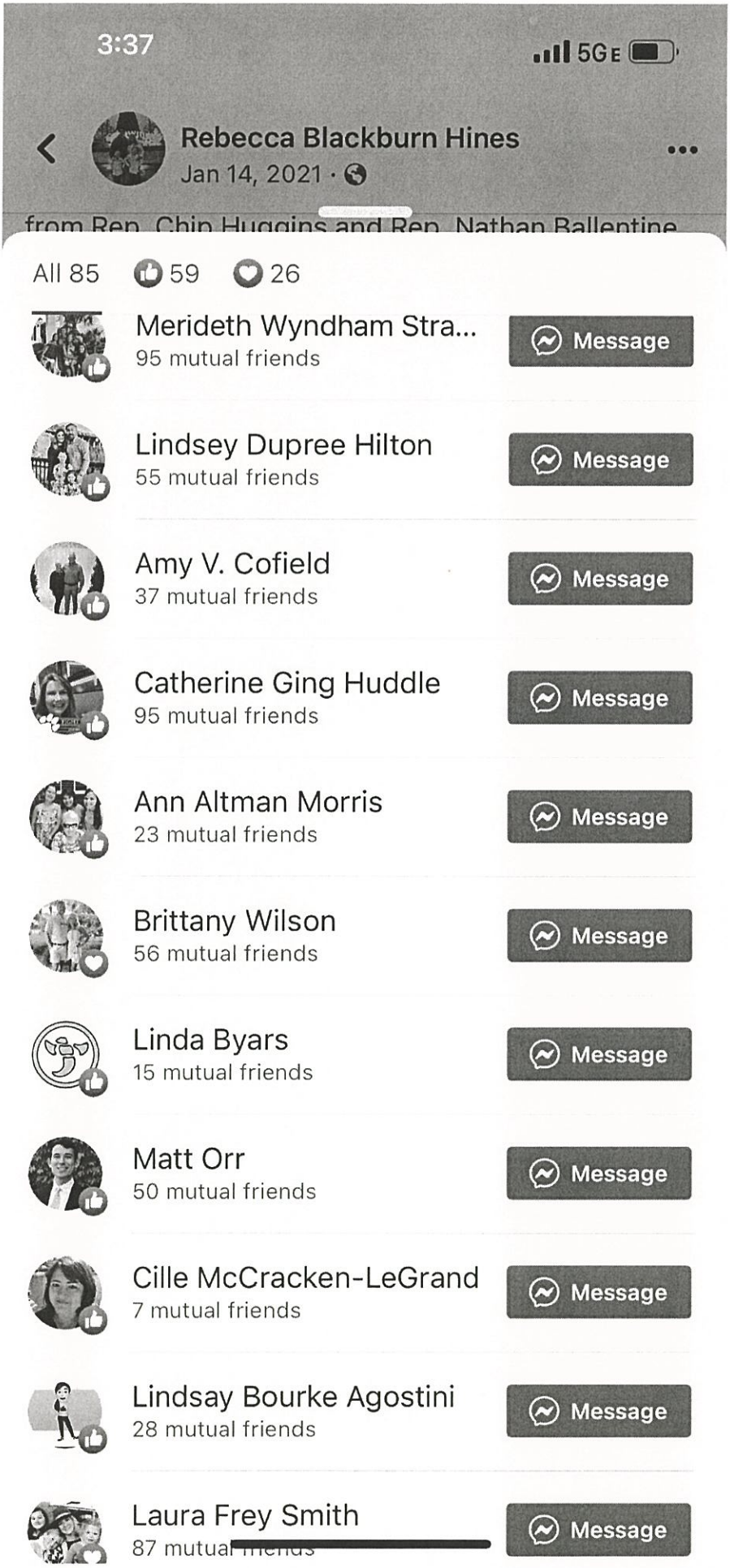
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Jan Hammond
True
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Attachment #45 is included with the minutes of the 3-28-22 meeting at the request of Board member Rebecca Blackburn Hines pursuant to South Carolina Code Ann. Section 30-4-90(a)(4) and Board Policy BEDG. The Board majority did not approve, disapprove, or otherwise act upon the contents of this attachment.



