

May 4, 2010

A Special Called meeting of the Board of Trustees of the Charleston County School District was held on Tuesday, May 4, 2010 in the Board Room at 75 Calhoun Street with the following members of the Board present: Chair – Mrs. Ruth Jordan, Rev. Chris Collins, Mr. Chris Fraser, Mrs. Toya Hampton-Green, Mrs. Elizabeth Kandrak, Mr. Gregg Meyers, Mrs. Ann Oplinger, Mr. Arthur Ravenel and Dr. Nancy J. McGinley – Superintendent of Schools and Executive Secretary. Vice Chair - Mr. Ray Toler was absent. Staff members Mr. Michael Bobby, Dr. Doug Gepford, Mrs. Audrey Lane, Mr. Bill Lewis, Dr. Brenda Nelson, Mr. John Emerson, and Mr. Elliott Smalley were also in attendance.

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

I. Welcome

Board Chair – Mrs. Ruth Jordan called the meeting to order at 1:10 p.m. She said the purpose of the Special Called meeting was to respond to the Board's request for additional information from staff regarding alternative sites to address seismic issues in District 20 schools proposed by Mayor Riley at the April 26, 2010 Board meeting.

II. Updated Information: Alternative Sites for Schools With Safety Issues

Dr. McGinley shared the following:

- In order to replace and/or substantially refurbish schools, faculty, staff and students must vacate the building during the construction phase.
- New information was introduced by Mayor Riley on April 26, 2010 for downtown elementary schools with seismic issues. Mayor Riley pledged the City's cooperation. Staff was asked to explore all options in order to keep neighborhood elementary schools on the peninsula.
- The five schools--Memminger, James Simons, Charleston Progressive, Buist and Sullivan's Island Elementary which are currently operational have been cited by external experts to have serious vulnerability that could result in the loss of lives, should a seismic event, greater than a moderate earthquake, occur.
- Charleston is one of four zones in the country deemed to be a Level 4 Zone for seismic activities.
- On April 26, 2010 the Board voted to rebuilding/refurbishing the five schools (four down town and Sullivan's Island Elementary). Funds in the amount of \$175 million were identified through the use of the District's available 8% debt capacity to support these projects.
- The Board also voted on April 26, 2010 to allow parents to ask for an "open transfer" if they wanted to transfer their children because of the seismic issue. This may cause overcrowding in certain schools. Some schools have waiting lists. The district's letter notifying parents of the Board's action have not been distributed because clarification is needed. Also, clarification is needed on the parameters, transportation, role of Constituent Boards, transfer requests for other magnet schools, etc. This may have an undetermined negative impact on the budget adding operations/costs.
 - Mr. Emerson addressed concerns about rights of employees who are assigned to schools with life safety issues. He stated that staffing issues and employee safety are an additional concern.
- Dr. McGinley continued...
 - The Board voted on April 26, 2010 not to move schools to "swing" campuses during the summer of 2010.
 - Some Buist parents opposed relocating to Wando South as a swing campus because of distance.

- Staff considered rotating downtown schools into one swing space which would tremendously delay replacing of schools.
 - The cost of utilizing swing campuses is substantially less than creating mobile campuses for Memminger and James Simons.
 - Title I funds may not be used for NCLB transfers if the district is using G.O.F. funds for "open transfers."
 - Insurance coverage concerns—since the seismic vulnerability of these schools has been publicly documented, Insurance Trust with South Carolina School Boards Association is watching the seismic issues and actions taken by the Board. Insurance rates and/or coverage may be impacted.
- The Board may be asked to convene in Executive Session to discuss District liability with Mr. John Emerson – General Counsel.
 - The second plan recommendation for Memminger and James Simons Elementary are:
 - Move Memminger to a mobile campus on park across from Mitchell. Memminger Child Development will stay in a single story annex for one year.
 - Move James Simons to a mobile campus on Marlowe Park. James Simons Child Development will stay in single story annex for one year.
 - Buist could be relocated to of Brentwood or Wando South campus
 - Charleston Progressive Academy could relocate to the Berry campus. This would not impact the advance design of District 4 Arts Infused Elementary School which is being designed at the other end of the campus. The CREOC facility could be used for startup years one and two.
 - Sullivan’s Island Elementary School will move to Whitesides.
 - Memminger and James Simons campuses are not likely to be completed by August 2010. January 2011 was identified as the earliest possible date. Other schools could be moved during the summer of 2010 or all schools could be moved January 2011. However, the challenge to move all at once would greatly impact operations staff.
 - Delaying relocation of schools with seismic issues is not valid.
 - Two sets of costs were shared:
 - Original Relocation Plan Total = \$1,557,636
 - New Relocation Plan with Mobile Campuses = \$5,371,289

At this time, the staff received comments and questions from individual Board members.

