

**Alabama Public Charter School Commission**  
**October 18, 2022 10:00 A.M.**  
**Via Zoom**

**MINUTES**

The Alabama Public Charter School Commission (APCSC) met on October 18, 2022, at 10:00 A.M. in a in person and Zoom meeting to consider matters relevant to duties of the Alabama Public Charter School Commission outlined in the *Alabama School Choice and Student Opportunity Act* for public charter schools in Alabama.

**Welcome, Introductions, Approval of Agenda and Minutes**

Chairman Moody welcomed everyone to the meeting. Roll call was taken by Mrs. Logan Searcy. Nine members were present, which represented a quorum. Members of the Commission who participated:

Ty Moody	Julie Ann McCulley
Dick Brewbaker (absent)	Paul Morin
Marla Green	Anthony Overton (entered late)
Louis Ferrer	Sydney Raine
Ryan Kendall	Lakeshia Wheeler

Chairman Moody welcomed new commissioner Louis Ferrer to the commission. Chairman Moody asked Commissioner Ferrer if he had any remarks he would like to make. Commissioner Ferrer shared some of his work history. He said he is looking forward to learning from and working with everyone one the commission. He also said he is looking forward to serving the children of Alabama. Chairman Moody then asked if there was any discussion regarding the minutes or today’s agenda and if not, was there a motion to approve today’s agenda and the minutes from the August 31, 2022, meeting. Commissioner Raine made a motion to approve today’s agenda and the minutes. Commissioner Wheeler seconded. The vote was unanimous. The minutes and agenda were approved.

**University Charter School Presentation**

Chairman Moody moved to the next item on the agenda. A presentation from the leadership of University Charter School in support of their Charter School Contract renewal. Dr. J. J. Wedgworth Head of School, Mrs. Ginger Lusty CFO Consultant and Dr. Matt Johnson Chief Academic Officer introduced themselves. They thanked the commission for the opportunity to present. Dr. Wedgworth thanked the commission for their support. She shared that the school has been open five years and it has transformed the lives of students as well as the community. Dr. Wedgworth shared the original and continued vision and mission of University Charter School. She shared the current demographic information from the new application. The student population has grown to 659 with a waiting list of 38. Dr. Wedgworth shared the board of directors and the school’s leadership team. She thanked them all for their leadership, support, and hard work over the years to make University Charter successful. Dr. Wedgworth turned the presentation over to Dr. Johnson. He shared the schools educational program; Place – Based Learning Model. Emphasizing project based learning that has as an effect on both student and community. Personalized learning where students move at their own pace. University Charter uses competency based assessments and focuses on character and leadership helping students find opportunities to develop leadership skills. They ground their learning in the community. Dr. Johnson stated that in academic performance University Charter exceeded all of their benchmarks on 2020-2022 ACAP. University Charter was one of only 14 schools chosen in Alabama as a Science and Reading Spotlight School for 2022. Based on early literacy data. Dr. Johnson shared snap shots of testing data for

