BCSD ISSUES STATEMENT REGARDING TERMINATION OF FORMER SUPERINTENDENT DEON JACKSON

November 23, 2022

Statement of Stafford J. “Mac” McQuillin, Chairman of the Berkeley County School Board

Over the past week, the Berkeley County School District and the members of the Board of Trustees have received many questions about our recent decision to terminate the employment of former Superintendent Deon Jackson. The District absolutely recognizes the public's right to know about the reasons and process that led to this decision. As a result, I am providing this response to answer many of the legitimate questions that have been raised.

To begin, I acknowledge that the failure to offer reasons for the action at the recent Board meeting could have created the perception that we were not being fully transparent with the public. That is a legitimate criticism, but I want to assure the public that we have nothing to hide. The rationale of our action was not fully explained during open session of the meeting because the public discussion of personnel matters is fraught with legal risks that potentially expose the District to liability that is ultimately borne by taxpayers. In fact, legal claims have previously arisen directly from statements made about District employees in Board meetings. Because of these legal risks, we wanted to handle the discussion of Mr. Jackson’s termination cautiously to limit the District’s legal exposure.

Also, we had limited discussion about the employment action out of a desire to avoid embarrassment to Mr. Jackson and minimize disruption to the District. After the personnel matters were added to the agenda, I reached out to Mr. Jackson, days prior to the meeting, to inform him of the possible action and to request that he consider resigning and working towards an amicable resolution with the District. Mr. Jackson never responded to my request. Unfortunately, it appears that he coordinated with others to ensure that his termination would play out in public regardless of how it would affect the District, its employees, parents, and students.

While we wish Mr. Jackson would have chosen a different path, we realize that the public deserves answers, and the public interest in getting information about his termination outweighs the legitimate legal concerns that led to our more cautious approach to discussing this decision at the recent meeting.

Turning to the reasons that motivated the newly elected Board members to transition to new leadership, they can be summed up simply and concisely: We lacked trust and confidence in Mr. Jackson to lead...
the District. I will provide more detail below, but it is suffice to say that no superintendent can effectively lead without the support of the elected officials entrusted with overseeing our schools.

The most important job of any school board is to appoint a superintendent that can put students on the path to academic success. The members voting to terminate Mr. Jackson found him lacking in this regard. Since Mr. Jackson took over as superintendent, the academic performance of our schools has declined. Recently reported data indicates that the District performed below the state average in all areas except in the End-of-Course English I assessment. In 2022, thirteen schools rated below average in academic achievement and four rated unsatisfactory. Given the caliber of our teachers and the talent and skills of our students, these results are disconcerting.

While the cause of this academic decline can be debated, there can be no debate that deliberate action is necessary to reverse this trend. And ultimately it is the Board’s responsibility to take action immediately. We simply cannot risk our children’s academic future on the hope that things will get better by adhering to the status quo.

For this reason, among others, we believed that the District needed different leadership. And Dr. Anthony Dixon’s skills, talents, and experience reveal that he was uniquely qualified to lead our District’s students to academic success. Schools under Dr. Dixon’s leadership have earned Palmetto Gold and Silver awards, achieved an all-time high Excellent growth rating, and an Average middle school rating after consecutive years in the bottom ten percent of the State’s school rankings. After recently departing BCSD, Dr. Dixon was selected by the Charleston County School District ("CCSD") as its Chief of Schools. Dr. Dixon, who previously worked at CCSD, was described by that district as a “visionary with demonstrated results” who has been recognized “for his high-impact and transformational leadership.” These qualities and experience make Dr. Dixon the right choice to turn our schools’ academic performance around.

In addition to wanting to reverse our District’s academic decline, the members of the Board voting to terminate Mr. Jackson did not have confidence that he could perform the job consistently with the values that we cherish because of actions taken during his leadership over the past year and a half. Perhaps most significantly, the District’s relationship with agencies entrusted with protecting children from abuse and neglect have deteriorated during that period. As a Board, we fully expect that our administration will work cooperatively with law enforcement and child protection agencies to protect our most vulnerable students and to prosecute those who would abuse and exploit them. Unfortunately, the cooperation that we expect has recently turned adversarial.

As an example, the District’s response to a recent SLED investigation into sexual crimes allegedly committed by a School Resource Officer at Stratford High School has likely damaged our relationship with SLED and raised questions about the professional judgment of our former leadership, including the former superintendent and former legal counsel. As many will recall, the SRO assigned to Stratford was charged with sexual exploitation of a minor student who attended Stratford. In dealing with similar investigations in the past, the District has endeavored to be as cooperative as we could with law enforcement. Unfortunately, the level of cooperation offered by the District into the investigation of this matter was lacking, as explained below:

- In response to the investigation, at least one high-ranking District employee was instructed by District leadership not to talk with SLED.
- When SLED requested a chain of emails between the principal of Stratford and the SRO, the District’s former legal counsel refused to provide them unless SLED issued a subpoena for them. (Att. A – Email from T. Richardson to SLED Agent Greg.) The purported reason for this position
was that the emails were educational records protected by the Family Educational Rights and Privacy Act; however, there is judicial precedent indicating that such emails are not considered protected educational records.

- After SLED interviewed school employees, the District’s former legal counsel, with the approval of Mr. Jackson, wrote an email to SLED Chief Mark Keel, accusing SLED of causing the District to violate federal law, “browbeating and intimidation,” and and trying to “take down the district” based on nothing more than “rumors.” (Att. B – Email from T. Richardson to SLED Chief Mark Keel.)

- The District’s response to SLED’s investigation prompted Chief Keel to defend his agents’ actions. In his response, Chief Keel identified factual inaccuracies in the District’s letter and called the allegations unfounded and having “no validity.” (Att. C – Ltr. from SLED Chief Keel to T. Richardson.)

In addition, we have learned that the District’s relationship with the South Carolina Department of Social Services (“DSS”) had become so frayed that DSS was on the verge of filing civil litigation against the District to enjoin the District’s practices with respect to DSS investigators having access to interview students who are alleged to be the victims of child abuse and neglect. As most know, DSS is the state agency that has the authority and obligation to conduct interviews of children on “school premises.” S.C. Code Ann. § 63-7-920(C). Despite this statutory authority and a recent opinion issued by the South Carolina Attorney General stating that DSS “cannot be compelled to permit school administrators or other personnel who are not law enforcement officers to be present in interviews,” the District, at the direction of our former legal counsel and superintendent, refused DSS access to students to conduct interviews of child abuse or neglect unless a school counselor or social worker is present in the interview. (Att. D – Email from DSS to B. Gaskins.) The District, under Mr. Jackson’s leadership, had become so stubborn on this issue that DSS was contemplating legal action and was prepared to seek investigative warrants from the family court to get access to students in District schools. However, as a result of the recent change in leadership, legal action has been avoided, and the District will be cooperating with DSS in the future to ensure that it can effectively investigate allegations of child abuse and neglect without unnecessary interference from the District’s former leadership.