- Mr. Meyers said he expected a modification of the transfer policy to allow students to attend qualifying schools where there is space. He suggested the letter be re-written because of seismic issues elsewhere. He did not want folks to imply that District 20 schools are the only schools where there are seismic risks. Chicora may also have a seismic risk. Mr. Meyers said he didn’t want to replicate efforts of the '50s which created a racial divide. He asked staff to create a list of other schools that don’t meet current seismic standards. In reference to assignment of employees, Mr. Meyers said Dr. McGinley has the authority to re-assign employees. He went on to say that employees should not be forced to work in a facility where there is risk.
- Mr. Fraser said the Board voted to replace all schools identified with seismic issues. Therefore, those schools must be vacated. Although the Board didn’t say when or where, it was never his intent not to relocate schools, he just wanted to delay for a better plan. While parents like having schools on the peninsula and keeping their children close to their homes, more capital funds is required to handle what the Board approved and what the District needs. In response to Mr. Fraser’s comment about

timing, Mr. Bobby said the district's academic calendar didn't have to be used; moves could take place when possible.

- Mrs. Oplinger expressed concerns about the vote the Board took on April 26th and said she was not sure why the Board chose convenience over safety. She spoke of the recent earthquake in Haiti and seismic activity in Guatemala during her recent visit and said she could not live with herself if something happened to a student because she did not take a stand. She prefers being safe over inconvenienced.
- Mr. Ravenel applauded Mayor Riley for offering property to help the district and said the cost to prepare the property across from Mitchell is time consuming and costly. And, there would be a loss of money because property would be converted back after use. He said the seismic issue was raised when he inquired about the Rivers renovation which had been stopped. Then he learned about Virginia Tech's recommendation for seismic renovation. He suggested renovations be done during the summer to avoid interrupting students. Mr. Ravenel suggested the district consider soliciting help from Virginia Tech.

Mr. Ravenel questioned the whereabouts of the seismic report for Sullivan's Island Elementary which Mrs. Jordan requested. While he hopes to see a new school built for Sullivan's Island Elementary, if it's not a hazard, why are funds being spent on that school now? He suggested the District address schools with issues and said funds would be freed up if (Sullivan's Island) was taken off the table.

- Dr. McGinley responded to Board concerns as follows:
 - The seismic report dated February 3, 2009 was forwarded earlier to Mrs. Jordan.
 - Regarding Marlowe Park, the Mayor would relocate athletic programs, however, the property belongs to the District.

Dr. McGinley spoke of two costs, 1) bringing schools up to seismic safety and 2) building a new facility. I.e., a new facility for Buist would cost less. Mr. Lewis said minimal incremental work is costly and could not be done while students are out during the summer. He said detailed engineer reports are on the district's website. Work to be done is considerable for all four downtown multi-story buildings. He only recommends repair at Charleston Progressive.

- Mrs. Jordan said she requested the seismic report for Sullivan's Island 6-8 weeks ago and received only the back part of the report. Now more pages have been added. In 2008, funds were identified for a new roof for Sullivan's Island Elementary. When she contacted Mr. Lewis' office, no one could find the report which recently appeared.
- Mr. Lewis said engineers preparing to renovate the school notified staff of findings. Findings were brought to the Board and funds were reallocated. Mrs. Jordan continued stating that Sullivan's Island was being considered for closure because they only had approximately 90 students enrolled and could be relocated to another school. She concluded by saying she preferred not to discuss Sullivan's Island at this time because she needed more time to investigate this matter further.
- Rev. Collins said Mr. Ravenel and Mrs. Oplinger made good points. However, Haiti knew about the probability of an earthquake ten years earlier. He does not oppose making schools safe, but it matters how it is done. Rev. Collins asked about schools East of the Cooper that meets seismic codes. Mr. Lewis identified new facilities and those with additions--Pinckney, Cario, Laurel Hill, Mt. Pleasant Academy, James B. Edwards, Wando South and Wando. Rev. Collins said adding Sullivan's Island with downtown schools complicates things. He said that school doesn't appear to be in danger like the four schools downtown. He also expressed concerns about the cost to prepare two mobile campuses.

