

## I. EXECUTIVE SESSION

A regular meeting of the Board of Trustees of the Charleston County School District was held on Tuesday, August 27, 2012 in the Board Room at 75 Calhoun Street with the following members of the Board present: Mr. Chris Fraser - Chair, Mrs. Cindy Bohn Coats - Vice Chair, Mr. Craig Ascue, Rev. Chris Collins, Mrs. Elizabeth Kandrak, Mrs. Elizabeth Moffly, Mrs. Ann Oplinger, Mr. Brian Thomas, and Dr. Nancy J. McGinley, Superintendent and Executive Secretary. Staff members Mr. Michael Bobby, Mrs. Audrey Lane, Mrs. Melissa Metarazzo, Dr. Brenda Nelson, and Mr. John Emerson were also in attendance.

Note: Mrs. Green resigned from her position on August 20, 2012.

The news media was duly notified of the meeting and representatives were present.

Mr. Fraser called the Open Session meeting of August 27, 2012 to order at 4:00 p.m. Mrs. Coats moved, seconded by Mrs. Oplinger, to go into Executive Session to discuss agenda items listed below. The motion was approved unanimously.

*1.1: Student Transfer Appeals - In County Requests*

*1.2: Architectural Design Contract for St. Andrews School of Math & Science - Mr. William Lewis – Chief Operations Officer for Capital Programs*

*1.3: Workers' Compensation Settlement – Mr. Michael Bobby – Chief Financial and Operations Officer*

*1.4: Home School Applications*

## OPEN SESSION

### II. CALL TO ORDER, INVOCATION/MOMENT OF SILENCE, PLEDGE OF ALLEGIANCE

The Board reconvened in Open Session at 5:15pm. Mr. Fraser called the meeting to order. Then he called for a Moment of Silence followed by the Pledge of Allegiance.

### III. ADOPTION OF AGENDA

Rev. Collins moved, seconded by Mr. Thomas, approval of the August 27, 2012 amended agenda. The motion was approved 8-0.

Rev. Collins requested pulling items 10.1A & 10.1B because a Policy meeting is scheduled at 9am on Thursday, August 30, 2012.

### IV. SPECIAL RECOGNITIONS

#### 4.1: Principal William Runyon and St. Johns HS students – Mr. Louis Martin – Associate Superintendent of Secondary Learning

The Board recognized Principal William Runyon and St. John's High School students for their work with the PGA Tournament.

#### 4.2: Yoga Benefits for Kids – Ms. Clara Heinsohn – Director of Public Affairs and Volunteers

The Board recognized Caryn Antos for yoga programs she provides to CCSD schools.

#### 4.3: United Hospice – Ms. Clara Heinsohn – Director of Public Affairs and Volunteers

The Board recognized United Hospice for their invaluable service to CCSD. Ms. Janice Meyers said she was available to provide grief services when and wherever there is a need at no cost.

### V. SUPERINTENDENT'S REPORT

- Dr. McGinley welcomed everyone to the 2012-13 school-year. Then she announced that schools are open, teachers are teaching and students are learning. School facilities are in good shape. There weren't any major transportation issues.
- Members of the Senior Leadership Team visited over 20 schools on the first day.
- Many teachers sent handwritten notes thanking the board for supporting their salary adjustments.
- The first day of school went smoothly. However, one error was reported. A student got off bus at the wrong stop. That was corrected quickly.

- The 3<sup>rd</sup> day enrollment report showed the district had more students 42,585, than have had since 2004. This good news is because of new improved communications.
- Last week, the district conducted major professional development trainings in schools focused on reading academies. The district is hitting schools earlier than ever before to identify and work with students with reading challenges.
- Thanks to the Hands of Christ and Hootie's Home Grown Roundup, the First Day Festival and the North Charleston Supply Drive.
- Enrollment for third day shows more students than previous years.
- Two swing campuses opened last week, Harborview is at the old Stiles Point Facility and St. Andrews School of Math and Science are in the former Oakland facility.
- A meeting was held today with Burke HS staff and stakeholders to strategize efforts to help Burke HS Principal Cannon.
- Dr. McGinley said she is confident that CCSD students will continue to make great progress this year. This is the first official year of Charleston Achieving Excellence: Vision 2016 and as the plan calls for, the district will accelerate improvement and work hard to hold everyone accountable for student achievement. She is looking forward to working with the Board to meet challenges head-on. Further, she knows the keys to closing the achievement gap are Educator Effectiveness and Literacy Based Learning.
- In recognition of the importance of teachers, this year, beginning next week, Dr. McGinley will start her annual school visits and meet directly with teachers and school leaders. The Victory is in the Classroom.
- Today, the Anna E. Casey foundation from Baltimore met with Early Childhood Division and Dr. Herring. They were visiting as part of a grant proposal with MUSC School of Nursing to support Hispanic families in the Midland Park area.

