



January 30, 2023

VIA E-MAIL

Mr. John Payne, Board Chair
South Carolina Public Charter School District
1824 Barnwell Street
Columbia, SC 29201

Dear Mr. Payne:

I am in receipt of your letter dated January 23, 2023, notifying the Charleston Advancement Academy (“CAA”) Board of Directors (“CAA Board”) that the South Carolina Public Charter School District (“District”) Board of Trustees (“District Board”) denied the CAA Board’s request to transfer CAA’s charter to Limestone University and the Limestone Charter Association (collectively, “Limestone”). Additionally, your letter made reference to the District Board’s surprise vote to revoke CAA’s charter at the District Board meeting on January 19, 2023.

Initially, please allow this letter to serve as CAA’s formal request for a rehearing before the District Board on CAA’s request to transfer its charter to Limestone. Limestone has already approved CAA’s transfer request and is looking forward to working with CAA effective July 1, 2023, should the District Board approve the transfer. As you may know, CAA is an alternative education campus (“AEC”) under the South Carolina Charter Schools Act. CAA enrolls students that have dropped out of high school or are at risk of dropping out of high school and leads them to attain a diploma, thereby providing at-risk students with future educational and career opportunities they would not otherwise have. In 2019, CAA’s first year serving students, CAA graduated 11 students. In 2020, CAA graduated 45 students. In 2021, CAA graduated 57 students. In 2022, CAA graduated 52 students. CAA’s graduates meet the same State requirements for graduation as students enrolled in traditional public schools, including those traditional public schools from which CAA’s students dropped out or were at risk of dropping out prior to enrolling at CAA. In fulfilling CAA’s mission to provide a comprehensive education to at-risk students which leads to the attainment of a diploma, we encounter many challenges with our unique student population. However, that hasn’t stopped us from leading 165 at-risk students to the attainment of a diploma, with many more on the way. Limestone’s Superintendent, Angel Malone, has significant experience working with at-risk students and loves our school, our mission, and our impact on the community. Limestone has indicated that it is willing to enter into a Memorandum of Agreement with the District and CAA to set forth the roles and responsibilities of each party to accomplish CAA’s transfer to Limestone. Accordingly, we respectfully request that the District Board rehear our request to transfer CAA’s charter to Limestone effective July 1, 2023.

Additionally, the CAA Board hereby requests a hearing on the District Board's surprise motion to revoke CAA's charter, to the extent that the District Board does not rehear and grant our request to transfer CAA's charter to Limestone. We are in possession of and have reviewed the video recording of the District Board's meeting on January 19, 2023. Two hours into the meeting, the District Board made a surprise motion to revoke CAA's charter, had a 3-minute discussion, did not give CAA representatives who were present an opportunity to speak, and then voted to revoke CAA's charter. This surprise action was, to say the least, not reasonable, caring, interactive, supportive, or in compliance with legal standards. The myriad of errors and wrongdoings with the District's surprise motion include:

- (1) As described on the first page of this letter, CAA is an AEC under the South Carolina Charter Schools Act and is fulfilling its mission by leading at-risk students to the attainment of a diploma;
- (2) CAA just received a clean audit for the second consecutive year;
- (3) CAA has a healthy fund balance of approximately \$4,000,000.00, which CAA has been building to purchase permanent facility space in the challenging Charleston, South Carolina real estate market, which will provide stability for CAA's school and a permanent home for CAA's students.¹
- (4) The District staff has never engaged in any type of revocation review process with CAA.
- (5) The District Superintendent has never made any recommendation to revoke CAA's charter.
- (6) The District Board never informed CAA that it was considering revocation of CAA's charter.
- (7) "Revocation" did not appear on the District Board's meeting agenda on January 19, 2023, and the District Board took no action to add it to the meeting agenda, in violation of the South Carolina Freedom of Information Act, S.C. Code Ann. § 30-4-80(A).
- (8) The District Board's surprise and abrupt move to revoke CAA's charter occurred *only after* CAA requested to transfer its charter to Limestone and Limestone approved the transfer.

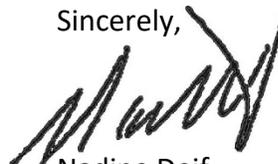
¹ CAA informed Superintendent Neeley of CAA's facility plans by letter dated August 22, 2022, in response to the District's annual evaluation of CAA. Please find attached a copy of CAA's August 22, 2022, letter for your review.

