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Where Is Utopian Academy for the Arts? City Prohibits School From Using Sign

RIVERDALE - When 300 students at Utopian Academy for the Arts reported to classes last week, there was no sign on the lawn letting them know that they had reached the right place. The name of the school had been removed by order of the City of Riverdale.

This week the sign is still bare.

The City of Riverdale has prohibited Utopian from using its school sign to welcome visitors or identify the building until administrators secure a business license. School officials, however, maintain that Utopian is a public school so a business license is not necessary. The debate has caused the school to accrue fines in the hundreds of dollars for violating city code. Administrators say the fees and threats are just another attempt to “bully” Utopian into pulling out of Riverdale.

“They don’t want people to know that a school exists at 6630 Camp Street,” said Artesius Miller, executive director of Utopian. “They have stripped us naked and said basically ‘You all will not have anything so that people will know that you are even here’.”

Similar tactics last year resulted in delaying the opening of school for more than a week. A Clayton County fire marshal denied administrators, teachers, and students the right to access the building saying that Utopian needed a last minute inspection among other things to occupy the premises. Utopian lost 80 students after its delayed opening.

Utopian’s rocky start inspired legislation to protect state-approved public charter schools from similar stall tactics. The "Utopian Academy for the Arts Act," which went into effect in July, prohibits local governments from requiring public charter schools approved and inspected by officials with the state Department of Education to be forced to obtain any other licenses from local government entities to operate their school.

The law does not protect a charter school’s signage, however.

In the weeks before classes began this school year, a City of Riverdale code enforcement officer left a violation notice on Utopian’s door warning administrators to take action immediately: “Remove banner until permit is issued and apply for a business license.”

Miller said that a member of the Clayton County School board advised him that other county schools in Riverdale are not required to have a sign permit or a business license. “Every time that we have attempted to have some type of signage, we were told that we needed a permit or we were being fined because we are not affiliated with the Board of Education in Clayton County,” he said.

Miller said that he has received calls and notes from the city warning that Utopian has accrued fees in the hundreds of dollars for violating city business license and sign codes. “It got really nasty,” Miller said of a recent surprise visit from code enforcement before school began. “The guy game and tossed the [fee list] in the face” of a school supporter.

Miller took video footage of the visit that shows a code enforcement officer telling him and a school supporter that an inspection of the school’s signage was necessary because “the Georgia Department of Education does not look for stuff like this on buildings.”

For the second year in a row, Miller turned to the State Charter Schools Commission for reinforcement. Miller got a letter explaining to the city that schools authorized by the commission are indeed public schools, not businesses.

“Utopian Academy for the Arts is a public charter school authorized by the SCSC- a state level authorizing entity under the authority of the state Board of Education,” wrote Gregg Stevens, general counsel for the commission. “Accordingly, Utopian Academy for the Arts should at all times be treated like a public school with the privileges, rights, and obligations afforded thereto ...”

Utopian opened in August 2014. It was denied the right to exist by the Clayton County School board in 2011, 2012, and 2013 when the district rejected its charter application. The local denial was over-ruled by the state in October 2013. The state Charter Schools Commission granted Utopian Academy the authority to serve kids for five years as a state charter school. It was the first charter school to win approval from the new commission.

State Rep. Valencia Stovall, who supported the opening of Utopian in Clayton and co-sponsored the new law protecting charter schools from harassment, said it was “disheartening” to learn that Utopian is still having trouble with local government.

“They should be treated as any other public school opening in the city,” Stovall said. “Instead, they have been hit from both sides from the City of Riverdale and the Clayton County School Board.”

Stovall said that in addition to racking up fines from the city, Clayton Schools is exercising its right to charge Utopian much higher rent than the building’s earlier tenant. Utopian pays \$3,000 a month to use the building compared to the Riverdale Development Authority, which had a lease allowing it to pay \$1 annually for 20 years.

School leaders say they refused to be forced out of Riverdale by local leaders who see them as competition.

“Being in this fight for so long has been a tedious journey for me not only as a board member, but also a parent,” said Sharon Daniel, who chairs Utopian’s governing board. “We will not give up. We will educate the City of Riverdale. Utopian is a public school. We have a right to be here.”

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