Mrs. Moffly asked how many vacancies there were at magnet schools. Mr. Padron said currently there are no vacancies at Academic Magnet HS (AMHS) or School of the Arts (SOA). Other schools are looking at waiting list to fill vacancies. Mrs. Kandrac asked about address verification. Mr. Padron said all addresses were verified at SOA and AMHS sharing information on special exceptions.

Mrs. Kandrac asked about the 5% buffer at magnet schools. Mr. Bobby said it wasn't required at magnet schools because they have a set number of students. All schools with home school attendance bound use the 5% buffer.

Mrs. Moffly inquired about the status of some facility improvements at a Lincoln HS meeting. Bobby said eleven (11) resource allocation requests were received and several were approved. The restroom was not intended to be in this year's budget. Funds would have to be considered later on. Mr. Bobby said Lincoln was not a project in any of the 2005-06 budget program so none of Lincoln Projects could be considered.

Mr. Ascue inquired about teacher vacancies. Mrs. Lane said there are 26 vacancies for certified teachers but qualified substitutes are in place and staff is in process of interviewing. Dr. McGinley said it's been a moving target because some positions are hard to fill and some positions weren't cleared. Mrs. Lane said staff is doing all they can to fill positions to include looking at re-hiring retired teachers. Efforts are also in place for an improved plan for next school year.

Rev. Collins asked who was responsible for filling vacancies and said he is concerned about kids not learning at schools with substitutes. Dr. McGinley said some teachers were hired but they left if they found a job closer to home or a better job.

Mrs. Kandrac asked date board would get the 10<sup>th</sup> day enrollment. Dr. McGinley said the 7<sup>th</sup> day count is now used. Mrs. Kandrac requested a list of schools that are missing teachers. Mrs. Lane said she would have to get that information from her office. Mr. Bobby said once 7<sup>th</sup> day reports are used,

allocations would be adjusted to minimize impact on students.

Mrs. Moffly asked about the interim principal at St. James Santee and said he was also listed as an interim last year. Dr. McGinley said Interims are assigned to three undersubscribed schools. Frierson ES, Murray LaSaine ES and St. James Santee ES. She heard the constituent board's request and asked staff to bring information on undersubscribed schools. Also, the status, pay and authority of Interim Principals are the same as other principal positions. Staff is in a holding pattern on what to do with undersubscribed schools. Mrs. Moffly said the community is fond of principal and would like to see some stability.

Mrs. Kandrak asked why the principal of Murray LaSaine ES was moved if the district is not trying to change principals from undersubscribed schools. Dr. McGinley said Corcoran ES is a larger school and he applied.

Mrs. Coats asked if there was a policy prohibiting Interim Principals from serving more than one year. Dr. McGinley said it has been a practice to not have an interim principal at a school for more than one year, not policy. She is pleased with the principal at St. James Santee and feels has done a good job. If it is the board's pleasure for her to advertise and hire a principal for that school, she could do that. However, she plans to bring to the board names of schools that have low enrollment. However, it is her understanding that the board wants to review that information. Mr. Fraser asked for a timeline. Dr. McGinley said information she knew which schools are under-scribed and could provide that to the board at anytime. However, staff is seeking further directions. They have the redesign factors with the eleven variables staff looked at four-five years ago in terms of which schools might be consolidated or merged. It depends on what the board requires from staff—to see the list or bring forth considerations. Mr. Ascue said he hated having an Interim Principal in place who may not have a job if it is determined the school is under-scribed and something need to be done. He prefers finding a solution to address low enrollment to make sure the school has a healthy enrollment and teachers. Mr. Fraser suggested a workshop be held to talk about it. Rev. Collins agreed with Mr. Ascue and wanted to know why some schools are undersubscribed. He also stated that he would not support closing any school. He suggested better programs at under-subscribed schools to keep them open. Mr. Fraser requested a date be identified for a workshop.

Mrs. Kandrak said the board had workshops in 2008-2009 and received input from the total community. In McClellanville, 189 individuals completed surveys according to Mrs. Lane. Since she has a copy of those surveys collected during reconstruction it should be used as a starting point.

## **VI. VISITORS, PUBLIC COMMUNICATIONS**

There were no visitors to address the board at this meeting.