Regardless of the motives underlying the District’s actions discussed above under Mr. Jackson’s leadership, it is simply unconscionable that District leadership allowed our relationships with key law enforcement and child protection agencies to deteriorate to this point. We, as a Board, should expect that our District’s leadership should be fostering cooperative relationships with the agencies responsible for investigating child abuse, neglect, and exploitation. Unfortunately, the District’s actions under Mr. Jackson’s leadership harmed rather than strengthened those relationships.

Similarly concerning is the fact that Mr. Jackson failed to advise many Board members of these issues. Instead of informing the full Board and getting direction from the individuals elected by the voters, Mr. Jackson kept most of the Board in the dark. Members who recently voted to terminate Mr. Jackson had to learn of these issues from other sources. While it is unknown if and to what extent former Board leadership was informed of these issues, all Board members should have been apprised of these developments before legal action from DSS became imminent and before the chief law enforcement agency of this state was accused by District leadership of causing violations of federal law, intimidation, and trying to take down the District.

In addition to these issues, the District under Mr. Jackson’s leadership failed to demonstrate a commitment to transparency that the public deserves, especially with respect to providing the public with information as required under the Freedom of Information Act (“FOIA”). As an example, the District
refused to release all records relating to the demotion of a school principal requested by a local media outlet under a privacy exemption. (Att. E – FOIA Response.) When our former employment and recently rehired attorney learned about this failure to disclose information, he terminated his relationship with the District based on his fundamental disagreement with the District’s position. (Att. F – B. Gaskins Termination Ltr.) Following our former counsel’s termination of his representation of the District, the lawyer for the media outlet requesting the information raised the same objections based on the same principles of law and judicial precedent. (Att. G – Ltr. from Attorney for WCSC.) Although these legal issues were brought to the attention of Mr. Jackson, the District maintained its refusal to disclose the requested documents.

More recently, the District has raised similar objections to a media request regarding allegations of sexual misconduct by District employees. In response to the request, the District, at the direction of its leadership, refused to produce certain documents under purported exemptions that are nowhere to be found in FOIA. And for documents for which no FOIA exemption could be reasonably asserted, the District attempted to charge the media member between $40,000-$50,000 to conduct a search for them. (Att. H – FOIA Request & Response.) Taking these types of positions suggests that the District has something to hide, when in fact we should be an open book, which again raises questions about the professional judgment of our former leadership.

As stated above and as hopefully demonstrated by this statement, the District should endeavor to conduct its business in the open and not hide issues of employee conduct, whether good or bad. The failure of the District to adhere to the principles of transparency and open government under Mr. Jackson, along with his failure to openly communicate important issues to all Board members, demonstrate that our lack of trust and confidence was warranted. In sum, for the District to succeed in the future, it was necessary for Mr. Jackson to have the Board’s complete trust and confidence in him, and he simply did not have it.

Turning to the process that culminated in Mr. Jackson’s termination, I unequivocally deny that the decision was made in a meeting – whether in person, on the phone, virtually, or otherwise – prior to the Board meeting on Tuesday, November 15th. Although some have speculated that a meeting must have occurred beforehand, such speculation has no basis in fact. To begin, Mr. Jackson was not the first choice for superintendent of four members of the Board who were just re-elected and voted to terminate him, and it should come as no surprise that those four members would maintain a preference for leadership other than Mr. Jackson. And when new members were recently elected to the Board, there were one-on-one discussions about the possibility of a change in leadership. Yet there is nothing illegal about those discussions. In fact, such discussions outside of formal meetings are necessary for any school board to effectively govern. To suggest otherwise or pretend that other Board members who disagree with our recent decision never had similar discussions outside of a meeting is simply naïve and disingenuous.

Finally, I would like to address the decision to hire Dr. Dixon. Again, no meeting occurred in which a decision was made to offer the position of superintendent to Dr. Dixon prior to the meeting on Tuesday, November 15th. When it became clear through the one-on-one discussions mentioned above that a change in leadership was likely desired, I reached out to Dr. Dixon to gauge his interest in the position. Dr. Dixon was the first choice of four Board members to become superintendent when we conducted the superintendent search last year, and he was naturally the first person that came to mind when a change appeared possible. As stated above, Dr. Dixon’s skills and experience as an accomplished academic leader and his love for Berkeley County and its schools and students made him the best choice to lead our District. He is a coveted leader in the field of education, and we simply could not risk the possibility of losing the opportunity of having him as our superintendent when he expressed a reciprocal interest in

Berkeley County School District’s Mission
“We facilitate and support student-driven learning experiences by unleashing the power and potential of education.”
the job. Given our history with Dr. Dixon and his recent candidacy in the most recent superintendent search, there was no need to waste time and money on another search. Decisive action was needed, and we were elected to take it. Put simply, Dr. Dixon is the right man at the right time to lead our District into the future, and we are confident that he will prove the wisdom of our decision for years to come.
ATTACHMENT

A
Good afternoon Agent Gregg, I hope all is well!

Your message was forwarded to me. Encrypted emails contain student or employee information that should not be accessible to outside entities, including law enforcement, without a lawfully issued subpoena. In fact, any information in the possession of the school district requires such. We will be more than happy to assist you when we receive the required legal documentation.

Please feel free to contact me with any questions you may have.

Thanks,

Tiffany

Dr. Tiffany N. Richardson
In-House Counsel
Berkeley County School District
843-899-8350

From: Gregg, Rebecca <RGregg@sled.sc.gov>
Sent: Tuesday, August 9, 2022 4:44 PM
To: Diane Driggers <diane@bcsdschools.net>
Cc: Kelly, Ryan <rkelly@sled.sc.gov>
Subject: Email Question

WARNING: This email originated from outside of the BCSD organization. Do not click on links or open any attachments unless you recognize the sender.