reading, math and science stating that they exceeded both the local school system and state averages in each area. Commissioner Ferrer noted the differences between University Charter and the local school district and stated that there is clearly something that University Charter is doing that is working. Dr. Wedgworth said that they do work hard on differentiation and providing professional development around that to help close the learning gap. Mrs. Lusty shared the financial performance information. She shared that University Charter has met all of the standards for their Near-Term Measures and Sustainability Measures. Mrs. Lusty reported that currently have no debt but will have debt next year because of the financing of a new facility. Commissioner Ferrer: Will the new facility will house the entire school population? Mrs. Lusty: Initially no, it will house grades 4 through 12. Grades PreK through 3 will stay in the current building. Commissioner Kendall: How does your personalized education philosophy affect the design of the building, if at all? Mrs. Lusty: We did give that a lot of thought during the design process. Experts were consulted about that. Dr. Wedgworth: There is a lot of collaborative space. We wanted to have space that could be used for multiple things, flexible space. Dr. Wedgworth stated that they met all of their Organizational Performance Standards. She shared some information from surveys: 95% staff favorability rating on school climate, 90% staff retention, 93% student retention. Commissioner Green: Do you have a lot of parent participation? Dr. Wedgworth: We have great parent participation. Dr. Wedgworth said she wants to acknowledge the partnership, resources and buy in we've received from the University of West Alabama that made University Charter possible and successful. They have gone above and beyond, and we want to acknowledge and thank them for that. Dr. Wedgworth asked for additional questions. Commissioner Ferrer: How much are you growing per year? Dr. Wedgworth: Growth has been pretty steady from year to year. We've grown between 75 -100 students each year. Commissioner Raine: What are the demographics for your school. Dr. Johnson: 50% white, 46% Black, 2% Hispanic, 2% other races. Commissioner Raine: What is the major industry in the community? Dr. Wedgworth: Timber/paper, and the University of West Alabama is probably the second largest employer. Commissioner Ferrer: What is your five year goal? Dr. Wedgworth: Our long range goal has always to be a unit school. On the organizational side it would be to obtain enough space to get everyone together on one campus. We will really pour into growing the high school, that's where our numbers are the lowest right now. Growing and diversifying our learning opportunities for our students and student outcomes are our major goals. Commissioner Ferrer: You are a growing school. Is your school reserve growing? Mrs. Lusty: Yes, our reserve is growing. We started with 4.1 million. This year we are projecting about 8.4 million. We do a lot of work. We do a lot of grant writing, local as well as federal grants. Commissioner Ferrer: What is your rainy day fund? Mrs. Lusty: 80 days. Commissioner Raine: Have you looked at career development programs? What efforts have been taken in that area? Dr. Wedgworth: We have a lot, and our Health Science program is really fleshed out. We have a lot of kids in that area. We have partnered with Wallace Community and West Alabama to offer some Industrial Maintenance style courses for kids. We don't have a lot of physical space in terms of having lab space for that kind of stuff. We're using University of West Alabama lab along with a community college instructor to have access to that lab. We are constantly surveying the kids to see where the needs are. Dr. Johnson: We also have a Computer Science program, Business Information program, and a Technology program. We try to align these with UWA to hopefully lead into continued education there and we are also launching a teacher cadet program with UWA. We are excited about growing these programs and bring new programs to life as we expand our student numbers. When we have larger numbers, we can justify expanding these programs. Commissioner Raine: I want to personally congratulate you. I've been impressed with the information you've provided. Great job. Commissioner Kendall: To what extent have you been impacted by the teacher shortage and how does your experience compare to the districts around you. Dr. Wedgworth: I think everybody has been impacted by teacher shortages in some capacity. We have been sheltered from that in a unique way. In terms of impact where we have the hardest positions to fill are in special education, math and science in high school. We

don't have any positions unfilled, and we don't have any positions filled with teachers out of field. In that regard I think we have been a little bit sheltered. But the application pools are not what they were five years ago. You are definitely seeing a difference in the application pool. We're just protected a little bit being in the college of education where they are producing teachers every single day. We have 40 plus interns every semester in our building. We talk with them and encourage them to apply. This is something that has allowed to keep our staffing up. Commissioner Kendall: With that 90% plus positive rating from your staff helps keep that positive feeling up. Dr. Wedgworth: When they intern with us, we try to make sure that we make them feel like part of the team. We give them as much opportunity as possible to teach and get their hands dirty and really learn how to be a part of the culture. We love to hire young teachers. In that way we have been sheltered. Commissioner Ferrer: To what extent and how have you incorporated art? What focus did you have? Dr. Wedgworth: We incorporated extensive visual arts in all grades. Art begins in Pre-K. They take it all the way through elementary and they can choose it middle school side. We have music to date, and we have also started band in upper elementary, middle and high school. They have those as options. In aspire we will have pretty robust theater camps and we are going to bring in other types of art that we can't quite offer yet day to day through our summer camps. Those have been popular especially our theater camps and our productions. We learned very quickly that there was a huge exposure gap to the arts. Really anything outside of reading, writing, and math. We would like to add drama and theater we've just have to figure how to fit them in. Chairman Moody: Any further discussion? No further discussion or questions were asked. Chairman Moody thanked University Charter's leadership for their presentation. She asked for a motion for University Charter School's contract renewal. Commissioner Ferrer made the motion for renewal of University Charter School's contract. The second was made by Commissioner Wheeler. Lane Knight clarified that the motion was to renew University Charter School's contract for five years. Chairman Moody confirmed. The vote was taken. It was unanimous... 9 Yes. University Charter School's charter contract is renewed for five years. Chairman Moody then called for a motion to approve the resolution that was shared with all the commissioners by Lane Knight. Commissioner Raine made the motion to accept the resolution. The second was made by Commissioner Wheeler. The vote was unanimous... 9 Yes. The resolution the accept the vote to renew University Charter School's charter contract for five years passes.