## **VII. APPROVAL OF MINUTES/EXECUTIVE SESSION AGENDA ITEMS**

### **7.1: Open Session Minutes of August 13, 2012 and August 20, 2012**

Mrs. Kandrak moved, seconded by Mrs. Coats to approve the Open Session Minutes of August 13, 2012 and August 20, 2012. The motion was approved 8-0.

### **7.2: Motions of Executive Session of August 27, 2012**

The Board approved the Executive Session motions of August 27, 2012 as follows:

#### **1.1: Student Transfer Appeals - In County Requests**

Mrs. Oplinger moved, seconded by Mrs. Coats, approval of in-county student transfer appeal requests as follows. The motion was approved 8-0.

- Approved - B to West Ashley MS, C to Laing MS, D
- Denied – A

#### **1.2: Architectural Design Contract for St. Andrews School of Math & Science - Mr. William Lewis – Chief Operations Officer for Capital Programs**

Mrs. Coats moved, seconded by Mr. Ascue, to approve a recommendation authorizing staff to enter a contract with The FWA Group, architectural firm, to provide architectural services for St. Andrews School of Math and Science from Construction Development Phase through

Construction Closeout, in the amount of \$1,353,530.00. The funding source is the one (1) cent sales tax revenues. The motion was approved 8-0.

**1.3: Workers' Compensation Settlement – Mr. Michael Bobby – Chief Financial and Operations Officer**

Mrs. Coats moved, seconded by Mrs. Oplinger to settle a Workers' Compensation claim not to exceed \$116,449.24. The funding source is General Operating Funds. The motion was approved 8-0.

**1.4: Home School Applications**

Mrs. Coats moved, seconded by Rev. Collins approval of Home School Applications for students to receive academic instruction at home, at no cost to the district. The motion was approved 8-0.

**7.3: A. Financial Minutes of August 2, 2012, August 13, 2012, and August 20, 2012**

Mrs. Kandrac moved, seconded by Mrs. Coats, approval of the Financial Minutes of August 2, 2012, August 13, 2012, and August 20, 2012. The motion was approved 8-0.

Mrs. Coats requested an actual amount from Mrs. Enck on the W. Comp. Settlement. Mrs. Enck said it was completed the following day for the approved amount. Mr. Bobby said the board would continue receiving updates amending not to exceed amounts. As soon as the amount is received by Mrs. Terri Shannon or Mrs. Linda Mock, the update would be provided.

Mr. Ascue said about the principal salaries, that the district could save a lot of money by recruiting and training in house staff. Mrs. Moffly said she could recommend that all the feeder schools that aren't performing should be considered for a similar deal.

**B. Financial Minutes of June 11, 2012 and June 25, 2012**

Mrs. Kandrac moved, seconded by Mrs. Coats approval the financial minutes for the June 11, 2012 and June 25, 2012 financial minutes. The motion was approved 8-0.

**VIII. CAE UPDATE**

**8.1: • Reading Scores – Data Dashboard Template**

- Dr. McGinley said information shared covers the five years she served as superintendent.
- **Reading Scores**
  - The data shows the number of Middle School students leaving schools reading at 4<sup>th</sup> grade level or more. Northwoods Middle was used as an example. Dr. Donnelly calculated the number of English language learner and special needs students and learned that 65% were special needs or English learners; only 23 did not fall into this category. The chart was basically the same for most schools.
    - Mrs. Kandrac asked for the break out for special needs and English as second language students and said when she taught, English as second language students excelled. Dr. Donnelly provided data.
- **Literacy Acceleration**
- Dr. McGinley and Dr. Laura Donnelly shared information on Literacy Acceleration. Dr. McGinley said she wanted to correct some reading data that was published a week ago on Sunday stating that the district had more low performing schools. Dr. McGinley shared details on the reading data that was published in the Post & Courier and explained the source school of the data are not the receiving schools because the data was listed as the high schools, the receiving schools. However, it may take folks just coming to this country longer to learn to read.
- Dr. McGinley proposed a Data Dashboard that captures current data from various sources in response to an issue. She said Mr. Ascue previously asked about reconciling various data to show how schools are doing overall. She said the data dashboard would shed some light on how schools are doing overall.

