

Alabama Public Charter School Commission
November 2, 2023 10:00 A.M.
Via Zoom

MINUTES

The Alabama Public Charter School Commission (APCSC) meeting took place November 2, 2023, at 10:00 A.M. in a 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, Approval of Agenda and Minutes

Chairman Luis Ferrer welcomed everyone to the meeting. Roll call was taken by Mrs. Logan Searcy. Nine Commission members were present which represented a quorum.

Members of the Commission who participated:

Luis Ferrer	Sharon Porterfield
Shelia Austin	M. Javed Khan (absent)
Marla Green (entered late)	Terri Reynolds
Lakeshia Wheeler	Ryan Kendall
Julie Ann McCulley	Julie Kornegay (absent)
Dorothy Houston	Deborah Alvis

Chairman Ferrer asked for a motion to approve today's agenda and the minutes from the October 26, 2023, meeting. Commissioner Austin made a motion to accept today's agenda and the minutes. Commissioner Kendall seconded. The vote was unanimous, 9 - Yes. The minutes and agenda were approved.

Consideration of Signature Authorization for Executive Director

Chairman Ferrer explained that since the Commission now has an Executive Director, the processes and procedures for signature permission need to be adjusted to include the Executive Director. He called for any discussion or comments regarding any specific changes to the process/procedures. Ms. Crowther from ALSDE legal section stated that she can get the process/procedures adjustments ready for the next meeting. The Chairman said discussion would be continued at the next Commission meeting.

Consideration of Legal Services

The Chairman introduced the topic of a contract for outside legal services for the Commission. The process for the contract's approval was explained. Once the commission approves the contract, it must go before the Legislative Contract Review Board for approval and that would probably take until January. The contract process would not be completed until then. Discussion was had regarding adjusting the contract amount due to the date of completion not being until January. Chairman Ferrer asked for a motion to approve the contract for Balch and Bingham to provide legal services to the commission for \$70,000 beginning at signature date and running through September 30, 2024. Commissioner Kendall made the motion to approve the contract with Balch and Bingham to provide legal services to the commission for \$70,000 beginning at date of signature and running through September 30, 2024. Commissioner McCulley seconded the motion. The vote was unanimous, 9 – Yes. The motion to accept the contract with Balch and Bingham's legal services was approved.

Discussion and Consideration of Approved Charter Schools to Open

The Chairman turned the floor over for discussion to Mrs. Searcy. She explained that two schools, Freedom Prep and Barnabas School of Leadership, which had planned to open in August of 2023 had asked for a year's extension with a plan to open in August 2024. She also explained that when an extension is requested that the reopening conditions in the schools' charter contract start over and all of those conditions must be met before the school can open. At this point one school, Freedom Prep, is in compliance and may move forward. The other school, Barnabas School of Leadership, who has asked for a year's extension has sent a letter asking for a change of facility location. Mrs. Searcy recommended that the Commission not move forward until Barnabas has met all of the past due reopening conditions. The missing information has been requested multiple times and none of it has been received or placed in Charter.Tools. Mr. Roberts, founder of Barnabas School of Leadership, said that Barnabas stated they are ready with the documents once their issue with Charter.Tools is resolved. Mrs. Searcy said that Barnabas could email the information, and she could upload it for them until any issues with Charter.Tools is resolved. Commissioner Kendall suggested generating a letter requiring the school to provide overdue materials and not miss any other deadlines. Commissioner Austin stated that the school not being in compliance is a red flag and agreed that nothing should be done until all information has been received. Commissioner Green asked how much longer the Commission give the school. Mr. Knight suggested that the school be given 30 days to reply to the letter because if this were to progress to a corrective action plan or a revocation there is a process that would take time. Chairman Ferrer asked for a motion for permission to send a letter to Barnabas School of Leadership requiring them within thirty days of today's meeting to be compliance with all deadlines in their reopening conditions and their charter contract. Also, he would like it to provide a facility assessment and a budget amendment to explain how the new facility will be funded. The Chairman also asked for any further discussion/questions/comments. Commissioner Austin made the motion to send the letter to Barnabas School of Leadership requiring them within thirty days of today's meeting to be compliance with all deadlines in their reopening conditions and their charter contract. Also, to provide a facility assessment and a budget amendment explain how the new facility will be funded. Commissioner McCulley seconded the motion. The vote was unanimous 9 – Yes. The motion to send a letter to Barnabas giving them thirty days to be in compliance with their reopening conditions, charter contract, and provide a facility assessment and a budget amendment explaining how the new facility will be funded was accepted.

Consideration of Expansion Application

Chairman Ferrer turned the floor over to Mrs. Searcy for explanation and discussion of the expansion process. Mrs. Searcy explained Alabama Charter Law states that every charter school must have an application and a charter contract. She also explained how state law allows school systems (LEA's) to add schools. Adding a new school means adding a cost center, so the Commission would not want to stand in the way of growth but must make sure the school is ready to expand to a new facility. She posed the question, "Does the LEA have to go back to the local authorizer because they have already been approved for those grades in their original application" She stated that she is looking for clarity for the Commission's procedures, so there are not any questions later. She asked the attorneys to clear that up for an accurate process. She stated that the Commission should define a renewal, an expansion, and a replication application and have policies and procedures in place on how these applications should look. Commissioner Austin agreed that this should go to legal and suggested that this be tabled until the Commission gets a legal opinion. Chairman Ferrer said that the Commission is going to start working on

policies and procedures and he would be sending out an email establishing a policies and procedures committee.

Consideration of Calendar Dates

Chairman Ferrer moved to consideration of dates for future work sessions and/or Commission meetings. A list of dates was sent to each commissioner for approval. The dates are for the next six months and would be on every other Monday. The times would need to be set for each meeting. He added that some of the meetings will be in-person meetings and located at various charter schools. The Chairman asked if there were any questions or concerns with these dates.

Adjourn

Chairman Ferrer thanked everyone for their participation in today's meeting and asked for a motion to adjourn the meeting. Commissioner Kendall made a motion to adjourn. Commissioner McCulley seconded. The vote was unanimous; meeting was adjourned.