Good afternoon Ms Driggers,

I appreciate all the work you put into providing emails. As I work through them I noticed several have encrypted messages which I am unable to view. Just so I can have an understanding of BCSD protocols, what content determines if an email is encrypted or is it based on user discretion? Also, would it be possible to obtain the information in specific encrypted messages? I know there is a series of encrypted emails between Jayma Diaz and Conrad Stayton, one was specifically sent on Monday January 3, 2022 at 6:38 pm by Diaz to Stayton.

Thank you for all your help.

Rebecca Gregg
SLED Special Agent
Low Country Region
rgregg@sled.sc.gov
(office) 843.584.4223 (cell) 803.331.4387

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ATTACHMENT
B
Good afternoon Chief Keel,

I hope all is well. It has been a minute since we last spoke as I have transitioned as general counsel from the SC School Boards Association to in-house counsel with Berkeley County School District.

I am writing regarding the investigation of former SRO Stayton who, as you are probably aware, was recently arrested for his misconduct with a student. SLED's investigation into his actions has led to the arrest of another officer as well for misconduct in office. We have and will continue to work with your agency as it pertains to investigating such matters.

However, I must bring our concerns to your attention. In case you are not aware, these officers were not under the radar of law enforcement. It was the district's staff who became uneasy and looked into the actions of Officer Stayton. What they found was immediately shared with our superintendent who directed staff to notify the police department and have him removed from our campus. We provided local law enforcement with all the information they lawfully requested.

At some point thereafter, the matter was turned over to your agency and we were contacted by Agent Rebecca Greg. Cooperatively, our staff consisting of the principal and district leadership, agreed to have a meeting with Agent Greg on Thursday, May 5, 2022, to provide details regarding the matter. On that day, they were surprised when Agent Ryan Kelly arrived with Agent Greg for the "meeting." Agent Kelly refused to allow district leadership in the room with our principal and proceeded to interrogate her for approximately two (2) hours. I do not use the term interrogate lightly as what proceeded was hours of browbeating and intimidation with a District employee. Such tactics are unnecessary as I repeat that it was the District that uncovered this information and is more than willing to work with law enforcement.

During the interrogation, Agent Kelly asked for the student's file. Our principal informed him that it would require a subpoena to be released as federal law mandates. Agent Kelly stated such was not necessary and made her turn over the file, thereby violating District policy and federal law. The District must always abide by the law and Agent Kelly instructing staff to do otherwise is a serious concern.

This occurred on another occasion as well. Agent Kelly contacted our IT director and asked her to turn over a momentous amount of information circumventing the proper channels. I cannot say that intimidation tactics were used in this instance, but Agent Kelly certainly used his position to influence this employee when a lawful subpoena should have been issued.

Just recently, rumors have reached staff that Agent Kelly has a goal to take down the District. I am reaching out to you as we are at a loss for any reason he would have to believe that the District has not done everything in its power to assist law enforcement. It is because of District staff that the matter came to the attention of law enforcement, and we have cooperated with both the local department and was more than willing to cooperate with your agency. However, we cannot maintain our silence about the conduct of this agent or the unprofessional investigation that he is supposedly spearheading.

I am more than happy to discuss our concerns with you or provide additional information. Please feel free to contact me via email or phone as my number is listed below.

Thanks,

Tiffany

Dr. Tiffany N. Richardson
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August 19, 2022

Via Email Only To: richardsontiffany@besdschools.net
Dr. Tiffany N. Richardson
Berkely County School District
107 E. Main Street
Moncks Corner, SC 29461

Re: Response to Complaint

Dear Dr. Richardson:

I write today in response to your email dated August 8, 2022, in which you allege several complaints against SLED’s handling of an ongoing criminal investigation of a former SRO who worked in the Berkeley County School District. SLED has reviewed the actions of our agents and has determined that your complaints are unfounded. As an initial matter, it bears noting that SLED was requested to investigate this matter by the Goose Creek Police Department. As such, while you claim that the district “uncovered” information about this SRO, SLED did not receive a request from the school district or from any school district personnel to investigate this matter.

In addition, SLED thoroughly reviewed your claims about SLED personnel’s handling of an interview with the principal of the school in question. This recorded interview lasted 58 minutes – not the “approximately two (2) hours” alleged. This was not an interrogation at any point and your assertions of “browbeating and intimidation” are simply false. Our agents conducted this interview professionally and in accordance with SLED policies and procedures, which specifically include prohibiting supervisory personnel from attending interviews because this can affect a witness’s candor and raises avoidable Garray concerns.

Contrary to your assertions, our agents also made proper requests for information from school district staff and did not circumvent any “proper channels” or use any improper tactics to influence district personnel into cooperating with a SLED criminal investigation. Specifically, the principal in question did not inform our agents that a subpoena would be required to produce records and never once mentioned any federal law. Put simply, our agents requested records in an ongoing criminal investigation, and they were provided. As such, your complaints that SLED agents handled any request for information improperly are inaccurate and unfounded.
Finally, while SLED does not typically respond to allegations based on rumors or innuendo, we did look into whether or not there was any validity to the concerns you espoused based on “rumors” that have reached district “staff”. Not surprisingly, upon review, we have determined that there is no validity whatsoever to these rumors.

We appreciate the assistance that school district personnel have provided in SLED’s investigation thus far and look forward to continued cooperation and assistance.

Sincerely,

Mark A. Kee
SLED Chief
ATTACHMENT
D
Brandon,

Thanks for talking this afternoon. I am hopeful you might communicate this message, (as well as the above opinion) with the leadership and counselors in the District. This has been a very unusual situation for SCDSS so I’m glad we had the chance to speak before legal action was necessary.

School personnel under the former Superintendent insisted that they be in the room with the child and the DSS worker during the initial interview. If DSS did not agree, (even after advising that the school personnel’s conduct would violate the law) the school would prevent the interview from taking place on school grounds. We think that is unlawful and would place children in danger, violate their privacy, and violate the SC Code section that governs child abuse and neglect investigations. I am hopeful our discussion today can be a turning point for us and I will ask our county legal team to hold off on the plan to use inspection warrants in Berkeley (and the other potential litigation tools I mentioned we were considering) pending hearing back from you.

Based on the statutes addressing DSS’ conduct of investigations, and the above opinion, we ask that when a DSS case manager arrives on school property for the initial interview of a child, and after the worker’s ID can be verified, that DSS will have the ability to interview the child without school personnel in the room. We recognize there will be some exceptions (discussed below) that I believe we can agree to, and which have some statutory support. If the investigation is “indicated” (if we think that more than likely abuse or neglect has occurred) the case has a different legal status and more information can be shared with the school, such as safety plan information, for example, one parent may not be safe to pick the child up from school and it is important for us to share that information with your clients.