- Last Thursday Dr. McGinley, Mrs. Lane and Mr. Fraser met with the Post and Courier editorial board to share the data that comes directly from the state website. The Department of Education produces the information and it's not altered by CCSD. It shows that in 2007 CCSD had 22 schools labeled "At Risk" on the school Report Card and in 2011 CCSD had 10. The district went from having 27% to 13% in 2011. Dr. McGinley hopes to bring back a report in a couple of weeks showing that it has been further reduced to single digits in 2012. The district is not ready to say that but she is hopeful that it would happen. In 2007 15 schools were rated "Excellent" and in 2011 there were 26. If the schools are totaled, it would be greater than 80 schools because several schools are counted more than once if they have multiple levels, (i.e., elementary and middle school levels or middle school and high school). Schools with multiple levels receive a report card for each level.
  - Mrs. Moffly inquired about MS/HS Report Cards and said that if there are more students in MS than HS, they just look at one level. She said that seemed wrong. She suggested it needs to be separated. Dr. McGinley said the state report card ratings for Middle Schools are based solely on the PASS exam. Dr. Donnelly said different criteria are used for different report cards. High schools have graduation rates and HSAP. Different measures are used at those levels.
  - Mrs. Moffly said Lincoln HS has an awesome graduation rate and does a good job. However, their report card came down because of the Middle School. Dr. McGinley said Lincoln receives two separate report cards (MS/HS). Dr. Donnelly said the ESEA rating was put together for the Federal accountability system.
- Dr. McGinley said the Bar graphs illustrates that CCSD have more excellent schools at this time.
- After Reading score information was distributed, Dr. McGinley proposed a strategy to address literacy screening at 4<sup>th</sup> and 7<sup>th</sup> grade levels. She chose data for the last five years because it captures the years she served as superintendent. Also, Northwoods MS was used the example. The number students reading at fourth grade level were broken out by those with IEPs, ELL, and regular students. She spoke of efforts to address needs of ELL students.
- Dr. McGinley spoke of efforts to address the gap and said that resources have been poured to hiring Associate and Master Teachers that are trained to work in these areas. Teachers in the Accelerated Academies will work with students who have the greatest challenges and are in the red zone.
- Within the next 30 days there will be a staff development training on "Principal as a Literacy Leader" and identification of the must haves to create a Literacy environment. Also, principal will receive training in what to look for in the "Content Areas".
- Literacy is not just the responsibility of English Language Arts (ELA) teacher; it is the responsibility of all teachers. Literacy training will be scheduled for all Math and Science teachers beginning with the nine middle schools.
  - Rev. Collins asked if Northwoods MS had staff members that were bi-lingual. Dr. McGinley said they have an English Language Learners (ELL) initiative going on because the percentage of ELL students is growing. Rev. Collins said it would be nice to have a bi-lingual principal there given the number of ELL student.
- Dr. McGinley said it is troubling is that some kids didn't seem to care about MAP test. Some do well on PASS, not on MAP. Dr. Donnelly said maybe could instill an importance on MAP tests.
  - Dr. Herring responded to Mrs. Oplinger question about writing assessments stating that it is being explored.
  - Mrs. Coats asked for separation between Special Education and English language students. Dr. Donnelly said Lou Martin addressed HS asking them to review schedules for those reading at lower levels and make sure they receive

extra help. Dr. Winbush said Master Teachers are broken down to various classes and taken from regular classes for additional reading help. Mrs. Coats asked if they work with Master Reading Teachers. Dr. Winbush confirmed. Some had already been identified.

- Mrs. Kandrak said Richmond and Chesterfield County in Virginia have done this for a while now. She suggested staff check to see what those districts are doing. She asked what could be done to get students enthusiastic about doing work. Dr. Herring shared what is being done and said each content area has liaison meetings to infuse instructions. Also someone provides support for instructional coaches with the same training. Dr. McGinley said she looked at MS scores this morning and see that they fail on information text, research, and vocabulary and now teachers know that they can address that. Dr. Herring said there are fidelity checks to ensure that things are happening. Mrs. Kandrak also shared concerns about students pulled from other elective classes to learn to read. Dr. McGinley said that's why staff is looking at extended days because there isn't any other way to get it done now.
- Mrs. Moffly said phonics is important and for some reason was eliminated in 70s. She said students should be trained early. If students fall through cracks, they should be tested in spring as opposed to fall. Dr. McGinley said students have already been identified so tested to see progress. She spoke about the basal used for coherent curriculum and said phonics is being taught. Mrs. Moffly said that still doesn't address her concern. Dr. McGinley said staff will bring back details. Mrs. Coats said staff could bring a recommendation with additional cost for testing. Mrs. Moffly said there shouldn't be an additional cost.

Rev. Collins asked if there was something students could take home to work on daily. Dr. McGinley said Ms. Betsy Reidenbach could address this and share information on Read Well at a future meeting because this would help tremendously. Mrs. Kandrak said the ones that need it won't do it. She recently met an educator that worked in 60s. She said phonics was replaced with whole language.