- Mrs. Green suggested the Board err on the side of safety instead of forcing parents to make the decision. She said the transfer option offered by Mr. Meyers is not a good solution because magnet deadlines have passed, some schools have waiting lists and others are overcrowded. Mrs. Green read a letter she received from a Buist parent regarding the Board's April 26th vote not to relocate students at this time. In response to Mrs. Green, Mrs. Kandrak said that's why she suggested Mrs. Green abstain from voting on seismic decisions because her daughter attends Buist Academy. Mrs. Jordan urged Mrs. Kandrak to speak to the issue and refrain from personal attacks.
- Mrs. Kandrak said the district has known for ten years about the risks and dangers. She questioned why other Board members did not receive the seismic report given earlier to Mrs. Jordan. Mrs. Kandrak suggested the Superintendent's letter be revised, said it's been 124 years since the last earthquake and asked the measurement of a medium sized earthquake. She went on to say Haiti knew about the probability of an earthquake and that Summerville is on the fault line, unlike Charleston.
- Mr. Meyers said he appreciates different ways Board members look at the issue. Everyone agrees on the safety issue and that there needs to be a fix. He suggested Archer and Fraser also be considered as temporary sites downtown. He requested a comprehensive schedule to rebuild with or without capital funding. He said it is necessary to anticipate all the steps and not just some. He went on to say investing in infrastructure at two sites he proposed, could possibly result in using one of them as a permanent site.
- Mr. Fraser said Mr. Ravenel made a good point about the amounts to construct mobile campuses. He received a lot of correspondence. Many said to slowdown. Mr. Fraser said the Board approved the recommendation to use the 8% funds.
- Mr. Lewis, in response to questions from Rev. Collins, said the state prefers certain kinds of mobiles be used that shake, but are safer.
- Mrs. Jordan said that in February 2010 the Board received a report stating that four downtown schools were not seismically safe. April 26, 2010 the Board approved a motion to repair at \$150-\$175 million. There are safe swing spaces for students. Setting up mobile campuses is unacceptable. The first recommendation from staff was the best option. She appreciates the Mayor's offer, Mr. Meyers new option, and options from others. She reiterated that she supports the original recommendation over spending \$5 million for two mobile campuses. However, she said buildings can't be repaired with students occupying those facilities. She is concerned that the insurance carrier is waiting to see what the Board is trying to do to determine liability.
- Mr. Meyers said he didn't mind spending extra money. It's all about safety.

Motions:

Mr. Meyers motioned, seconded by Mr. Fraser to approve the relocation recommendation for Memminger, James Simons, Sullivan's Island. Since Mr. Meyers later withdrew this motion, no action was taken.

Mr. Ravenel motioned, seconded by Mrs. Oplinger to adopt the original relocation plan presented to the Board on April 26, 2010. The motion failed 4-4 (Collins, Fraser, Kandrak and Meyers opposed).

Mr. Fraser motioned, seconded by Mr. Meyers to approve options presented today moving Memminger moving Memminger and Mitchell to mobile campuses, Sullivan's Island to Whitesides. Meyers offered an amendment to this motion, directing staff to bring a feasibility study back to the Board on Monday, May 10, 2010 about the possibility of using

Fraser and Archer campuses as a swing space option for Buist and Charleston Progressive. The motion failed 3-5 (Fraser, Meyers and Ravenel supported the motion).

At this time, Dr. McGinley said the time and cost in the first recommendation was based on the fact that most students at Charleston Progressive and Buist don't live downtown. Brentwood was suggested to keep the cost down. The cost to build mobile campuses which would be torn down may cost \$5 million more.

In response to Rev. Collins concern about the urgency in moving Sullivan's Island, Mr. Fraser said unreinforced masonry; Mr. Meyers said funds have already been allocated.

Mr. Fraser motioned, seconded by Mr. Meyers to approve moving only three schools: Memminger to site near Mitchell, James Simons to Marlowe Park and Sullivan's Island to Whitesides. Mr. Meyers later withdrew his motion. Therefore, no action was taken on this motion.