### **Cognia Presentation for Quality School Reviews**

Chairman Moody moved to the next agenda item. Cognia's presentation for Quality School Reviews. Mrs. Logan Searcy asked if she could give a recap on Quality School reviews. She shared the commission has been using outside reviewers on the years that the Department of Education is not doing quality reviews. The reviews focus on the academics of the charter schools and how they are doing. The timing of the review is typically in the second and fourth year of the charter contract. The pandemic interrupted the timing of some of these quality reviews. Those charter schools that didn't get quality reviews during the pandemic are now going to have a Quality School Review. This year's quality school reviewer is Cognia, who may also do accreditation reviews in Alabama. Mrs. Searcy introduced the representatives from Cognia to the commission. Dr. Jeff Wooten, Senior Director for Alabama area and Dr. Mark Quintana Vice President of the Southeast Region. Dr. Quintana thanked the commission for having them and allowing them to speak about the path forward on quality evaluation and for the commission's guidance, direction, and input in that. He stated that Cognia was chosen by the commission to be part of the evaluation process. Dr. Quintana said they come today to talk to the commission about the path forward over the next year which includes the schools that are up for evaluation at the direction of this commission. Which are Breakthrough Charter School, i3 Academy

Charter, Lead Academy, Legacy Prep Charter, Magic City Acceptance Academy, and University Charter School. Dr. Quintana shared the roles and responsibilities of all stake holders involved in the process: Cognia, Alabama Charter School Commission, Charter Schools, and the Cognia Evaluation Team. He also shared the flow of the evaluation process beginning with the charter schools completing the customized diagnostics in the My Journey platform. The evaluation teams review process of the reviewing diagnostics, timing of the school site visits and creating of the customized report to be submitted to the commission. Dr. Quintana also shared the rubric that included the services to be provided. Who would be the contact for each provided service and the start and end date for each service. He noted that many of the start dates will begin forward from today's date with the creation of the templates and rubrics. Also, Cognia plans to have the schools trained by Christmas break so that the schools can start the process as soon as they return after the holiday. Dr. Quintana said they would be open to any questions, and they are looking forward to collaborating with the commission. Chairman Moody asked for questions or comments. Commissioner Wheeler: In the professional development section is that professional development for the staff in general or on how to use your system? Dr. Quintana: Yes, it is going to be about the overall process for the identified leadership at the school. Training will include the technology and what they will need to do to access the system. It will include the process and the documentation that will be needed. Also, the grouping they will need at the schools to really make this a continuous improvement effort. Mrs. Searcy added that the Department of Education uses Cognia for compliance monitoring, so the schools are going to have some knowledge about how the process works and the technology part of it. Dr. Quintana: The process is very similar to the compliance monitoring, but it will be tailored to the Charter School Framework and guidelines. It is just a part of the schools' continuous improvement journey. Commissioner Ferrer: Here in the service description, it says create, and create and develop, it's not the schools that are going to create that is Cognia that's going to develop that right? Dr. Quintana: Yes, it's Cognia in partnership with the State Department and the commission. We work regularly with your liaison, Mrs. Searcy. We can come back to you as often as you would like. It is us doing the work. Commissioner Ferrer: Are you going to create it for them or are you are you going to try to influence them or are they going to create their own plan? Dr. Quintana: It's not our plan that's being created, what's being created questions for then to respond to in alignment with the charter school contract. The charter school contract says there are certain things the school must do. The question would be to explain how you are doing that and provide evidence of that. Commissioner Ferrer: So, you are facilitating? Dr. Quintana: Yes, we are facilitating. Another word for that is assurances. We are collecting assurances and evaluating those assurances that each of the schools are meeting the intent of what the charter schools contract calls for them to do. Commissioner Raine: Based on that and the investment we're making in the process, at the end of the day we as a commission need to look at the results of that report and our actions are generated by what we see. Dr. Quintana: Yes, by design the process that has been created by this commission and approved aligns to the point that this report will be used as part of evaluating for the charter school renewal. Going forward this report is going to be part of the information you use. You will ultimately be able to approve the reports. That is part of the process. Chairman Moody asked if there were any further questions/comments. None were made. Chairman Moody thanked Cognia for the presentation. The representatives from Cognia thanked the commission for their time and efforts. They repeated that they are looking forward to working with the commission.