Rebecca Blackburn Hines

Jan 14, 2021 ·

The reality is that we need our kids in school. We need to be able to effectively and safely staff our schools. We need consistency. Our educators need access to the vaccine, should they desire. I have heard (from reliable sources) that there are those that do not believe teachers and support staff should be a priority for vaccinations und... See More

District Five
BOARD OF TRUSTEES

January 14th, 2021

The Honorable Henry McMaster
South Carolina State House
1100 Gervais Street
Columbia, South Carolina 29201

W. Marshall Taylor, Jr.
S.C. Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201

Re: Phase 1b – Priority for Educator & Education Support Staff Vaccinations

Dear Governor McMaster and Director Taylor:

As you are well aware, it is critical to the educational success of the students in South Carolina that our public schools are able to properly operate on a full five-day face to face schedule in every school district. To this point, the Centers for Disease Control's Prevention Advisory Committee on Immunization Practices and South Carolina's COVID-19 Vaccine Committee have identified educators and education support staff as frontline essential workers eligible to receive the COVID-19 vaccine in Phase 1b of the vaccination distribution schedule.

I would ask that you prioritize the vaccination of educators and support staff at the beginning of Phase 1b and work with the South Carolina Department of Education and our school districts to swiftly and efficiently carry out the vaccination process as soon as possible.

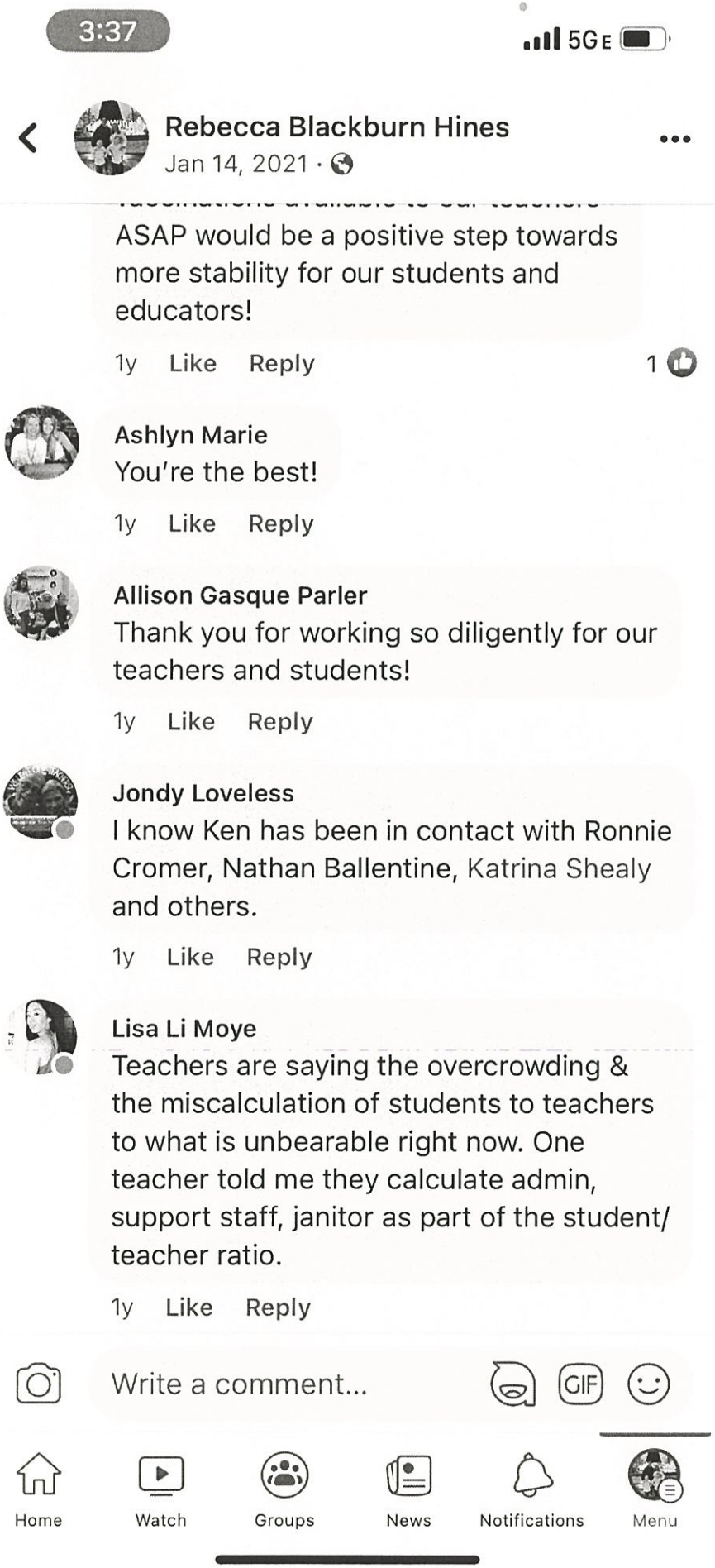
As a Board Trustee for School District 5 of Lexington and Richland Counties, I have observed first-hand how difficult it can be to maintain operations of a school when educators and support staff are unavailable due to positive cases and quarantines related to COVID-19. This disruption to instructional models is negatively impacting our students and causing upheaval in our community. With the hope of a vaccine that prioritizes accessibility to our essential school personnel, we may alleviate some of the compounding factors caused by this virus and return to a more consistent schedule for our students, staff, and community.