Mrs. Green motioned, seconded by Mrs. Jordan to adopt the recommendation the Superintendent presented earlier today relocating Buist to Brentwood, Sullivan's Island to Whitesides, Charleston Progressive to Berry, Memminger to Mitchell Park and James Simons to Marlowe Park. The motion failed 2-6 (Green and Jordan supported the motion).

Mr. Meyers motioned, seconded by Mr. Fraser to approve the recommendation received earlier today from staff for Charleston Progressive and Buist subject to staff reporting to the Board at the next meeting on the feasibility of using Fraser and Archer as swing space. Mr. Myers later withdrew his motion.

Mr. Ravenel said he would vote against any motion which includes mobile parks which are fiscally irresponsible.

Mr. Fraser motioned for staff to bring a recommendation that doesn't require more than two schools to move at once and have schools remain in District 20 while construction is done with exception to Sullivan's Island. No one second this motion

Dr. McGinley questioned issuance of letters to 1300 District 20 parents offering transfers where space is available or no waiting list, and provision of transportation. Mr. Meyers said Board Policy JFABD doesn't offer transportation. Mrs. Jordan asked if the apprehension was about moving Buist or Charleston Progressive. Mr. Ravenel said the Board could do anything with unanimous consent.

Mr. Ravenel asked for unanimous consent to revisiting the vote on the original relocation plan recommendation of April 26th. The vote on unanimous consent failed 6-2 (Collins and Kandrac opposed).

Mr. Fraser motioned, James Simons relocate to Brentwood, Sullivan's Island relocate to Whitesides, Memminger relocate to Mitchell, Charleston Progressive relocate to Berry, and Buist relocate to Brentwood. No on second this motion.

Mrs. Jordan requested answers to Dr. McGinley's questions about letters, open enrollment and transportation. Mr. Meyers said the 1300 letters should be sent because of the vote on April 26th, transfer students if space is available under the current transfer policy and no transportation would be provided.

Dr. McGinley said rights of employees at schools with seismic issues will need to be addressed.

Mr. Fraser motioned to reconsider the original relocation plan. No on second the motion.

Mrs. Jordan motioned, seconded by Mrs. Green to relocate Memminger to the Mitchell site, James Simons to the Marlowe site, Buist to Brentwood or Wando South, Charleston Progressive to Berry and Sullivan's Island to Whitesides. Mr. Meyers request the motion be amended to ask staff to bring a feasibility study on using Archer and Fraser as swing space for Buist and Charleston Progressive. Mrs. Jordan accepted.

At this time Mr. Emerson suggested the Board chair not make the motion because that would prohibit the decision for being arguable. Therefore, Mrs. Green motioned, seconded by Mr. Fraser to relocate Memminger to the Mitchell site, James Simons to the Marlowe site, Buist to Brentwood or Wando South, Charleston Progressive to Berry and Sullivan's Island to Whitesides. Mr. Meyers request the motion be amended to ask staff to bring a feasibility study on using Archer and Fraser as swing space for Buist and Charleston Progressive. The motion was approved 5-3 (Collins, Kandrac and Ravenel opposed).

Mrs. Green suggested a voting process for parental input. Mr. Fraser suggested it be handled by the League of Women Voters. Mrs. Jordan said she did not like the voting idea. If done for Buist, other parents should be given same opportunity.

Mr. Ravenel urged everyone to reconsider the space near Mitchell due to parking issues and interstate traffic. Mrs. Green suggested busing staff to alleviate traffic issues.

Dr. McGinley said the mobile campus near Mitchell could share some office space at Mitchell and possibly the media center and cafeteria. Also, she said food could be brought in for the mobile campus at Marlowe Park. Mrs. Jordan requested details about both mobile sites be brought back to the Board.

Mr. Meyers motioned, seconded by Mr. Fraser the vote for relocation space for Buist be done within thirty days of receipt of feasibility study from staff on use of Fraser and Archer as possible swing space. The motion was approved 8-1 (Ravenel opposed).

III. Adjournment

There being no further business to come before the Board, at 3:30 p.m. Mr. Meyers motioned, seconded by Mr. Fraser to adjourn the meeting. The motion was approved by consensus.

Approved:

Nancy J. McGinley, Ed.D.
Superintendent of Schools