



CELINA PATTON
Chief of Student Services

1201 Main Street, Suite 300, Columbia, SC 29201

January 21, 2020

Coastal Leadership Academy
Mr. Joseph Greenberg, Principal
Ms. Bridgett Fowler, Chairman of the Board of Directors
3710 Palmetto Pointe Blvd
Myrtle Beach, SC 29588

RE: Notice of Non-Compliance

To School Leader and Board Members,

The Charter Institute at Erskine College (“Charter Institute”) is the charter school sponsor of your school, to Coastal Leadership Academy (the “School”). In accordance with the South Carolina Charter Schools Act of 1996 as amended and located at S.C. Code Ann. § 59-40-10 *et seq.* (the “Act”), the sponsor of a charter school is the charter school’s local education agency (“LEA”) and a charter school is a school within that LEA. As the sponsor, the Charter Institute’s mission is to empower families and local communities through the establishment and competent operation of high quality charter schools throughout South Carolina and close the achievement gap.

To fulfill its mission and comply with the Act, the Charter Institute has the responsibility for monitoring the performance and legal and fiscal compliance of the schools authorized by the Charter Institute; conducting oversight activities; notifying a school of perceived problems if its performance or legal compliance appears to be unsatisfactory; and taking appropriate corrective actions or exercising sanctions short of revocation in response to identified deficiencies, including requiring a school to develop and execute a corrective action plan within a specified timeframe (S.C. Code Ann. § 59-40-55(A)). Thus, the Charter Institute must require schools failing to meet minimum performance standards to comply with corrective and remedial actions, including sanctions short of revocation.

As you are aware, Charter Institute staff have been monitoring the programming for students with disabilities served at the School. This letter serves to outline the significant and systematic areas of noncompliance and concern identified by staff, and also serves to formally notify you that the School is in breach of the terms of its charter and contract, and ultimately, in violation of the commitment made to the students and families who attend the Coastal Leadership Academy.

Based on information and evidence reviewed, the Charter Institute finds that your School has deficiencies in the following area:

Special Education

On January 6, 2020 the Institute was notified that the school’s only certified special education teacher/coordinator resigned and as a result, the school is unable to fulfill its requirements to serve students with disabilities as required by the Individuals with Disabilities Act (IDEA). The Institute is highly concerned that there is a pattern of systematic issues that impact the School’s ability to remain compliant with the IDEA. In the 2018-19 school year, the school did not retain a full-time special education teacher and as a result required ongoing close monitoring, support, and was issued a series of corrective actions throughout the year from the Institute SPED department. Coastal Leadership Academy is in its seventh year of operation and has historically

had a student population identified as students with disabilities that far exceeds the state average (currently 24% of its overall student population is identified) so it is concerning that the School and its leadership have not yet prioritized nor implemented a sustainable Special Education Program in order to meet the needs of the School's students.

In addition to being unable to serve its student according to federal law, the Institute conducted a recent desk audit of student Individual Education Programs (IEPs) and found that the school has 5 overdue annual reviews and that the School has not completed progress reporting for its students as defined by the IEPs. (IDEA §300.320(a)(3))

The Act requires the Charter Institute to place a high priority and hold accountable charter schools for materially complying with the applicable laws, rules, regulations, and provisions of its Charter and Contract. The deficiencies outlined above are a violation of the School's obligations under federal, state, and district regulations and policies as well as its Charter and Contract.

As a result of the identified concerns, the Institute issues the School this *Notice of Non-Compliance* and requires the school to do the following:

- (1) Submit to the Charter Institute by **February 10, 2019** a Corrective Action Plan ("CAP") outlining the specific steps the School will take to correct the identified areas of noncompliance identified in this *Notice of Non-Compliance*. A template for the CAP will be emailed to you. The Institute will review and must approve the terms of the CAP;

To ensure the CAP is implemented and results in the necessary correction and improvement in the identified areas, the Charter Institute will continue to monitor and evaluate corrective activities according to the timelines which will be set in the CAP, which may include unannounced site visits to the School.

Finally, due to the ongoing special education noncompliance issues outlined in this *Notice of Noncompliance*, the Charter Institute is **immediately freezing student enrollment** for the school. The Institute will unfreeze enrollment once the Institute SPED team deems the school is in compliance with the SPED concerns and requirements outlined in the CAP.

Please note that failure to resolve all other issues and comply with the legal requirements outlined in this *Notice of Non-Compliance* will place the school on "Breach of Commitment" and may result in further corrective action to include:

- Continued freeze of student enrollment; and
- Initiation of charter revocation procedures in accordance with state law.

In an effort to further support the school, the Charter Institute is available at any time to answer questions around these legal requirements or talk through school plans for resolution to the outstanding areas of concern. We look forward to supporting the decisions you make and plans you develop to address these identified deficiencies.

Thank you in advance for your cooperation in this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Celina Patton
Chief of Student Services
Charter Institute at Erskine

CC: Cameron Runyan, Chief Executive Officer
Vamshi Rudrapati, Director