I should also note that there may be some circumstances when a subsequent interview may be necessary (if we get a new report, if parents won’t allow case managers to have DSS face to face visits in the home, or some other clinical reason for the visit) and our folks can normally call ahead where that won’t jeopardize the investigation or child’s safety. Calling to coordinate when we can safely do so is fine – but a school requiring an appointment (which unfortunately was happening under the former Superintendent) would also place a child in jeopardy so we ask that all schools in the district assist in our access to the child in a Child Protective Services investigation.

We agree that in some cases an SRO may be appropriate to be in the room, (and we have felt we had statutory support for that in the past as well). The exception might be where the child may be in the position of defendant or suspected of a crime, and in those circumstances should not be compelled to have the SRO in the room. Those are very rare circumstances in my experience. The SRO would need to be a sworn law enforcement officer and not private security.

I also mentioned in our discussion that a DSS Case Manager should ask the student if they would be more comfortable having the counselor in the room. If the child says they would feel more comfortable having the counselor in the room, it’s probably OK to include the counselor under 63-7-920 (C), which provides, “To the extent reasonably possible, the needs and interests of the child must be accommodated in making arrangements for interviews. . . .” We realize there are also some cases where the student may not feel comfortable talking with someone from DSS, who at that point is still a stranger to them, and in those cases the above workaround should be helpful.
Another concern for school personnel might be parents who react with concern (or anger) directed at school personnel. There are two things that should be of assistance when that arises – First, please also provide our assurance to your clients that DSS will notify the parents of the investigation as soon as reasonably possible after the interview, and please also note that we are bound to do so by statute, as long as the notification does not jeopardize the safety of the child or the course of the investigation. See 63-7-920 (C) and (D).

Second, the school can provide to the parents the statutory language that allows DSS to interview children in school which is S.C. Code 63-7-920, which provides, “(C) The department or law enforcement, or both, may interview the child alleged to have been abused or neglected and any other child in the household during the investigation. The interviews may be conducted on school premises, at childcare facilities, at the child's home or at other suitable locations and in the discretion of the department or law enforcement, or both, may be conducted outside the presence of the parents.” This should satisfy any questions the parents may have in showing DSS has the discretion to conduct interviews at school and outside the presence of parents. I hope you agree these two items should provide some degree of protection for the school.

Once you have spoken with the new Superintendent and district personnel, please let me know the outcome. I am hopeful we can collaborate with Berkeley county schools in the same manner that we do with all other schools in South Carolina. Thank you and I hope you have a great Thanksgiving and look forward to hearing from you after.

AJ

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August 19, 2022

Andrea E. White, Esq.
Counsel
 Cherokee County School District
 White & Story, LLC
 P.O. Box 7036
 Columbia, SC 29202

Dear Ms. White:

Attorney General Alan Wilson has referred your letter to the Opinions section. The request letter reads as follows:

This firm serves as general counsel to the Cherokee County School District ("the District"). At its meeting on November 8, 2021, the District's Board of Trustees voted unanimously to seek an opinion from your office regarding the parameters the District may place on interviews of children on school grounds by employees of the Department of Social Services ("DSS").

By way of brief background, the District historically has permitted DSS workers to interview children who are suspected victims of abuse and/or neglect while those children are at school. Such interviews are contemplated pursuant to S.C. Code Section 63-7-920(C). Until recently, DSS ... allow[ed] a school administrator or guidance counselor to be present during the interview. Because school officials are responsible for the well-being of students while they are at school, this practice protects the student as well as the District. ...

Earlier this school year, the District was advised by the DSS head for Cherokee County that, because of confidentiality concerns, school employees would no longer be permitted in the room while a student was interviewed. I subsequently contacted the legal counsel for DSS and was informed that DSS would only permit school resource officers to be present during interviews because of the concern that a DSS employee who allowed a third party other than law enforcement to be present could be considered in violation of S.C. Code Section 63-7-1990 and subject to criminal penalties. I offered the solution of asking each
school employee who sits in during an interview to sign a confidentiality requirement, but that solution was rejected.

Because school resource officers are often tied up with other duties, the District wishes to be able to use its administrators and guidance counselors to sit in on interviews unless a student states his/her desire to proceed alone with the interview. The District has and will continue to work cooperatively with DSS to ensure that children are safe from abuse and neglect, but it is imperative that school officials be able to sit in on these interviews.

**Law/Analysis**

While the S.C. Department of Social Services’ (the “Department”) personnel may interview children on school premises in a number of different circumstances, the issues raised in your letter appear to mainly concern case determination interviews described in S.C. Code § 63-7-920. This opinion will examine the text of section 63-7-920 and related statutes in Chapter 7 of Title 63 to explain the constraints which the Department operates under when conducting these interviews and what additional parameters a school district board of trustees (“school district”) may establish for those interviews that occur on school district property.

Section 63-7-920(A)(1) requires the Department to begin an investigation within twenty-four hours of any of three events: (1) receipt of a report of suspected child abuse or neglect, (2) the Department assuming legal custody of a child pursuant to Section 63-7-660 or 63-7-670, or (3) receiving notification that a child has been taken into emergency protective custody. The Department’s investigation must be “appropriate and thorough” to determine whether a report of suspected child abuse or neglect is “indicated” or “unfounded.” Id. The statute mandates that a case determination “must be made no later than forty-five days from the receipt of the report” with the possibility for a single extension of up to fifteen days where good cause is shown. S.C. Code § 63-7-920(A)(2). To facilitate these case determinations, the General Assembly authorized the Department and law enforcement to conduct interviews on school premises.

The department or law enforcement, or both, may interview the child alleged to have been abused or neglected and any other child in the household during the investigation. The interviews may be conducted on school premises, at childcare facilities, at the child's home or at other suitable locations and in the discretion of the department or law enforcement, or both, may be conducted outside the presence of the parents. To the extent reasonably possible, the needs and interests of the child must be accommodated in making arrangements for interviews, including time, place, method of obtaining the child's presence, and conduct of the interview. The department or law enforcement, or both, shall provide notification of the interview to the parents as soon as reasonably possible during the investigation if notice will not jeopardize the safety of the child or the course of the investigation. All state, law enforcement, and community agencies providing child welfare intervention into a child's life should coordinate their services to
minimize the number of interviews of the child to reduce potential emotional trauma to the child.