## Consideration of Performance Charter Contracts

Chairman Moody moved to the next agenda item consideration of performance charter contracts. Chairman Moody turned the floor over to Mrs. Logan Searcy who shared the history of the need for performance charter contracts. There are four charter schools that will now sign performance charter contract in addition to their original contract. What has happened is that charter schools approved to grow by grade levels have grown not only by a grade but by an influx of more and more students qualifying them for an additional cost center. The additional cost center is either a middle school or a high school. That function has created the need for a new principal, headmaster, or assistant principal. With those additional cost centers, we need to align with charter school law. The charter law requires that for every school there will be a charter contract. We have been working with legal to make sure the performance charter contract is in line with the new additional cost center. Also, new NCES numbers will apply to these 4 charter schools. Going forward when this growth occurs there will be another application cycle. The application cycle will be for another charter contract for that additional cost center for those schools. We will be doing the application and the charter contract. Mrs. Searcy asked if there any questions? Commissioner Ferrer: Help me understand what is the difference between performance and the cost center. Mrs. Searcy: With the cost center not much. The performance is going to be aligned with middle school or high school. The evaluating is going to be different from an elementary school. We want to put in the new performance framework because of the way we evaluate a different age group. Commissioner Ferrer: You said when the number changed you have to have a new cost center. What is that magic number? Mrs. Searcy: The growth is not the same for each school. Some schools have grown by fewer than 100 more students and we've had some schools that have reached the top of their projected growth. If they don't reach that growth number or exceed it, they would not qualify for a new cost center. Commissioner Ferrer: Is it based on actual numbers or projected numbers? Mrs. Searcy: Actual numbers. That's the difference. We're not going to create a new cost center if the numbers are not there. Commissioner Kendall: Does the state fund charter school cost centers the way they do other schools? Mrs. Searcy: The state funds all public schools the same there is not difference. It's designed by law. Commissioner Kendall: So, a new cost center automatically qualifies for a funded principal, a funded librarian/media specialist and potentially an assistant principal? Mrs. Searcy: You would treat a charter school growth just like you would treat any other school system. Chairman Moody: We need a motion on the floor for the acceptance of the Performance Charter Contract. Commissioner Kendall made the motion, Mrs. Searcy asked to clarify the motion. Mrs. Searcy shared that the commission chair has been signing the charter contracts for the commission. Every contract is a work in progress with legal and the attorneys. What you will be approving the template that will be used and refined and signed by the commission chair. Commissioner Kendall: At whose discretion is the cost center approved? Mrs. Searcy: The department. Commissioner Kendall: St the department says they think it's time to add a cost center and all we need is for our chair to say yes? Mrs. Searcy: It would go through legal to make sure it's refined. Yes. Commissioner Ferrer: Back to your original question we are approving the template but ultimately according to the law we are approving funds. So, are we approving the template and that the template is the same as once we approve this template those cost centers in that performance contracts will never come back to us for approval or is that coming back to the chairman's desk? Commissioner Morin: I prefer that not. I prefer that it come back to the commission. Commissioner Ferrer: How if we're the governing body and we are approving a template and then somebody else is signing it and not coming back to the commission for understanding? Lane Knight: The way it has been historically with our charter contracts is a template has been approved.