Mr. Thomas asked if there was a way to get ninth grader students that reading at fourth grade levels caught up before they graduate. Dr. McGinley said it's possible but may be hard to do; it depends on where they are, if they have special needs, learning a new language, and how old they are when they come in. Progress is being made in this area and she would be happy to share details at a workshop. She said best results are at the first grade level. The intent is to eliminate Literacy Academies over time.

Mr. Fraser asked at what point will staff be able to draw the line if they are not successful. Dr. Winbush said 21 of 338 students were retained in grades 3-8 after no gains were made in summer school. Dr. Winbush said the intent is to make as much progress as possible. He concluded that if students believe in what you are doing, they will do what is required.

Mr. Ascue asked about how to reach parents or volunteers to share how learning is changing schools. Also, he said some have culture issues and staff should be sensitive with sharing literacy expectations. Mrs. Moffly said that's why CCSD has Vision 2015.

Mrs. Coats asked how communication is shared with parents. Dr. McGinley said

literacy policy is sent home to parents. She will bring Betsy Reidenbach to share details at a future board meeting.

**Data Dashboard Information** shared was in response to Mr. Ascue comments about data at various schools. She said the Data Dashboard is a snap shot that shows all the different measures taken at a particular school. As requested by the board, Dr. McGinley shared a data dashboard with the following measures:

- 2012 State Report Cards
- Federal Measure - ESEA Letter Grades
- Local - MAP Data
- Studer - Parent Satisfaction Survey
- Studer - Parent Response Rate
- Studer - Employee Engagement Survey
- Studer - Average Daily Attendance

Dr. McGinley said Mr. Fraser suggested a data dashboard be posted on walls at each school. Mr. Fraser said when Dr. Winbush was a principal one could see what they were doing that day. He said information could be posted on walls for people to see how schools are doing. Mrs. Moffly said she would include HSAP and End of Course scores. Dr. McGinley said those are the factors that go into the state's report card. However, if the board wants it broken out, she is able to do that.

- Mr. Thomas asked about parent feedback on the fifth quarter program. Dr. Winbush said they wrote parents at beginning of year to say if child wasn't doing well they would be required to attend the fifth quarter program. Mr. Thomas asked about the rate of parental feedback. Dr. Winbush said he would provide it to Dr. McGinley since he did not have it with him.
- Mr. Ascue requested school enrollment capacity be added to dashboard because it may have a driving force on the data dashboard. Mrs. Moffly requested a number grade be added.

Dr. McGinley said dashboard is a snapshot of how school is doing.

- Mrs. Moffly suggested the actual number be added in red area.
- Rev. Collins said research shows retention is not successful. He suggested mandating reading.
- Mrs. Coats asked for an update on the thirty and sixty-day targets in upcoming Friday Updates. She asked the plans of accomplishments for 90 days. Dr. McGinley said within 90 days will bring a recommendation for a countywide screening. She would use MAP for reading but felt something else was needed to screen writing. Whatever tools that were used previously, was not the same in all schools and what to do with the results.
  - Rev. Collins asked if Northwoods principal was bilingual. Dr. McGinley said it wasn't. Rev. Collins said it would be helpful.
  - Mrs. Kandrac asked how many first year freshmen tested at lower grade levels. She felt some could possibly be at first or third grade levels. Dr. Donnelly said she could provide information on what was used to test students.
- Mrs. Moffly said Middle School should have its own report card and High Schools have its own report card for schools with both MS/HS. Dr. Donnelly said different measures are used for different levels.
- Mrs. Moffly said Lincoln HS report card data came down because of the Middle School.

Mr. Fraser said the data look good and he looks forward to receiving additional information.

**IX. MANAGEMENT REPORT(S)**

**X. COMMITTEE REPORT(S)**

**10.1: Audit & Finance Committee – Mrs. Cindy Bohn Coats**

**A. Reallocation of Funding for the 2004/2005/2006 Bond Funds for the CCSD 2005-2009 Building Program**

Mrs. Coats moved, seconded by Mr. Ascue, approval of a recommendation to approve the three proposed reallocations provided on Charts 1-3 requesting reallocation of funding for each bond fund as follows. The motion was approved 8-0.

- Chart 1 transfer funds from each project funded from the 2004 bond and the reallocation of \$20,991 to Bond Project #9984
- Chart 2 transfer funds from each project funded from the 2005 bond and the reallocation of \$6,504,060 to Bond Project #9997.
- Chart 3 transfer funds from each project that was funded from the 2006 bond and the reallocation of \$23,188,787 to Sullivan's Island Elementary School Project #5788.