S.C. Code § 63-7-920(C) (emphasis added). The Department is further authorized to seek a warrant from the family court. S.C. Code § 63-7-920(B). Of particular relevance to the school setting, the statute specifically contemplates the warrant “may authorize the department to interview the child” and to obtain school records. Id.

We reiterate the General Assembly’s directive to the Department in section 63-7-920(A) is to make a determination regarding whether a report of suspected child abuse or neglect is either “indicated” or “unfounded.” The Department’s General Counsel made the following point regarding information gathered from an investigation before a case determination is made. “[T]he Department takes the position… that a case is unfounded until it is indicated; that is, the case information should be treated under the rules/statute applicable to unfounded cases until such time as a preponderance of the evidence is determined to make the case indicated for child abuse and neglect.” This position closely mirrors the statutory definition of “unfounded report” which means “a report made pursuant to this chapter for which there is not a preponderance of evidence to believe that the child is abused or neglected. For the purposes of this chapter, it is presumed that all reports are unfounded unless the department determines otherwise.” S.C. Code § 63-7-20(30) (emphasis added).

Chapter 7 of Title 63 of the South Carolina Code limits distribution of records and information related to both unfounded cases and indicated cases. See S.C. Code §§ 63-7-940 (Access to and use of unfounded case information); -1990 (Access to indicated case information). It is a misdemeanor to release information collected in both unfounded and indicated cases except as authorized by statute. See S.C. Code §§ 63-7-940(B); -1990(A). Access to and use of unfounded case information is “strictly limited” to the following:

(1) a prosecutor or law enforcement officer or agency, for purposes of investigation of a suspected false report pursuant to Section 63-7-440;

(2) the department or a law enforcement officer or agency, for the purpose investigating allegations of abuse or neglect;

(3) the department or a law enforcement officer or agency, when information is received that allows the reopening of a Category III unfounded report pursuant to Section 63-7-920(A);

(4) as evidence in a court proceeding, if admissible under the rules of evidence as determined by a judge of competent jurisdiction;

(5) a person who is the subject of a report in an action brought by a prosecutor or by the department, if otherwise subject to discovery under the applicable rules of procedure;
(6) the department, for program improvement, auditing, and statistical purposes;

(7) as authorized in Section 63-7-2000;

(8) the Department of Child Fatalities pursuant to Section 63-11-1960;

(9)(a) the director or his designee who may disclose information to respond to an inquiry by a committee or subcommittee of the Senate or the House of Representatives or a joint committee of the General Assembly, which is engaged in oversight or investigating the activities of the department, provided that such information is reviewed in closed session and kept confidential. ...

(10)(a) the state director or the director's designee, for the purpose of publicly disclosing findings or information about a prior unfounded case of child abuse or neglect in the preparation and release of reports pursuant to Section 63-7-1990(H), ...

S.C. Code § 63-7-940. Because a case is presumptively unfounded prior to making a determination, releasing information gathered in the course of an investigation is only permitted as described above. Generally, school administrators and employees do not fall within these categories. The statute does not contemplate expanding the categories of persons permitted access to unfounded case information by signing a confidentiality agreement. However, school resource officers are authorized to access this information under the second category as a law enforcement officers for the purpose of investigating allegations of abuse or neglect. S.C. Code § 63-7-940(A)(2).

After a case is found to be indicated, school administrators and employees may be granted access to case information. Section 63-7-1990(B)(16) authorizes the Department to grant access to the records of indicated cases to “a person or agency with authorization to care for, diagnose, supervise, or treat the child, the child's family, or the person alleged to have abused or neglected the child.” The role of teachers and school administrators includes providing supervision and care for the children they educate and therefore will generally be considered to fall within those persons permitted access to indicated case information under subsection (B)(16). This authorization is permissive, not mandatory, and the Department is further permitted to “limit the information disclosed ... to that information necessary to accomplish the purposes for which it is requested or for which it is being disclosed.” S.C. Code § 63-7-1990(C). Moreover, if a teacher, principal, or other school employee reported the suspected child abuse or neglect, the Department may provide a summary of the investigation’s outcome to that person. S.C. Code § 63-7-1990(F). The Department may limit the information provided to the reporter at its discretion “based on whether the reporter has an ongoing professional or other relationship with the child or the family.” Id.

With this statutory framework in mind, this opinion will next address what parameters a school district may place on case determination interviews on school district property. The General Assembly requires boards of trustees to “[t]ake care of, manage and control the school
property of the district.” S.C. Code § 59-19-90(5). Consistent with this duty, a court would likely find it reasonable for a school district to adopt policies setting the times and facilities available for the Department to conduct interviews with students. However, the Office is unaware of authority that would allow a school district to require that school administrators, guidance counselors, or teachers be present in interviews conducted according to S.C. Code § 63-7-920(C). It is the Office’s long standing policy, like that of our state courts, to defer to an administrative agency’s reasonable interpretation of the statutes and regulations that it administers. See Op. S.C. Att'y Gen., 2013 WL 3133636 (June 11, 2013); see also Kiawah Dev. Partners II v. S.C. Dep't of Health & Envtl. Control, 411 S.C. 16, 34, 766 S.E.2d 707, 718 (2014) (“[W]e give deference to agencies both because they have been entrusted with administering their statutes and regulations and because they have unique skill and expertise in administering those statutes and regulations.”). The South Carolina Code requires the Department to promulgate regulations and develop policies and methods of administration for carrying out child protective services. See S.C. Code § 63-7-910(E) (listing duties of the Department). Therefore, this Office will defer to the Department’s reasonable interpretations of state law regarding suspected child abuse or neglect investigations.

It is this Office’s opinion that the Department’s policy is reasonable; that is viewing interviews conducted under section 63-7-920(C) as unfounded case information until a determination is made that a case is indicated. See S.C. Code § 63-7-20(30) (“[A]ll reports are unfounded unless the department determines otherwise.”). It is also reasonable to construe S.C. Code § 63-7-920(C) in combination with S.C. § 63-7-940, regarding access to unfounded case information, to limit those persons present in initial case determination interviews. See Penman v. City of Columbia, 387 S.C. 131, 138, 691 S.E.2d 465, 468 (2010) (Where statutes deal with the same subject matter, it is well established that they “are in pari materia and must be construed together, if possible, to produce a single, harmonious result.”). It is this Office’s opinion, therefore, that a court would likely hold the Department cannot be compelled to permit school administrators or other personnel who are not law enforcement officers to be present in interviews conducted under S.C. Code § 63-7-920(C).

