

March 24, 2016
75 Calhoun St., Charleston, SC 29401

A Special Called Telephonic Meeting of the Charleston County School District Board of Trustees was held at 4:00 p.m. on Thursday, March 24, 2016, in the Board Room at 75 Calhoun Street to discuss the agenda legal matters (2).

The following members of the Board were present: Mrs. Cindy Bohn Coats – Chair, Mr. Chris Staubes – Vice Chair, Mrs. Kate Darby, and Rev. Eric Mack. Rev. Chris Collins, Mr. Tom Ducker, Mr. Todd Garrett, Mr. Michael Miller, and Mr. Emerson Tripp Wiles participated by phone.

OPEN SESSION
4:00 p.m.

I. CALL TO ORDER

Mrs. Coats called the Special Called Telephonic Meeting to order at 4:00 p.m. Then she called for a vote to adopt the agenda.

II. ADOPTION OF AGENDA

Mr. Staubes moved, seconded by Mrs. Darby, to adopt the March 24, 2016 agenda.

Mr. Ducker asked that the motion be amended to expand the recommendation to include criminal and unethical activities. Mr. Garrett accepted the amendment.

At 4:03 p.m., Mr. Staubes moved, seconded by Mrs. Darby, to go into Executive Session.

EXECUTIVE SESSION

III. 3.1: A. Legal Matter

The board discussed retaining counsel to review the extent to which the non-disparagement clause in a severance agreement prohibits the board or its agents from discussing facts or the findings of a professionally executed audit, though they may reflect negatively on the other party to the agreement.

B. Legal Matter

The board discussed retaining counsel to review for criminal implications the findings of the Forensic Audit recently performed by Elliot Davis Decosimo.

OPEN SESSION

IV. 4.1: Executive Session Action Items – March 24, 2016

The board re-convened in Open Session at 4:20 p.m. with four members present and five members participating telephonically. Mrs. Coats did a roll call to confirm the number of participants.

3.1A – Legal Matter

Mr. Staubes moved, seconded by Rev. Mack, to approve a recommendation to hire an attorney who was not involved in the drafting of any CCSD severance agreements in the last 24 months to review the extent to which the non-disparagement clause in a severance agreement prohibits the board or its agents from discussing facts or the findings of a professionally executed audit, though they may reflect negatively on the other party to the agreement. The vote was 9-0.

3.1B – Legal Matter

Mr. Staubes moved, seconded by Mrs. Darby, to approve a recommendation for the board to retain counsel to review for criminal implications and ethics violations the findings of the Forensic Audit

recently performed by Elliot Davis Decosimo. The vote was 9-0.

At 4:24 p.m., Mr. Staubes moved, seconded by Mrs. Coats, to adjourn the meeting. The recommendation was approved by consensus.