Mrs. Coats said some funds weren't needed to complete that bond fund and would be used toward repayment of debt.

Mrs. Kandrac asked if funds were intermingled with sales tax referendum. Mr. Bobby confirmed. Mr. Thomas asked if the 2004/2005 amount was going to pay off the debt. Mr. Bobby said over \$1 million was left over from the 2004 project and over \$3.9 million from the 2005 project. Those funds were needed for the Sullivan's island project which resides in 2006 project. Funds from 2004 & 2005 cannot be transferred directly. So those amounts are being swept into program contingency. Then projects 2004 & 2005 will be closed out and debts will be paid down with those funds. But debt will be assessed in the same amount to put into the Sullivan's Island ES project. This gives the district flexibility of saving through payoff and moving funds to generate revenue for the Sullivan's Island Project.

Rev. Collins asked how he would generate \$5 million. Mr. Bobby said he plans to issue debt to pay off commitments through 8% capacity and issue same amount of millage because would already have some money that could be used on the project. Currently Sullivan's Island project funds are not complete. Mr. Bobby said it would come from assessing the same amount of millage to create flexibility to have money for the Sullivan's Island project.

**B. Procurement Audit for FY 2011-2012**

Mrs. Coats moved approval of a recommendation to accept the Procurement Audit for FY 2011-12 prepared by Greene, Finney & Horton, Certified Public Accountant and Consultants in accordance to the State of South Carolina Budget and Control Board (SCSCB) and, where applicable, CCSD procurement policies. However, after discussion, the Procurement Audit for FY2011-12 was tabled. Mr. Fraser requested a follow up at a future meeting.

Mr. Fraser said the district was waiting on a letter from the budget and control board that would allow this to be exempted. Mrs. Coats said the district submitted the audit to the state on July 25<sup>th</sup> and on August 12<sup>th</sup> the state came out with new procedures. So the CPA firm has gone to the Budget and Control Board to ask if they should go back to change something or do a letter on opinion based on the fiscal year it was supposed to be for or future forward action. At this point she doesn't think they received an answer. However, Mr. Fraser said he was told the CPA firm got an answer, but still waiting on the letter that says same. Mrs. Moffly inquired about the answer. Mr. Fraser said that they could use the existing audit and that he would like to wait until the letter was received. Mr. Bobby said district's auditors, Greene, Finney & Horton took the position, on the district's behalf, that the district worked real hard to turn it around and file it in a timely fashion to the public and the board. The fact that the district was able to do so in such a timely fashion and the decision was made after the district's audit was done to add an additional step, the district's auditor took the position that the district should be allowed to finish this year and institute the new process next year. While he doesn't have the answer from the state at this point, the board is simply being asked to accept the audit. The answer from the state board shouldn't affect the district's procurement audit. Mrs. Coats requested a follow up from the district at the next meeting. Mr. Fraser said he preferred to wait.



Mrs. Moffly said she took issue with the Budget and Control Board because of the fact that it's been an agreed upon procedure. They said they would ask the schools districts for an opinion audit, and not just an agreed upon audit. Mrs. Moffly shared information from the auditing firm stating that she was happy that the state realized the district wasn't getting an opinion. She said they were supposed to send a letter on July 1<sup>st</sup> to Procurement Officers and so she is disappointed. Mrs. Coats said the letter was issued on August 14<sup>th</sup> and was signed by the gentleman Mrs. Moffly has been communicating with on the State Board. Mrs. Moffly said "Jimmy". Mrs. Coats confirmed. Then she said the letter did not go out on July 1<sup>st</sup> when districts end their procurement audits. The letter was delayed by six weeks. Mrs. Moffly said it is unfortunate. Then she agreed to delay the Procurement Audit.

Mrs. Kandrak thanked Mrs. Cox for always sharing audits with the Board. She also thanked staff in Mr. Bobby's office for responding to a call from a constituent. She also asked Mr. Bobby to share something he learned at the board from the SC School Law Conference he attended on the weekend. Mr. Bobby said the major issue is the new Funding Reform.

Rev. Collins said if only 25 transactions were sampled out of 8,000 that is a small number to test accuracy. Mr. Bobby said the number was different—1300 out of 8,000. Mrs. Kandrak said she shared a letter with Rev. Collins with their explanation on why they sampled such a small number stating that was all that was required. Mrs. Coats said 25 Procurement transaction were sampled and tested from the population of approximately 8,000 transactions.