Usually there are not many modifications. The chairman according to the bylaws has the authority to enter into the contract. From a legal standpoint that's how the process works. We certainly bring it back for final approval. It would be adding unnecessary steps because typically there are not significant modifications to the template. Particularly with these situations where we already have one charter contract with these schools. But that is in your discretion. We certainly can come back with the final version. Chairman Moody: Because these schools are having more students, they need these things we are approving it. Mrs. Searcy: You as a commission have approved these applications. You've already approved what's going to be in the charter contracts. The commission has approved these schools for growth. The performance is already there. The approval is already there. You are just formalizing it in a contract. Commissioner Ferrer: Hypothetically you have a school that is not performing, it's having issues and the chairman signs it and nobody knows it has been approved. I'm asking how would that be handled? Chairman Moody: Let me make sure I'm understanding what you're asking. Are you asking if the chairman would be approving the performance or the growth? Mrs. Searcy: The commission has already approved these schools. So, the performance has already been approved. This is essentially formalizing it in a charter contract so you can evaluate the grades they now have. It's a technicality when they have a new NCES number that means a new school. But the schools are already there they are just adding new grade levels. The commission is just trying to do what is in the law that every school must have a charter contract. Lane Knight clarified that the motion that was made was to approve the charter school template for performance charter contracts. Commissioner Raine made the second. The vote was unanimous. 9 – Yes. The motion to approve the template for Performance Charter Contracts was accepted.

### **Consideration of Calendar of Meetings**

Chairman Moody moved to the consideration of a calendar of meetings. Chairman Moody said she would like to propose that the commission have a set calendar day and time for meeting so that everyone can be prepared. She said we may or may not have a lot on the agenda. She said that changes can be made if necessary. Chairman Moody also proposed that the meeting remain on Tuesdays but be every other month starting this December on the first Tuesday of each month. Proposed dates Dec. 6<sup>th</sup>, February 13<sup>th</sup>, April 10<sup>th</sup>, and June 12<sup>th</sup>. Chairman Moody asked for questions or discussion. Commissioner Raine: Are we encouraging in person meetings, or will we have the Zoom option? Chairman Moody: We are encouraging in person, but we will always have the Zoom option because we know that people are coming from all over. It would also be good to have some of the meetings at some of the charter schools. No vote required on the proposal because meeting may be scheduled at any time.

### **Consideration of CO-Chairman**

Chairman Moody moved on to the consideration of a Co-Chair. Since Chairman Moody moved up to complete Commissioner Marshall's term as Chairman someone is needed to fill Co-Chair responsibilities until December when the commission would vote on all offices. If you have someone in mind, please write the name down and pass the name to Mrs. Searcy. Mrs. Searcy noted that the person being nominated needs to agree to be nominated. Paused for names to be written down and passed. Mrs. Searcy read out the names of the commissioners nominated: Louis Ferrer, Anthony Overton, Lakeshia Wheeler, and Sydney Raine. Voting was done by written ballots. Votes were passed to Mrs. Searcy and counted in front of the commission. Commissioner Raine was chosen Co-Chair.

### **Consideration of Renaming the Henry Nelson Teacher of the Year Award**

Chairman Moody stated that she would like the commission to consider renaming the Henry Nelson Teacher of the Year award to the Nelson – Marshall Teacher of the Year award. Because former Commissioner David Marshall was a great young man who helped move our commission forward and would like to honor him for that. Commissioner Ferrer: Who was David Marshall. Chairman Moody: He was the Chairman before me. How long was he chairman? Mrs. Searcy: I think he was Chairman for three and on the commission for quite some time. He was in the original group of commissioners. Commissioner Raine: Dr. Moody I understand the thought process. I knew Henry and he was very active as far as the charter commission was concerned. Dr. Marshall took a lot leads from Henry. I think we should leave it as it is based on Henry’s prior experience with and commitment to the commission. Commissioner Green: Should we vote? Lane Knight: Yes, someone needs to make a motion to rename the Henry Nelson Teacher of the Year award to Nelson – Marshall Teacher of the Year Award. Commissioner Green made the motion to rename the Henry Nelson Teacher of the Year award to the Nelson – Marshall Teacher of the Year Award. Chairman Moody seconded the motion. The vote was as follows: 5 Yes, 2 No, 2 Abstaining. The motion to rename the Henry Nelson Teacher of the award to the Nelson – Marshall Teacher of the Year award passes.