cc: Via Electronic Mail
The Honorable Greg Hembree, Senate Education Committee Chairman
The Honorable Rita Allison, House Education & Public Works Chairwoman
The Honorable Ronnie Cromer, Senate District 18
The Honorable Richard A. Harpootlian, Senate District 20
The Honorable Nathan Ballentine, House District 71
The Honorable Chip Huggins, House District 85

Attachment #46 is included with the minutes of the 2-28-22 meeting at the request of Board member Rebecca Blackburn Hines 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.

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Attachment #47 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Blackburn Hines 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.

3:38 5GE

Rebecca Blackburn Hines
Jan 19, 2021 ·

Tomorrow morning, the SC House Education K-12 Subcommittee will consider legislation that will mandate standardized, high stakes testing of all students for the 2020-2021 academic school year (SC READY, SC PASS and EOC testing). These assessments would place an unreasonable level of stress on both students and teachers, while also taking important time away from instruction in a year where there have already been countless disruptions. I have sent a letter to the subcommittee asking them to vote against this bill, as I believe it places students and teachers at a disadvantage due to the inconsistency of instructional models used throughout South Carolina during the COVID-19 pandemic.

District Five Board of Trustees

January 19, 2021

Via Electronic Mail
The Honorable Raye Felder
House Education K12 Subcommittee Chair
116 Mary Mack Lane
Fort Mill, South Carolina 29715

Re: Opposition to H3618 Relating to Certain Student Assessments

Dear Representative Felder and K-12 Subcommittee Members:

As a Board Trustee of School District 5 of Lexington and Richland Counties, I strongly urge you to vote against House Bill 3618 which would require students to take federal and state mandated assessments for the 2020 – 2021 school year. Due to the variability of school schedules and instructional models (i.e. virtual, hybrid, and/or in-person) utilized in South Carolina this academic year in response to COVID-19, exacerbated by the fact that a significant number of students may have been affected by mandatory quarantines of family members, teachers, or themselves, it would prove difficult to gather meaningful, valid and reliable data from high-stakes assessments administered by the South Carolina Department of Education. Such assessments do not provide an equitable measure of student and educator performance because of the inconsistency in instructional models; all of our South Carolina students and teachers are not on a level playing field.

As you are aware, the South Carolina Department of Education and several members of our South Carolina federal legislative delegation have submitted a request to the U.S. Department of Education to waive all federal

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#48 is included with the minutes of the 3-28-22 meeting at the request of Board member Rebecca Blackburn Hines 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.

Attachment #4 is included with the minutes of the 2-28-22 meeting, at the request of Board member Rebecca Blackburn Hines 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.

Public Statement Regarding Censure – 2/28/2022

Rebecca Blackburn Hines

I was elected to represent the constituents of District 5. As such, I have an obligation to listen, to learn, and to ask questions when necessary. While we have policies that guide the pathway to working as a collective board, we are also bound by the responsibility as elected officials to independently seek and research information; and to form our own opinions.

Only when we take a vote, are we bound by "majority rule" or following the "will of the board." Policy BB identifies "all powers of the board lie in its action as a body" and that "board members acting as individuals have no authority over personnel or school affairs." In fact, Policy BJ clearly states that "board 'members' will keep themselves informed of pending legislation and actively communicate board positions and concerns to elected representatives…"

Yes, I wrote a letter to Governor McMaster and Superintendent Spearman. I had (and still have) concerns regarding the situation that has presented itself regarding obscene materials in our schools. I asked for guidance and clarification of an issue at a state level, as ONE Board Trustee and as a parent of two little girls in our schools. In my view, I did not misrepresent anything in my letter. I did not speak on behalf of the board. I do not and will not apologize for seeking information to best represent the families and students in District 5.