Mr. Fraser said Rev. Collins is looking for % of total and options. Mr. Bobby said they follow the sampling procedures required. If the numbers were raised, it would increase time and amount of money. He said it would not be fiscally prudent to raise it so much. Mr. Fraser said board needs to see how much more it would cost to increase the amount sampled. Mr. Bobby said he could bring Mr. Finney to respond to Mr. Collins request.

Mr. Ascue asked if board received summary of audits from Mrs. Cox. It includes what is targeted and what she is working on.

**C. Easement Request to Serve 1092 E. Montague Avenue**

Mrs. Coats moved, seconded by Mrs. Kandrak approval of a recommendation to approve an easement request for COMCAST to run a cable to serve 1092E Montague Avenue, at no cost to the district. The motion was approved 8-0.

**D. Current List of Outsourced Legal Counsel**

Mrs. Coats moved, seconded by Mrs. Oplinger, approval of a recommendation ratifying the use of lawyers and law firms listed below pursuant to the CCSD Procurement Code. The motion was approved 6-2 (Kandrak and Moffly opposed).

Mrs. Kandrak offered a second motion, seconded by Mrs. Moffly to table item 10.1D **Current List of Outsourced Legal Counsel** until four years of financial records are provided. The motion failed 3-5 (Kandrak, Moffly and Thomas supported the motion).

Mr. Ascue offered a friendly motion, seconded by Rev. Collins, asking staff to provide the information asap. The motion was approved 6-2 (Kandrak and Moffly supported the motion).

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| Barnwell, Whaley LLC*        | - Insurance defense  |
| Boykin & Davis, LLC**        | - Superintendent Evaluation  |
| Childs & Halligan, P.A.**    | - General school and employment law advice and Litigation (McSwain litigation) |
| Clawson & Staubes, LLC       | - Real estate transaction  |
| Davidson & Linderman, P.A.*  | - Insurance defense  |
| Defner, Altman, & Wilborn*** | - Constitutional challenge to Act 189, and related matters                     |

Duff, White, & Turner, LLC****	-	Device re: exceptional children
Gibson Law Firm, LLC**	-	Finance
Haynesworth Sinkler Boyd, P.A.**	-	Bond, legal challenge re: SIES
Lynn L. Crooks, Esquire**	-	Real estate advice and transactions
Morrison Law Firm, LLC*	-	Insurance defense
Nexsen Pruet, LLC**	-	Immigration law
Rosen, Rosen & Hagood, LLC**	-	Capital projects, insurance defense work
Sowell, Gray, LLC****	-	Advice on utility law, territories
Stuckey Law Offices, LLC***	-	Challenge on title to former AMHS land on navy base
Williams & Walsch, LLC***	-	Challenge to title to former AMHS land on navy base
Young, Clement, Rivers, LLP***	-	Insurance defense, uninsured employment litigation

\*Firms selected by the S.C. School Boards Insurance Trust (SCSBIT)

\*\*Firms under contract prior to 2008

\*\*\*Firms previously presented to the Board

\*\*\*\*Firms recently retained

Rev. Collins asked if they were all recommended by SCSBIT. Mr. Emerson said not all of them. Rev. Collins if CCSD was limited to using companies listed. Mr. Fraser said no. The purpose is to acknowledge firms the district used in past. It does not place limitations on future actions. Mr. Emerson said when lawsuits arise, the board is informed of law firms used with exception to lawyers retained by SCBIT. Rev. Collins asked if there is an increase in litigation. Mr. Emerson said there are fewer claims and fewer lawsuits.

Mrs. Kandrac suggested information she requested on a teacher claim be sent to all board members. She also asked about firm used the Superintendent's evaluation. Mr. Emerson said that firm was retained by the board. Mrs. Kandrac asked how much money the district paid law firms since January 2010. Then she said she was bothered that Boykin is still for the superintendent's evaluation. Mrs. Kandrac moved it be tabled until information on amounts she requested is provided.

Mr. Ascue asked about bidding out services and asked if Small Women and Minority Businesses were also included on the list of legal firms used. Mr. Emerson said seven firms were certified as minority or women owned businesses.

Mr. Thomas asked about the law firm hired for the Sullivan's Island legal challenge. Mr. Emerson said attorneys were hired to look at the legal position for petition and referendum which is a complicated law. Mrs. Moffly said she didn't remember getting info. Mr. Fraser said an attorney addressed the board earlier in Executive Session.

Mrs. Kandrac asked which of the 18 firms were still representing the district in litigation. Mr. Emerson said probably 11-12. Many of them were obtained by SCBIT. Mrs. Kandrac mentioned Childs and Halligan and said Duff, White, & Turner, LLC provides a wonderful newsletter to board members. Also, she asked Mr. Emerson if McNair Law firm had been used since his arrival in 2008. Mr. Fraser and Mrs. Coats said McNair resigned prior to formation regarding CEEFC in 2006.