- (9) The District Board's surprise and abrupt move to revoke CAA's charter occurred *only after* CAA took action to protect its legal rights in legal proceedings involving the District.
- (10) The District stands to benefit financially from the District Board's surprise and abrupt action.
- (11) A private entity favored by the District Board stands to benefit financially from the District Board's surprise and abrupt action.
- (12) The District Board failed to appropriately consider CAA's specialized mission or make comparisons to state or nationally normed data for similar subsets of students (including comparisons to local schools with similar student populations and missions), as required by S.C. Code Ann. § 59-40-111(F).
- (13) With respect to compliance with aspirational charter goals, the District Board has not applied the same charter goal evaluation standard to CAA as the District Board has to non-AEC charter schools with very different student populations that the District sponsors.
- (14) We believe that, if necessary, a South Carolina Court will declare that the District Board is not governing itself in accordance with the South Carolina Constitution's prohibition on dual office holding.

Not surprisingly, the District Board's surprise and abrupt revocation action has been extraordinarily disruptive to CAA's students, families, staff, and operations and caused considerable damage. Nonetheless, the CAA Board is fully committed to doing whatever is necessary to help our at-risk students overcome this challenge so that they can attain a diploma that will lead them to future educational and career opportunities and the ability to make a positive impact in their community.

We very much look forward to hearing from you and seeing you soon.

Sincerely,



Nadine Deif
Board Chair

Attachment

c: South Carolina Public Charter School District Board of Trustees
Mr. Chris Neeley, Superintendent
Charleston Advancement Academy High School Board of Directors

Attachment



August 22, 2022

VIA E-MAIL

Mr. Chris Neeley, Superintendent
South Carolina Public Charter School District
1824 Barnwell St.
Columbia, SC 29201

Dear Superintendent Neeley:

I hope you had a nice summer. I received your letter dated June 14, 2022, regarding CAA's annual performance evaluation. I agree with several portions of your letter, but I wanted to provide you with additional information, correct a few misstatements, and ensure that you have accurate and up-to-date data regarding CAA.

First and perhaps most importantly, I want to make sure you know that CAA's graduation rate has increased every single year since CAA first opened. Significantly, since moving away from being managed by an out-of-state education management organization, CAA's graduation rate has approximately tripled. At CAA, we love and embrace the challenge of helping our at-risk students earn a high school diploma, and we look forward to continuing to build on our success in increasing graduation rates for our students.

Second, with respect to Board meeting agendas and minutes, when I checked CAA's website after receiving your letter, I saw 11 CAA Board meeting agendas and 7 CAA Board meeting minutes posted from the 2021-2022 fiscal year. However, I did notice that a few Board meeting agendas and minutes had not yet been posted from the 2021-2022 fiscal year. Those agendas and minutes have now been posted on CAA's website.

Third, your letter mentioned that CAA's FY21 audit was not submitted on time. It was my understanding that you were familiar with the circumstances that led to the audit being submitted 8 days late, but I'll be glad to recap what happened. The CAA Board Chair's father passed away in Egypt on October 28, 2021, and the Chair made arrangements and traveled to Egypt until November 9, 2021. Martin & Smith completed CAA's FY21 audit on October 29, 2021, the day after the Chair's father passed away. CAA's Board Chair did not have an opportunity to review and submit the audit to the SCPCSD until November 9, 2021, once she returned from Egypt. While we apologize for any inconvenience the SCPCSD may have experienced in connection with CAA's FY21 audit being submitted 8 days late, we hope you would forgive CAA under the circumstances.

Fourth, since the summer of 2020, CAA has increased spending on student services and significantly decreased administrative costs and overhead. Specifically, CAA has eliminated the expenditure of enormous sums of money that were previously being paid to CAA's out-of-state education management organization. CAA has taken those savings and reinvested them in instructional and student services. In return, CAA has seen its student graduation rate nearly triple, as noted above. Additionally, CAA has been able to meet the standards for a sustainable fund balance and cash on hand, as noted in your letter. CAA has also been able to save for long-term initiatives, such as the development of a permanent school facility to serve our students. While your letter is inadvertently mistaken on the trajectory of CAA's spending related to student services, administration, and overhead, we appreciate you advocating for CAA to spend its funds on students, as opposed to CAA's former out-of-state education management organization.

I sincerely appreciate you noting in your letter that CAA is in compliance with teacher certification requirements, demographic requirements, sustainable fund balance and cash on hand standards, and special education requirements. I will pass that information along to our team members who were integral in helping CAA meet those requirements. I also appreciate your offer to provide feedback on areas of improvement for the District. However, given there is litigation pending between our entities and CAA is seeking to transfer its charter to another authorizer, I will politely decline your offer at this time.

I hope all else is well. Please feel free to contact me if you would like to discuss any of this information.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Stevens", with a long horizontal flourish extending to the right.

Wayne Stevens
Director

c: CAA Board of Directors