**Conclusion**

It is this Office’s opinion that a school district board of trustees (“school district”) may establish parameters regarding the times and facilities available on school district property that S.C. Department of Social Services (the “Department”) may use to conduct an interview of a child alleged to have been abused or neglected. See S.C. Code § 59-19-90(5) (A board of trustees powers and duties include management and control of the district’s school properties.). However, this Office is unaware of authority that would allow a school district to require that school administrators, guidance counselors, or other personnel that are not law enforcement officers be present in interviews under S.C. Code § 63-7-920(C).

It is difficult for this Office to anticipate how a dispute between a school district and the Department over including school personnel in interviews on school property would be resolved because that will likely depend on the facts of a given case. Hypothetically, a school district could refuse to permit such interviews on school property. The Department could then decide, in
some circumstances, it would be better to conduct an interview at another location. In other circumstances, it may be appropriate for the Department to seek a warrant from the family court to authorize the Department to an interview a child. See S.C. Code § 63-7-920(B).

Despite this apparent disagreement, it is this Office’s understanding that the Department and the school district are operating with the best interests of children in mind. From this perspective, we hope that the parties can find a mutually agreeable solution.

Sincerely,

Matthew Houck  
Assistant Attorney General

REVIEWED AND APPROVED BY:

Robert D. Cook  
Solicitor General
June 8, 2021

VIA E-MAIL

Jared Kofsky
jared.kofsky@live5news.com

Re: Berkeley County School District/Information Request

Dear Mr. Kofsky:

I am writing in receipt of your email, requesting information pursuant to the South Carolina Freedom of Information Act (“FOIA”). Specifically, you requested the following:

... the personnel file for Dara Harrop.

The District is not able to provide a copy of the entire personnel file for Ms. Harrop. While certain documents contained in school district employees’ personnel files are subject to release under the FOIA, records exempt from disclosure such as private, personal, and confidential employment records may not be made public under FOIA. The confidential and private nature of the employment records at issue is generally recognized under the FOIA in S.C. Code Ann. § 30-4-40(a)(2), which exempts from disclosure records of a personal nature where public disclosure thereof would constitute an unreasonable invasion of personal privacy.

Nevertheless, pursuant to S.C. Code § 30-4-40(19)(b), in an effort to separate that which is not exempt from that which is exempt as set forth above, the District will make records responsive to this request available to you under FOIA, § 30-4-40.

Also, pursuant to SC Code § 30-4-30(B), the District is permitted to charge for search, retrieval, redaction, and cost of production. To prepare the documents for production, the District estimates that staff will invest 1.5 hours in the search, retrieval and redaction of the responsive documents at $31.05 an hour for a total of $46.57. Please inform me whether you wish to proceed with the request as is or you prefer the opportunity to narrow the request.

The District will produce the responsive documents by July 2, if payment is received before that time.

If you have questions, please do not hesitate to contact me at (843) 899-8611.

Thank you for your time and patience,

Katie Orvin Tanner

Katie Orvin Tanner, Public Information Officer, Communications and Community Engagement Office
Public Information Officer for Berkeley County
School District
ATTACHMENT
F
July 9, 2021

**VIA EMAIL & FIRST-CLASS MAIL**

David Barrow, Chairman  
Berkeley County School District  
Board of Trustees  
107 East Main Street  
Moncks Corner, SC 29461

**Re: Termination of Representation**

Dear Chairman Barrow and Members of the Board of Trustees:

I write to inform you that I am terminating my representation of the Berkeley County School District pursuant to Rule 1.16(b)(4) of the South Carolina Rules of Professional Conduct, which provides that a lawyer may withdraw from representation of a client if “the client insists upon taking action that the lawyer considers repugnant or with which the lawyer has a fundamental disagreement.”

Although I am disappointed to be taking this action, I feel that is appropriate in light of recent developments related to a grievance proceeding in which I have been representing the District’s administration. On July 1, 2021, I learned from counsel for the principal who filed the grievance that the District was preparing to release certain information relating to her employment in response to a request for information made by a member of the media under the South Carolina Freedom of Information Act. This was the first that I heard about the FOIA request even though it was submitted on May 21st. Regardless of whether the failure to notify me of this request was intentional or an oversight, there can be no doubt that this failure to communicate important information relating to the principal undermines my ability to deal effectively with opposing counsel, and ultimately to serve as an effective counsel and advocate.

More concerningly, I later learned that the District decided to exclude from the FOIA production certain documents in the principal’s personnel file that relate to her recent demotion and job performance. The purported basis of the exclusion was that such records may be exempt under S.C. Code Ann. § 30-4-40(a)(2), which provides that a public body may - but is not required to - exempt from disclosure under FOIA “[i]nformation of a personal nature where the public disclosure thereof would constitute unreasonable invasion of personal privacy.”

While the desire to withhold information relating to this matter is understandable because it could reflect poorly on the principal and perhaps the District, such desire does not trump the dictates of the law and the public’s interest in open government. On this point, the law is clear that FOIA’s privacy exemption does not shield information relating to the manner in which public employees prosecute their duties and that the public interest outweighs their desire to remain out of the public eye. *Burton v. York County Sheriff’s Dep’t*, 358 S.C. 339, 352, 594 S.E.2d 888, 895 (Ct. App. Charlotte, NC  
Charleston, SC
2004). In fact, our state’s Supreme Court has stated that “if a person, whether willingly or not, becomes an actor in an event of public or general interest, the publication of his connection with such an occurrence is not an invasion of his right to privacy.” *Doe v. Berkeley Publishers*, 329 S.C. 412, 414, 496 S.E.2d 636, 637 (1998).

Here, the public has a compelling interest in knowing the manner in which principals conduct their duties in overseeing school operations and the education of students which precludes any possible invasion of personal privacy. Given that the District decided to disclose information relating to past incidents of the principal’s work performance, it is impossible to reconcile the disclosure of past information with the exclusion of information that is more recent and serious on the basis of the privacy exemption. Therefore, I fundamentally disagree with the decision to withhold documents from the public under the FOIA privacy exemption.