## 10.2: Policy Committee – Mrs. Elizabeth Moffly

### A. Second Reading – Policy DKC - Expense Authorization, Reimbursement - Tabled

The second reading of **Policy DKC - Expense Authorization, Reimbursement** was tabled. Therefore, no action was taken.

### B. Second Reading – Policy GBEBDA - Cell Phone Acceptable Use

The second reading of **Second Reading – Policy GBEBDA - Cell Phone Acceptable Use** was tabled. Therefore, no action was taken.

## XI. POTENTIAL CONSENT AGENDA ITEMS

**11.1: Memorandum of Agreement - Charleston County School District and Rising Star Childcare Center – Mr. Michael Bobby – Chief Financial and Operations Officer**

Mr. Ascue moved, seconded by Mrs. Oplinger approval of a recommendation to approve the Memorandum of Agreement between Charleston County School District and Rising Star Childhood Center per the terms and conditions provided by staff. Start up funds in the amount of \$16,800.00 is budgeted for maintenance and utilities of the facility. The funding source is General Operating funds. The motion was approved 7-1 (Kandrac opposed).

Mr. Ascue requested the motion be amended to speak to Rising Star administrators to see if they have a solid plan.

Mrs. Kandrac said the no action could be taken on this item because the agenda item was listed as an information item and correct agenda posted in the lobby wasn't posted 24 hours in advance. However, after Mr. Larry Lutrario checked the agenda in the lobby he confirmed that the agenda posted in the lobby listed the item as an action item. Also, both Mr. Fraser and Mrs. Coats said the correct agenda was provided on Friday with the Board Update.

Mrs. Kandrac offered a second motion, seconded by Mrs. Moffly, to deny approval of a recommendation to approve the Memorandum of Agreement between Charleston County School District and Rising Star Childhood Center. The motion failed 7-1 (Kandrac opposed).

After, Mrs. Kandrac said the district shouldn't pay for child care services, Rev. Collins asked the goal of program. Mr. Bobby said the goal was to serve 30+ students and fill serve students in community for working staff and other community members. They were adamant about finding a way to continue services. Rev. Collins asked about the number of employees and the cost. Mr. Bobby said there were 5 employees that agreed to work at a reduced rate.

Mrs. Coats asked what district was providing for the Rising Star program. Mr. Bobby said a \$16,800 loan and use of a facility.

**11.2: Montessori Community School of Charleston – Mr. Michael Bobby – Chief Financial and Operations Officer**

Mrs. Coats moved, seconded by Mr. Ascue, approval of a recommendation to award a contract for Montessori Community School of Charleston (Solicitation #12-SMG-B-008) to Trident Construction in the amount of \$8,793,450.00 to include Alternates 1 & 2. The funding source is QSCB funds allocated to CCSD as a result of the American Recovery and Reinvestment Act Legislation. The motion was approved 8-0.

**11.3: 2011-2012 - Board Expenditure Report**

The Board received the 2011-2012 Board Expense Report as information.

Mrs. Kandrac said the Board Expenditure Report it should be an action item or tabled so board could receive a breakdown to show amounts and number of meetings attended, workshops. Mrs. Kandrac she suggested Board Agenda updates be time stamped to show when it was updated.

**XII. NEW BUSINESS**

1. Rev. Collins requested
  - a. a replacement NCHS scoreboard that works and
  - b. look at a vinyl canopy for stadium for protection from the rain.
  - c. Consider a board visit to Orange Grove Charter since they have done a good job in closing the Achievement Gap down to 1% to get ideas from them
2. Mrs. Kandrac requested
  - a. updated SRO Reports.
  - b. a hard copy of the draft Code of Conduct
  - c. a Police Report for the senior administrator that had an auto mishap.

3. Mrs. Coats requested
  - a. an update on High School with specifics on Readers' Schedule (Winbush)
  - b. the 7 day count for all schools to include charter schools + Capacity
  - c. information on Teach for America teachers—where they are and what they are teaching
  - d. schools where subs let kids play mentioned by Rev. Collins
  - e. Tour schools in September
4. Mr. Ascue requested
  - a. Palmetto Priority Schools Update and how to bring status information
  - b. Staff look for G/T in addition to students that need additional help during screening of students
  - c. Information on why there are so many low enrollment schools.

Since there was no further business to come before the Board. The meeting was adjourned at 7:58 by consensus.