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JAMES H. LUCAS
SPEAKER OF THE HOUSE

September 28, 2015

DISTRICT 65
CHESTERFIELD-DARLINGTON-
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COUNTIES

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Mr. Carl B. Epps, III
Nelson Mullins Riley & Scarborough
Meridian, 17th Floor
1320 Main Street
Columbia, South Carolina 29201
VIA HAND DELIVERY

Dear Mr. Epps:

In January of 2015, following the denial of a rehearing in the *Abbeville County School District v. State of South Carolina* case, I reached out to you about the formation of a joint legislative task force with significant representation from the plaintiffs' districts as a possible method to comply with the Supreme Court's order. After much discussion, you agreed to participate in the task force model I proposed and to work together in good faith to address the education delivery system in South Carolina.

In the months that followed, the members chosen by the plaintiffs' districts have had a significant impact in shaping the work of the task force, and they have had a prominent voice in the discussions. It came as such a severe disappointment to me when, in June, you filed a motion with the South Carolina Supreme Court to engage in an alternative process to answer the Court's concerns in *Abbeville*.

Of even greater disappointment was the Court's 3-2 vote granting your ill-conceived motion despite the tremendous progress made by the task force. I, Chairwoman Allison, and members of the task force believed you to be working with us in good faith. I see now, that was not the case.

In my time as Speaker of the House I have emphasized consensus. I saw our task force as the best hope to build that consensus and to make meaningful reforms to South Carolina's education system. Clearly, you and the Court disagree.

Unfortunately, the new and unprecedented process that you have asked the Court to force upon the General Assembly cannot coexist with the current task force model. Because of your actions, months and months of hard work has been potentially placed in jeopardy.

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I now believe that you must choose to either fulfill your commitment to participate in the task force model or continue to litigate this matter before the State Supreme Court as you suggested in your June motion. The two methods are not compatible with one another and cannot be carried out simultaneously.

I very much hope that you will choose to continue working with the task force as I believe that group has built an excellent opportunity for real, meaningful, impactful change to education in South Carolina. I also hope you will see that the Court's order is simply an unworkable solution to a complex problem. The arbitrary system you have proposed and the Court has granted does not serve the best interest of your clients. It simply places an additional hurdle and creates further acrimony in a process that requires thoughtful, careful consideration.

Given that the task force has completed over nine months of work and that the Court's first deadline is October 15th, I must insist on any response from you by no later than Monday, October 5, 2015. If you decline to respond, I will be forced to assume that you have chosen to insist upon your motion and that your clients no longer wish to participate in the House Education Policy Review and Reform Task Force.

Thank you for your attention to this matter and I await your response.

Sincerely,



James H. "Jay" Lucas
Speaker of the House

JHL:cd

cc: The Honorable Jean H. Toal (hand delivery)
The Honorable Rita M. Allison (hand delivery)
Members of the Education Policy Review and Reform Task Force (via email)