

STATE OF SOUTH CAROLINA
COURT OF APPEALS

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SC Court of Appeals

APPEAL FROM SOUTH CAROLINA ADMINISTRATIVE LAW COURT

Honorable John D. McLeod, Administrative Law Judge

14099

Case No. 14-ALJ-30-256-AP

Lake City College Preparatory Academy (LCCPA)Appellant,

V.

South Carolina Public Charter School District.....Respondent.

NOTICE ON APPEAL

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STATEMENT OF ISSUES ON APPEAL

1. Whether the Charter of the Lake City College Preparatory Academy was lawfully revoked under section 59-40-110 of the South Carolina Charter School Act (South Carolina Code of Laws Annotated 1976)?
2. Whether the South Carolina Charter Act is constitutional in its provision which allows a charter school sponsor be both the accuser and finder of fact in a charter revocation hearing under section 59-40-110 (C) of the South Carolina Charter School Act (South _____ Carolina Code of Laws Annotated 1976)?
3. Whether the revocation hearing by the District was held within the time limits imposed under the South Carolina Charter School Act (South Carolina Code of Laws Annotated 1976) Section 59-40-110(D)?
4. Was District's decision to revoke LCCPA's charter arbitrary and capricious, and characterized by abuse of discretion or a clearly unwarranted exercise of discretion?
5. Whether the decision to revoke by the LCCPA's charter by the SCPCSD's board was made by a legally constituted board. (South Carolina Code of Laws Annotated 1976) and whether the SCPCSD's board was legally constituted at the Revocation Hearing?
6. Whether the revocation hearing was a sham by a biased school board when the hearing officer refused to allow the attorney for LCCPA to completely examine witnesses and directed the attorney to put the proffered testimony in the record when the revocation vote was taken immediately after the hearing with no review of the documents placed in the recorded?
7. Whether the South Carolina Charter School District violated other provisions of the South Carolina Charter School Act (South Carolina Code of Laws Annotated 1976) in its decision to revoke

the charter of Lake City College Preparatory Adademy?

8. Whether the South Carolina Public Charter School District violated provisions of the South Carolina Charter School Act (South Carolina Code of Laws Annotated 1976) by the sponsor failing to retain responsibility for special education and ensuring the students enrolled in its charter schools are served in a manner consistent with LEA obligations under applicable federal, state, and local law; and
9. Whether LCCPA was granted a meaningful opportunity to remedy its problems in a way which would not unduly inhibited the automony granted to public charter schools?
10. Whether the ALC wrongly cut off the funds to LCCPA?
11. Whether the statatue which allow a charter school funding to be cut off during the pendency of ligitation is constitutional?

Respectfully submitted,

BY: 

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Columbia, South Carolina
Dated: November 7, 2014

CERTIFICATE OF SERVICE

I, Johnny E. Watson, of 2715 Edgewood Avenue (29204), P. O. Box 2305, Columbia, South Carolina 29202, hereby certify that I have served the individuals named below with a copy of the document described herein by depositing the document in the United States mail, postage prepaid and sent the same to them at the address listed herein below:

PERSON SERVED:

Mr. Karl S. Bowers, Jr.
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DOCUMENT: APPEAL OF THE
ADMINISTRATIVE COURT



JOHNNY E. WATSON

Columbia, South Carolina
Date: October 15, 2014

CERTIFICATE OF SERVICE

I, Johnny E. Watson, of 2715 Edgewood Avenue (29204), P. O. Box 2305, Columbia, South Carolina 29202, hereby certify that I have served the individual named below with a copy of the documents described herein by depositing the documents in the United States mail, postage prepaid (and via fax) and sent the same to them at the addresses listed herein below:

PERSON SERVED:

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DOCUMENT SERVED: NOTICE OF APPEAL

By: 
JOHNNY E. WATSON

Columbia, South Carolina
Date: November 7, 2014