



**Public Charter
SCHOOL DISTRICT**

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September 12, 2023

VIA EMAIL

Dr. Gary L. Burgess, Sr.
gburgess@caahighschool.org

RE: Charleston Advancement Academy Authority to Operate

Dear Dr. Burgess:

I am writing because I received a copy of correspondence dated September 10, 2023, that was sent to "CAA Staff" from Nadine Deif, Chair of the Charleston Advancement Academy (CAA) Board of Directors. This correspondence states that CAA "will be open and operating as normal this week," and instructs staff to report to work "unless you hear otherwise from the CAA Board of Directors." The correspondence from Chair Deif goes on to say that "nothing is final with respect to the stay."

Chair Deif omits from her letter to staff that the District and the South Carolina Department of Education (SCDE) do not agree with her statement regarding the stay. As you know, the Order dated August 31 from the Court of Appeals states, "Thus, we lift the temporary stay and dismiss the notice of appeal." The Court of Appeals denied CAA's request for rehearing on September 7, 2023. Subsequently, on Friday, September 8, the SCDE sent a letter to you as school leader of CAA stating 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." The District agrees with the position of the SCDE.

All CAA Staff, including contracted staff, must be informed immediately that the District and SCDE maintain the position that CAA is operating illegally. In addition, all CAA students and families must be informed of the District and SCDE position. CAA's decision to operate in this manner without notifying its school community is irresponsible and entirely lacking in transparency.

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To reiterate the District's position, CAA does not have authority to operate a charter school in South Carolina. CAA does not have authority to expend state or federal funds allocated for the purpose of operating a charter school, except as has been authorized by Judge Anderson for CAA to prosecute its litigation. CAA must close and cease all operations immediately. CAA continues operations at its own peril, and at the potential personal peril of the board members, administrators and staff that are complicit in its continued operations.

Sincerely,



Chris G. Neeley, MPA
Superintendent

cc: Charleston Advancement Academy Board of Trustees
South Carolina Public Charter School District Board of Trustees
Erik T. Norton, Esquire
Superintendent Ellen Weaver, South Carolina Department of Education
John Tyler, General Counsel, South Carolina Department of Education
Henry Gunter, General Counsel, South Carolina Department of Education