As a result of this disagreement and the lack of communication, it is best that I terminate my representation of the District. It has been a privilege serving the District, especially working with the talented and dedicated employees of the human resources department. As a product of Berkeley County schools, I appreciate the opportunity to contribute to the success of the District and help overcome some of the real challenges that we have faced over the past four years. Of course, challenges remain, and it is my sincere hope that the District will rise to those challenges with an unwavering commitment to serving the public’s interest in open and honest government even when that interest diverges from the personal interest of any particular individual or group.

Sincerely,

E. Brandon Gaskins

cc: Members of the Board of Trustees
    Deon Jackson
    Tiffany Richardson, Esq.
July 12, 2021

Via Email (tannerk@bc办学schools.net)

Katie Orvin Tanner
Public Information Officer
Berkeley County School District
107 East Main Street
Moncks Corner, SC 29461

Re: Live 5 News’s Records Request Regarding Personnel File of Dara Harrop

Dear Ms. Tanner:

This firm represents Live 5 News (WCSC) and its investigative reporter Jared Kofsky (collectively, “WCSC”). We write seeking reconsideration of your partial denial of WCSC’s request, made pursuant to South Carolina’s Freedom of Information Act (“FOIA”), for the personnel file of Dara Harrop, former principal of Marrington Middle School for the Arts.

The School District’s June 8, 2021 partial denial of WCSC’s request relied entirely on S.C. Code § 30-4-40(a)(2), categorically stating that “the confidential and private nature of the employment records at issue is generally recognized” under this provision. In a subsequent email on July 1, 2021, the School District stated instead that it is “withholding some documents” because “a matter related to those documents has not been adjudicated.” In response to this email, Mr. Kofsky requested clarification regarding which documents were being withheld, and the School District reiterated the same purported justification without providing any clarification.

Under the South Carolina FOIA, agencies must provide the “reasons” for denying a request for public records. S.C. Code § 30-4-30. The Supreme Court of this State has stated that (1) “the government has the burden of proving than an exemption applies,” and (2) “the exemptions in section 30-4-40 are to be narrowly construed.” See, e.g., Evening Post Publ’g Co. v. City of N. Charleston, 363 S.C. 452, 457 (2005) (requiring release of 911 tape over agency’s claim that it was exempt pursuant to section 30-4-40; holding that application of exemption requires showing of “specific harm”). Neither of the reasons the School District has set forth – the “confidential and private nature of the employment records at issue” (without specifying which records or why they are confidential) and the fact that “a matter related to those documents has not been adjudicated” – form a valid basis to withhold the requested records.
School District’s first reason does not pass muster under S.C. Code § 30-4-40(a)(2), and its second reason is not among the exemptions listed in S.C. Code § 30-4-40.

First, the exemption for “private” information contained in S.C. Code § 30-4-40(a)(2) does not apply here. This privacy exemption is specifically directed to “unreasonable” invasions of privacy, meaning that material is not exempt if the public interest in disclosure outweighs the asserted privacy interest. See, e.g., Burton v. York Cty. Sheriff’s Dep’t, 358 S.C. 339, 352 (Ct. App. 2004). Applying the privacy exemption in Burton, the South Carolina Court of Appeals stated that “if a person, whether willingly or not, becomes an actor in an event of public or general interest, then the publication of his connection with such an occurrence is not an invasion of his right to privacy.” Id. at 352 (quoting Doe v. Berkeley Publishers, 329 S.C. 412, 414 (Ct. App. 1998)) (internal quotations omitted).

One of the requests in Burton that the court held did not qualify for the privacy exemption was for particular sheriffs’ employment records. The court found “the manner in which the employees of the Sheriff’s Department prosecute their duties to be a large and vital public interest that outweighs their desire to remain out of the public eye.” Id. “The newspaper, in fulfilling its obligation to report on and hold to account those in public service, had a legitimate need to access the records [its reporter] requested.” Id.

The same is true here. Dara Harrop, as principal of Marrington Middle School for the Arts and an employee of the School District, holds a prominent position in the community. As principal, she was responsible for overseeing students’ educational growth and day-to-day well-being. Her students and their families — and the community at large — have a strong interest in understanding the manner in which she carries out her duties. This interest is plainly evident in WCSC’s coverage of the community’s reaction when Ms. Harrop suddenly left or was removed from her position as principal: https://www.live5news.com/2021/05/25/parents-want-answers-about-middle-school-principals-apparent-removal/. The community’s interest in transparency regarding the personnel file of a school principal, especially here, where Ms. Harrop’s change in position has led to many questions, far outweighs the asserted, unjustified interest in privacy. The privacy exemption is thus inapplicable here, and government transparency, by way of fulfilling WCSC’s request, is required by the South Carolina FOIA. See S.C. Code § 30-4-15 (“The General Assembly finds that it is vital in a democratic society that public business be performed in an open and public manner so that citizens shall be advised of the performance of public officials and of the decisions that are reached in public activity and in the formulation of public policy.”).

Second, the School District’s statement that it is “withholding some documents” because “a matter related to those documents has not been adjudicated” does not state an exception under the South Carolina FOIA. To the extent the School District is invoking an exception under Section 30-4-40(a)(3), the exemption for records “compiled for law enforcement purposes,” the withheld records simply were not compiled for law enforcement purposes. Further, even if they were, just because a record may be related to an investigation (or forthcoming adjudication) does
not mean it is automatically exempt from disclosure. For this exemption to apply, release would have to “interfere with a prospective law enforcement proceeding” or otherwise run afoul of the conditions listed in Section 30-4-40(a)(3)(A)-(G). The School District has not, as it must, explained why this would be the case, particularly in light of the fact that the “exemptions in section 30-4-40 are to be narrowly construed.” See, e.g., Evening Post Publ’g Co., 363 S.C. at 457 (explaining that “the government has the burden of proving than an exemption applies,” including making a showing of “specific harm”).

As explained, the School District’s reasons for withholding responsive records – the “confidential and private nature of the employment records at issue” and because “a matter related to those documents has not been adjudicated” – do not justify the application of any of South Carolina’s FOIA exemptions. And, while WCSC certainly hopes to avoid litigation, it reserves all rights in that regard, including its right to seek attorneys’ fees. See S.C. Code 30-4-100(b); accord, e.g., Burton, 358 S.C. at 357-58.

Please fully and promptly produce the withheld documents from Ms. Harrop’s personnel file. Thank you for your attention to this matter. Please call or email me at your convenience if it would facilitate prompt fulfillment of WCSC’s request.

