



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

September 8, 2023

Dr. Gary L. Burgess, Sr.
Director
Charleston Advancement Academy
1484 Camp Rd.
Charleston, SC 29412

Dear Dr. Burgess

The South Carolina Department of Education (SCDE) has been closely monitoring the legal dispute between the South Carolina Public Charter School District (SCPCSD) and Charleston Advancement Academy (CAA). While the SCDE is not a party to the underlying litigation, the SCDE has been closely monitoring the filings in the South Carolina Administrative Law Court and South Carolina Court of Appeals. The SCDE has been awaiting the decision of the Court of Appeals prior to issuing guidance or commentary to either party in the dispute.

As you know, the Court of Appeals issued an order on August 31, 2023, dismissing CAA's notice of appeal and lifting the temporary stay previously granted by the Court. The Court of Appeals denied a petition for rehearing filed by CAA on September 7, 2023. Previously, the Administrative Law Court issued an order on June 29, 2023, denying CAA's motion for a stay and ruling that the revocation is effective June 30, 2023. The immediate effect of the Court of Appeals' order is that there is no legal means through which CAA can continue operations as a charter school, unless and until a court of competent jurisdiction rules otherwise. If it has not done so already, CAA should cease operations immediately, as its charter was revoked effective June 30, 2023. The SCDE anticipates that SCPCSD will be a willing partner in effectuating an orderly transition and ensuring that CAA's students are quickly enrolled in an appropriate school program.

Additionally, the SCDE expects that appropriate action will be taken with respect to all state and federal funding related to CAA. CAA must provide a full accounting of all funds spent since the conclusion of the 2022-2023 school year to SCPCSD. Furthermore, all assets must be handled consistent with S.C. Code §59-40-120.

Finally, the SCDE expects CAA's full cooperation with SCPCSD in compliance with S.C. Code §59-40-110(K) in order to, "ensure a smooth and orderly closure and transition for students and parents, as guided by the closure protocol.

ELLEN E. WEAVER · STATE SUPERINTENDENT OF EDUCATION
RUTLEDGE BUILDING · 1429 SENATE STREET · COLUMBIA, SC 29201
PHONE: 803-734-8500 · FAX: 803-734-3389 · ED.SC.GOV

Dr. Gary L. Burgess, Sr.

Page 2

September 8, 2023

Sincerely,



for John Tyler
Deputy Superintendent, Division of Legal Affairs

cc: Ellen Weaver, South Carolina Superintendent of Education
Chris Neeley, Superintendent, South Carolina Public Charter School District