Louis Ferrer - Abstains	Paul Morin – No
Marla Green – Yes	Anthony Overton – Yes
Ryan Kendall – Abstains	Sydney Raine – No
Julie Ann McCulley – Yes	Lakeshia Wheeler – Yes
Ty Moody – Yes	

### **Consideration of the Budget**

Chairman Moody moved on to the consideration of the budget. Copies of the budget have been emailed to all commissioners to inform all of you about what is going on with the budget. We do have to actually have a motion and vote on the budget. Are there any questions? It’s pretty standard to what we’ve done in the past. Chairman Moody asked Mrs. Searcy to explain the budget. Mrs. Searcy shared that the Charter School funding is a line item in the Education Trust Fund’s budget. Right now, the total is four hundred thousand dollars. Items covered in the budget are the commissioners’ travel, professional development, quality school reviews, application reviews, and legal counsel. Chairman Moody asked for any questions or comments. The she called for a motion to approve the budget. Commissioner Green made a motion to approve the budget. Commissioner Ferrer seconded. The vote was unanimous – 9 Yes. The motion to approve the budget was accepted.

### **Consideration of Renewal of Balch and Bingham Legal Services**

Chairman Moody moved to the renewal of Balch and Bingham legal services contract. She said we all know how much Lane does for us, keeping us straight and on track. We have to renew the contract annually. Any questions? Chairman Moody made a motion to renew the Balch and Bingham legal services contract. Commissioner Overton seconded the motion. The vote was unanimous 9 Yes. The motion to renew the Balch and Bingham legal services contract is accepted.

### **Charter Schools Update/Charter.Tools**

Chairman Moody said that she asked Mrs. Searcy to share the Charter. Tools website with the commissioners. Mrs. Searcy shared that, Charter. Tools is the commission’s online platform for accountability for the charter schools. She used one of the charter schools’ information to show the

commissioners how to navigate the different parts/sections of the website. Mrs. Searcy highlighted the parts that would be helpful to the commissioners in making decisions about the schools. Chairman Moody said that she wanted everyone to be reminded that we can look in here and see if the school is completing the benchmarks and lets us see how the school it is doing. That helps us make better decisions. Mrs. Searcy stressed the need for the commissioners to use the website because it is your website. Charter. Tools is a great place to read the schools applications because all of the attachments are there. Mrs. Searcy offered the commissioners further guidance on how to use the site if they felt like they needed it. Chairman Moody thanked Mrs. Searcy for the information and said again how helpful the site can be.

### **Consideration of RFP for an Application Reviewer**

Chairman Moody said in the past the commission has hired outside evaluators to review the applicants. We're coming up on the time for that in March for new applicants. We have the option to as a commission to review the application or hire an outside organization to review the applications. In the past we've hired someone. But we do have a choice and we need to make that decision today. Mrs. Searcy shared the history of the review team. Because the individuals on the commission are not experts in all of the areas on the application it was thought to hire outside experts to give an opinion. There has been some thought about do you have to do what the external reviewers suggested to do and no you do not. You the commission have the final say so on approving or not. However, if you're not to look at the external evaluators opinion and not going to take the opinion into consideration you would want to take that into consideration as well. The outside reviewer's opinion is just a recommendation. If you do decide you want an outside reviewer, then you have to follow the bid law which means you have to put out a Request for Proposal (RFP) Then there has to be an objective committee that reviews the proposal and makes a recommendation to you on someone to choose. You just need to choose if you want an outside reviewer and if you do then we need to get that Request for Proposal out on the website. Chairman Moody made a motion that an outside reviewer be hired. Commissioner Green seconded. The vote was unanimous 8 Yes. (Commissioner Overton left the Zoom) The motion to hire an outside reviewer was accepted.

### **Executive Session**

Chairman Moody called for a recess for the commission to go into an executive session. Chairman Moody said they will reconvene in 30 minutes. She asked for any questions or debate. She for a vote to move to an executive session. The vote was unanimous 8 Yes, to move to an executive session.

### **Legacy Prep's Report from the Department of Public Examiners**

Roll was called when the commissioners returned from Executive Session. Eight commissioners were present. There was a quorum. Chairman Moody moved to the last item on the agenda Legacy Prep's report from the Department of Public Examiners. We do have a response to that we are going to send over to Legacy Prep. I need a motion to approve the letter that Lane Knight has created for us. Any questions? Commissioner Wheeler made the motion to approve sending the response letter to Legacy Prep. Commissioner Green seconded. The vote was unanimous 8 Yes, to accept sending the response letter to Legacy Prep.

### **Adjourn**

Commissioner Moody made a motion to adjourn. Commissioner Kendall seconded. The vote was unanimous. The meeting was adjourned.