Sincerely,

Leslie Minora

c:
Jared Kofsky
Live 5 News
Jared.Kofsky@live5news.com
ATTACHMENT

H
August 30, 2022

**South Carolina Freedom of Information Act request**

Dear Public Records Officer,

Pursuant to the state open records law, S.C. Code Ann. Secs. 30-4-10 to 30-4-165, I write to request access to and a copy of the following, which I understand to be held by your agency:

- All separation agreements and settlements reached with current and former teachers who taught in the district between January 1, 2017 through the day this request is fulfilled.

- All public records relating to any and all claims of misconduct against current and former teachers who taught in the district between January 1, 2017 through the day this request is fulfilled. Such public records should include, but not be limited to, all complaints; allegations; claims; investigatory reports; analyses; summaries; memoranda and/or notes; interview recordings; transcripts and/or notes; reviews; emails, text or other electronic messages, voicemails, and/or other communications and/or correspondence; determinations; decisions; orders; resignation letters; employment reclassification documents; offers in compromise and/or settlement agreements; termination and/or transfer papers; letters of reproval and/or other disciplinary actions, whether imposed or not; referrals to law enforcement, administrative, and/or licensing agencies, departments, and/or bodies; appeals; court filings and/or rulings; and all similar materials notwithstanding the use of other terminology, nomenclature, or categorization by this or other involved public agencies.

To further clarify this request, the scope of the misconduct at issue arises from, relates to, and/or is a consequence of sexual behavior and/or activities with district students, whether currently or previously enrolled, and notwithstanding whether any such behavior and/or activities were proven to have occurred or not. The construction of this request should be understood to be liberal and expansive, such that all public records which may be remotely responsive should be produced in full and may only be withheld and/or redacted only as required by law.
I would like these records in the electronic format that they are stored in, transmitted via email or other digital method; please refrain from sending paper copies of the records.

Rather than provide all responsive records at once, I ask that you provide copies of records on a rolling basis, as they become available.

If you determine that any of the information qualifies for an exemption from disclosure, I ask you to note whether the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information. In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any of the information is exempt and will not be disclosed.

Please waive any applicable fees; this information is being sought for reporting purposes. If I can provide any clarification that will help expedite the processing of my request, please contact me directly, at mdrange@insider.com.

As provided in the open records law, I will expect your response within fifteen (15) business days. Note: a delay in access to these records is tantamount to a denial of access.

Thank you for your timely attention to this matter.

Matt Drange
Senior Correspondent, Business Insider
September 9, 2022

VIA E-MAIL
Matt Drange
mdrange@insider.com

Re: Berkeley County School District/Information Request

Dear Mr. Drange:

I am writing in receipt of your email, requesting information pursuant to the South Carolina Freedom of Information Act (“FOIA”). Specifically, you requested the following:

1: All separation agreements and settlements reached with current and former teachers who taught in the district between January 1, 2017 through the day this request is fulfilled.

2: All public records relating to any and all claims of misconduct against current and former teachers who taught in the district between January 1, 2017 through the day this request is fulfilled. Such public records should include, but not be limited to, all complaints; allegations; claims; investigatory reports; analyses; summaries; memoranda and/or notes; interview recordings; transcripts and/or notes; reviews; emails, text or other electronic messages, voicemails, and/or other communications and/or correspondence; determinations; decisions; orders; resignation letters; employment reclassification documents; offers in compromise and/or settlement agreements; termination and/or transfer papers; letters of reprimand and/or other disciplinary actions, whether imposed or not; referrals to law enforcement, administrative, and/or licensing agencies, departments, and/or bodies; appeals; court filings and/or rulings; and all similar materials notwithstanding the use of other terminology, nomenclature, or categorization by this or other involved public agencies.

3: Clarification: The scope of the misconduct at issue arises from, relates to, and/or is a consequence of sexual behavior and/or activities with district students, whether currently or previously enrolled, and notwithstanding whether any such behavior and/or activities were proven to have occurred or not. The construction of this request should be understood to be liberal and expansive, such that all public records which may be remotely responsive should be produced in full and may only be withheld and/or redacted only as required by law.

As to your requests for records concerning current or former District employees, please note that while certain documents contained in school district employees’ personnel files are subject to
release under the FOIA, records exempt from disclosure such as private, personal, and confidential employment records may not be made public under FOIA. The confidential and private nature of the employment records at issue is generally recognized under the FOIA in S.C. Code Ann. § 30-4-40(a)(2), which exempts from disclosure records of a personal nature where public disclosure thereof would constitute an unreasonable invasion of personal privacy. Please also note that while the District may provide determination letters in response to a request for personnel records, complaints and/or investigative documents are not subject to FOIA.

Additionally, the District will not produce those records exempt as correspondence or work products of legal counsel for a public body, which also includes any other material that would violate attorney-client relationship, pursuant to SC Code 30-4-40 (a)(7).

The District does not own or maintain a database that collects this type of filtered or coded information pertaining to disciplinary actions, cautions, and/or communications categorizing employee files based on specified allegations or findings of misconduct. Employee files are individually housed and maintained in an electronic system. If a search were to be conducted for five years of records, it would be a manual search potentially requiring a search of every teacher personnel file in the District. This would place an inordinate burden on District resources, as more than 2500 individual records would need to be manually searched. If an employee were to manually search these files, for just one year, the District estimates that it would take an average of 45 minutes per file. Considering the employees seven-hour workday, the search would take about 234.5 days if no other work outside of the search was expected or completed. Typically, District employees are contracted for 245 days so an employee’s entire fiscal year contract would be dictated by the performance of this search, which would cost the District between $40,000-$50,000 depending on the pay scale of the employee with the skills necessary to complete the task. Responding to this request would interfere with the District’s regular functioning, and as such, the District is unable to comply with this request as it stands.

Please also note that formal separation agreements and settlements may contain non-disclosure clauses or include non-disclosure agreements, which prohibits the District from providing information concerning the same.

The South Carolina State Department of Education publicly reports Order of Disciplinary Action on their website following reported complaints, formal and informal, against educators licensed in the state of South Carolina. The South Carolina Department of Education and The State Board of Education may be a better resource for providing initial responses to a request such as this as the State Board of Education has the authority to take disciplinary action by denying, revoking, or suspending an educator certificate, or by issuing a public reprimand.

Please inform me how I can best I can assist you with narrowing this request.

If you have questions, please do not hesitate to contact me at (843) 899-8611.

Thank you for your time and patience,
Katie Orvin Tanner
Public Information Officer for Berkeley County School District