

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

South Carolina Public Charter School)
District,)
)
 Petitioner,)
)
 v.)
)
Charleston Advancement Academy High)
School,)
)
 Respondent.)
_____)

Docket No. 23-ALJ-30-0027-IJ

ORDER

This matter is before the Court on Verified Petition by the South Carolina Public Charter School District (District) seeking injunctive relief, appointment of a receiver, and writ of mandamus against Charleston Advancement Academy High School. (CAA). This matter was set for hearing on April 24 and April 25, 2023. Both Parties appeared for the hearing on April 24 and were represented by counsel. During the hearing, the Parties conferred and reached agreement on resolution of the Petition. The Court directed the Parties to prepare an Order documenting the agreement. Initially, the Parties were unable to finalize an agreement as to the terms of the Order, and the District filed a Motion to Enforce the Agreement. Following a hearing on May 5, 2023 attended by the Parties and counsel, this Court entered an Order on May 9, 2023 (Injunction Order) granting the District’s Petition for Injunction pursuant to the terms of the agreement between the Parties.

On May 8, 2023, the District sent correspondence to CAA titled “Invitation to Closure Protocol” requesting that it begin participating in certain aspects of the closure protocol pursuant to the Injunction Order. By reply email on May 9, 2023, CAA requested to respond to the closure protocol requests after the revocation hearing scheduled for May 11, 2023. The District agreed that CAA could respond on May 15, 2023 if the District Board voted to proceed with the revocation at the hearing on May 11, 2023, which ultimately occurred. However, CAA did not respond on May 15.

On May 16, 2023, the District followed up with CAA and requested a response to the closure protocol request. By reply email the same day, CAA’s School Leader responded to state



that CAA's Board Chair, Nadine Dief. However, as of May 25, 2023, the CAA Board Chair had not responded, and the District was compelled to file a second motion to enforce an agreement made on the record before this Court.¹

After the District filed the motion, the CAA Board Chair responded by email. While the motion has been pending, the District's Closure Protocol team and the School's Closure Protocol team met virtually on June 7, 2023. District Staff compiled the task list attached as Exhibit A as a priority list of tasks for the School to complete during the month of June as a contingency in the event the school is required to close on June 30, 2023. CAA did not object to performing any of these tasks during the meeting or otherwise has not objected to the tasks during the revocation and closure protocol process.

Therefore, the Court hereby **GRANTS** the District's Second Motion to Enforce the Agreement subject to the following terms:

1. CAA is ordered to complete the tasks described in Exhibit A.
2. CAA is ordered to provide the District direct access to all student records through CAA student information systems, including but not limited to PowerSchool and Edgenuity;
and
3. CAA is ordered to allow the District access to CAA campuses for purposes of monitoring student welfare, conducting equipment inventory, and inspecting on-site student and financial records.

AND IT IS SO ORDERED.

Ralph King Anderson, III
Chief Administrative Law Judge

June 12, 2023
Columbia, South Carolina

¹ The CAA administration and staff has consistently complied with the Order when permitted to by the CAA Board.

CERTIFICATE OF SERVICE

I, Stephanie Perez, hereby certify that I have this date served this Order upon all parties to this cause by depositing a copy hereof in the United States mail, postage paid, or by electronic mail, to the address provided by the party(ies) and/or their attorney(s).



Stephanie Perez
Judicial Law Clerk

June 12, 2023
Columbia, South Carolina

EXHIBIT A
CAA Closure Protocol Priority Tasks – June 2023

Deadline	Closure Protocol Task	Status
Through June 30th	Line 17: CAA will maintain instructional models per Charter. <ul style="list-style-type: none"> ● Alert the PCSD via email to Dep. Supt. John Payne prior to making changes to instructional models. ● Alert the PCSD via email to Dep. Supt. John Payne within 24 hours if changes to staffing impact implementation of the current instructional model. 	
Through June 30th	Line 18: CAA will record student schedules and attendance in Power School <ul style="list-style-type: none"> ● Record current student to teacher ratio ● Record maximum student to teacher ratio ● Alert PCSD via email immediately if any changes to any student schedule is made. 	
Through June 30th	Line 23: CAA will record data in PowerSchool consistent with District and State requirements	
By June 16	Line 23: CAA will provide by email to Dep. Supt. John Payne a list of students that <u>may</u> reach the number of credits required to graduate before June 30.	
Through June 30th	Line 24: CAA will submit all required documentation to EpiCenter for state, federal, and accountability reporting.	
By June 16th	Line 31: CAA will provide PCSD via email to Dep. Supt. John Payne a complete list of students who are scheduled to receive ESY services for the summer of 2023.	
By June 30th	Line 37: CAA will provide PCSD via email a complete list of students who are confirmed Foster Care/Homeless	
By June 30th	Line 47: CAA will provide copies to the SCPCSD of all corporate records related to Loans, bonds, mortgages and other financing, Contracts, Leases, Assets and asset distribution, Grants, Governance minutes, bylaws, policies), Employees (background checks, personnel files), Accounting/Audit, taxes and tax status, Personnel, Employee benefit programs and benefits	
By June 16	Line 57: CAA will protect school assets from theft, misappropriate and fraud; CAA will provide copies of May bank statements and IOLTA account statements; CAA will remove access to school bank accounts on any personal devices of board members/administrators and change mailing address for all bank statements to school address.	
Through June 30	Line 58: CAA will maintain all existing insurance coverage and renew any coverage expiring on or before August 1, 2023.	
Through June 30th	Line 89, 90, 91: CAA will maintain student records in accordance with state law and regulation. CAA will Provide hard copy student records to PCSD by June 30th.CAA will provide PCSD via email to Dep. Supt. John Payne a record of the locked cabinet in which these records are kept.	