



NEWS RELEASE

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FORMER SCHOOL LEADER CONVICTED OF EMBEZZLEMENT SENTENCED

COLUMBIA, S.C. – Ms. Benita Dinkins-Robinson, former executive director of the Mary L. Dinkins Higher Learning Academy (MLD), was sentenced by Chief U.S. District Judge Terry Wooten on August 25, 2015, to 42 months imprisonment for the embezzlement of \$1.56 million in federal education and USDA funds. MLD fell under the supervision of the South Carolina Public Charter School District (SCPCSD) beginning in 2010.

“The South Carolina Public Charter School District is grateful to the Office of Inspector General, the South Carolina Law Enforcement Division, the Federal Bureau of Investigation, and the court system for holding Ms. Dinkins-Robinson accountable for her actions,” said Dr. Wayne Brazell, district superintendent.

MLD first opened its doors as a public charter school in 2005. For a charter school to open in South Carolina, it must have an authorizer that assumes responsibility for holding the school accountable to the terms of its charter, as well as applicable laws and regulations. The first authorizer for MLD was Lee County School District, but in 2010, the Board of Trustees for the SCPCSD approved the school’s transfer request into the district in a probationary capacity.

“The board saw the authorization of MLD as an opportunity to reach an underserved population in a rural area of the state,” said SCPCSD Board Chairman Don McLaurin (Charleston).

Within its first year of operation under SCPCSD jurisdiction, the district staff began to note anomalies in federal spending and became concerned with some operational practices they observed during visits to the school. The district

notified the South Carolina Department of Education (SCDE) of its concerns. As evidence mounted against the school, the Board of Trustees took action and voted to revoke the school's charter on March 8, 2012.

"The vote to revoke was just the beginning of the process," said Brazell. "From 2012 to present, the district has expended approximately \$100,000 in legal fees to ensure that this school would be permanently shut down. This journey has involved countless hearings, appeals, and court orders to get where we are today."

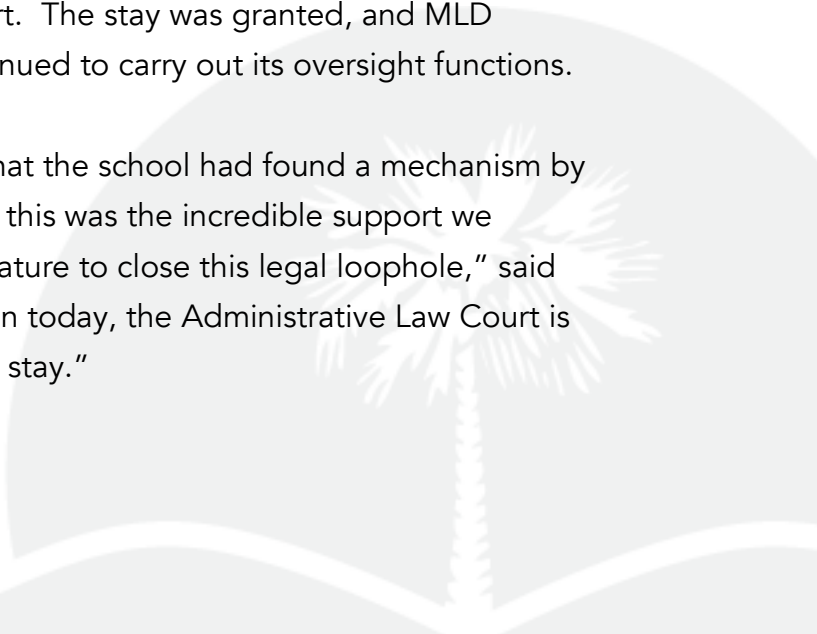
Obstacles Encountered

MLD contracted with a private bookkeeper for financial services, as many charter schools choose to do. When the district requested that MLD turn over its financial records for analyzation, the school responded that it could not produce the records the bookkeeper housed. The district then approached the bookkeeper, who informed the district that the firm was not authorized, as a private company, to provide records to an entity other than its client.

"After the delays the district encountered in obtaining MLD's financial records, our authorizing personnel worked with legal counsel to state explicitly in each school's contract that the district must be given access to any financial records as requested," said Brazell.

Under the law at the time the school's charter was revoked, charter schools who chose to appeal an authorizer's revocation decision were granted an automatic stay by the SC Administrative Law Court. The stay was granted, and MLD alleged harassment as the district continued to carry out its oversight functions.

"The district was, of course, troubled that the school had found a mechanism by which to stay open. The silver lining of this was the incredible support we received from the South Carolina legislature to close this legal loophole," said Brazell. "If this scenario were to happen today, the Administrative Law Court is no longer bound to grant an automatic stay."



Resolution and Lessons Learned

The closure of MLD informed changes to both South Carolina law and the legal precautions the district takes when authorizing a new school. The district evaluation process, which further evolved over the last several years, is rigorous and informed by the best practices of the National Association of Charter School Authorizers (NACSA).

“The board’s philosophy in approving charter schools has certainly evolved over the last several years,” said McLaurin. “We carefully balance our charge to take responsible risks with the need to see a sound academic, organizational, and fiscal plan followed by each school. The capacity of the planning committee and school leader is crucial to any school’s success.”

Brazell, as he prepares to retire by the end of the year, is confident that the district moved as quickly as it could in this case within the legal and procedural restrictions in place at the time.

“Ultimately, I’m just glad that she is being held responsible for her actions. The funds she took were meant for a population that already had few resources,” Brazell said. “And I hope this serves as a warning to any other potential school leader who sees taxpayer dollars as a personal revenue stream.”

For more information on the SCPCSD, visit www.sccharter.org, or call 803-734-8322

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