It seems that there is an issue over the use of district letterhead. Early on in my tenure, the board was sent letterhead for our "use as needed" by the superintendent's secretary. It was represented to me that if we were advocating or asking questions as "a trustee," that it was acceptable to use letterhead as long as we did not "speak on behalf of the board." In fact, I have sent several letters to other elected and state officials on letterhead, speaking as one trustee. I have not had to "ask permission." A few of these letters, which I am putting on the record, have been posted on social media, and other board members have "liked" or commented on these in the past, raising no concern about the use of letterhead. It was an intentional decision to quietly send a letter to ask for guidance, without the use of social media or news media. I cannot control the response to the letter. Once it was received, as I will submit to the record, the response was immediately forwarded to the chair and the superintendent. It is most concerning that the conversation is about letterhead and not the contents of the response.

It is also clear that several false and potentially defamatory statements are being made against me to attack my reputation and deflect the true situation at hand. I have never demanded books to be removed or spoken on behalf of the board. I will submit an email written back in November 2021, expressing constituents concerns about inappropriate textbooks and asking for confirmation that they were not in District 5 schools. Dr. Ross promptly confirmed they were not in our schools and the conversation ended. Again, asking for confirmation that a book is not in a school is not demanding its removal.

I am inclined to believe that discussing the specifics of the January 24th Board Meeting, the letter in the New Irmo News, the February 7th Board Meeting, and the response from Superintendent Spearman in this format at this meeting, because of a potential censure, is not appropriate and

will only serve to hurt our district and our administration even further, which is not my intention. However, I will say that several statements included in the letter submitted by motion of this board tonight are false and it is very disappointing that we continue down this path.

The irony of this censure is not lost on me. This is a sad example of leadership for the students in our district. I could list out examples of hypocrisy, but ultimately, it's not worth it. The only thing left to say is that District 5 has made it clear that if you disagree with the status quo, you will be attacked or shut down. We are teaching our children, for the second time via the threat of censure, that if you speak your truth and act in good faith, you will be bullied and publicly reprimanded. So, I will say to my girls, and every student in District 5, never apologize for doing what you think is right. If I am censured tonight, I will wear it like a badge of honor. I can look my little girls in the eyes and say that I did what I thought was right.

Attachment #50 is included with the minutes of the 2-28-22 meeting at the request of Board member Rebecca Black Hines 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.

Kenneth B. Loveless
228 Lookout Pointes Drive
Chapin, SC 29036
February 28, 2022

Mrs. Janis Hammond
Chairperson of the Board of Trustees
School District Five of Lexington-Richland Counties
1020 Dutch Fork Road
Irmo, South Carolina 29063

Re: Recusal of Kenneth B. Loveless

Dear Mrs. Hammond:

As you know, on February 8, 2021 I submitted a statement regarding my affiliation with Contract Construction Inc. as a result of the company by which I am employed and of which I am a stockholder Loveless Commercial Contracting Inc., was operating as a subcontractor on the S.C. Law Enforcement Division Forensic Lab project, Columbia, SC. On that date, I recused myself from any and all votes, deliberations, and other actions on any matter that comes before the Board of Trustees relating to Contract Construction Inc.

Since that time and as a result of consultation with ethical and legal experts, I intend to terminate my recusal effective at the next Board meeting, currently scheduled for March 14, 2022. At the beginning of the next Board meeting, I will submit a statement setting forth the reason my recusal has terminated, and I will participate fully in any matter involving Contract Construction after today's meeting.

However, in recognition that there was no prior notice my recusal was ending, I am not going to participate in anything related to Contract Construction during this meeting, so the Board members and the public will be aware that my recusal will conclude when this meeting is adjourned. I will step out of the room for any discussion or vote on anything involving Contract Construction this evening.

Sincerely yours,

Kenneth B. Loveless
Vice Chairman of the Board of Trustees
Board Member

Attachment #51 is included with the minutes of the 2-28-22 meeting, at the request of Board member Janis 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.