

**Alabama Public Charter School Commission**  
**July 9, 2020 10:00 A.M.**  
**Via Zoom**

**MINUTES**

The Alabama Public Charter School Commission (APCSC) met on Tuesday, July 9, 2020, 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, Introductions, Approval of Agenda and Minutes**

Henry Nelson welcomed everyone to the meeting. Roll call was taken by Mrs. Logan Searcy. Seven members were present which represented a quorum. Members of the Commission who participated in the meeting via Zoom were as follows:

Henry Nelson	Jamie Ison
Allison Haygood	Lisa Williams
David Marshall	Paul Morin
Marla Green	

Kim Terry, Sydney Raine and Eddie Hill were absent.

Chairman Nelson asked for a motion to approve the agenda and the minutes from the June 24, 2020 meeting. Allison Haygood made the motion to approve the agenda and the minutes, and Jamie Ison seconded the motion. The vote was unanimous with 7 votes to approve.

**Discussion School Quality Reviews**

Mr. Nelson introduced the next item on the agenda – school quality reviews. Mrs. Searcy informed the committee that there had been discussion with the charter schools regarding quality reviews for 2021. She stated that the beginning of school, the Covid crisis, and two schools having compliance monitoring next year has created enough burden on the schools without any additional monitoring. Therefore, the schools prefer to supply reports to the commission through Mrs. Searcy, thereby meeting the reporting requirements. The reports will include a self-assessment, a financial capacity update, and an independent audit from the schools that are open. The schools will also work on their academic work and performance models and their mission-specific measures which provide some academic performance data. The schools will also need to report what opening schools will look like in the upcoming year. The state superintendent has provided some guidelines for opening schools. They may choose a virtual platform, some virtual and some blended instruction, or the students can go back to school with some safety guidelines in place. School Works will not be completing the quality reviews for this year so their contract will end on September 30<sup>th</sup> and there will be money left in the budget for the upcoming four application reviews scheduled for this summer. Commissioner Ison asked if the schools have a deadline for submitting their plans for opening schools. Mrs. Searcy replied that they just found out from Superintendent Mackey about the requirement. Commissioner Williams asked what kind of financial review will be done. Mrs. Searcy replied that they are required to do an independent audit by October. Commissioner Williams asked if there will be any schools not doing an audit. Mrs. Searcy replied that the new schools, such as I-3 Academy, will not be required to do an audit. She added that there have been some requirements for

financial reporting added to Charter Tools, such as e-gap reporting, which is a budget. The assurance statement will also remind the school officials that the e-gap budget is due. Commissioner Marshall stated that he is supportive of the idea that the schools meet the requirements of the law, yet he thought the commission should also be mindful that the school administrators are facing the challenges of their career during the Corona virus pandemic. He added that he is interested to see what the schools will look like but he thinks it is best to just require what the state requires and not add any additional requirements. Commissioner Morin asked who is responsible for reviewing the compliance monitoring documentation and making sure the schools are in compliance. Mrs. Searcy answered that University Charter and Accel will be undergoing state monitoring so the state department would be responsible. Mrs. Searcy added that she can login to Cognia and check the documentation. The other two schools are in their first year so Mrs. Searcy included a timeline for the commissioners to look at so they can make sure that there is not too much required in one year. Mrs. Searcy stated that typically one type of state report is required every year. Mrs. Logan reviewed the timeline with the commissioners pointing out that in year 2 the schools would have an external review and by year 3 the new schools would be undergoing actual compliance monitoring by the state department. Year 4 is a repeat and year 5 the commissioners would look at all the data submitted to determine if the contract would be renewed. Mrs. Searcy stated that most of the items required have been entered into charter.tools so that there would be a reminder for the school administrators. Mrs. Searcy stated that she would need approval for School Works to be released from doing the reviews and approval for the timeline. External reviews, which the commission pays for, would only be required in year 2 and year 4. Commissioner Williams expressed concern that there was no review of financial standing until year 5. Mrs. Searcy stated that an independent audit was required every year by charter.tools as a contractual benchmark. She added that financial standing refers to an assessment of what the last five years have shown. She then added that every year the new charter schools would be seeking permission to grow in number so that would require a review of their financial capability to do so. Mr. Marshall stated that the timeline looks good and he was supportive of this timeline which would prove helpful as the number of charter schools grows in the state. Chairman Nelson commended Mrs. Searcy on her work to produce the timeline. Mrs. Williams made a motion to approve School Works not performing the school quality reviews and to approve the five-year timeline; Marla Green seconded the motion. All seven participating commissioners approved the motion. The 7 Yes votes and 0 No votes were as follows:

Henry Nelson - Yes	Lisa Williams - Yes
David Marshall - Yes	Jamie Ison – Yes
Allison Haygood - Yes	Kim Terry - Absent
Marla Green - Yes	Sydney Raine - Absent
Paul Morin - Yes	Eddie Hill – Absent

### **Discussion Rubric for Requests for Proposals for Quality Reviewers**

Chairman Nelson introduced the next item on the agenda – the RFP process for selecting School Quality Reviewers. Mrs. Searcy informed the commission that they must follow the Alabama bid law except in cases involving professional services or state universities. There is an Alabama State Department of Education (ALSDE) selection committee that selects the vendors based on the rubric submitted. Therefore, the rubric needs to reflect the desired priorities because it will be compared to the vendors' capabilities to meet those requirements. Mrs. Searcy stated that the rubric should reflect the unique qualities that rank highest in priority. Last year the commission placed a high priority on experience. Mrs.

Searcy explained that the commission needs to realize that Alabama potential vendors do not have much experience in charter schools so the commission should consider their rubric carefully. Commissioner Ison asked if there is a difference in the bid law if they use out of state vendors and if the cost is comparable between in-state and out-of-state vendors. Mrs. Searcy replied that only if it is a state university would it be exempt from the bid law and last year the colleges were comparable in cost to the out-of-state vendors. Mrs. Searcy stated that the decision did not need to be made today and Commissioner Marshall stated that he would like more time to look at the rubric. He added that he appreciated Mrs. Searcy sharing and that it might be worth the commission giving points for local or regional competence in order to build capacity in our own state. Mrs. Searcy agreed. Chairman Nelson expressed a concern that the same reviewer was approving new applications and then performing the quality reviews. He suggested that the commission meet again to discuss separating the RFPs into two different needs – one for new applications and one for quality reviews. A committee of Dr. Marshall, Ms. Haygood, and Ms. Williams was formed to review the rubric for RFPs with Mrs. Searcy. Commissioner Morin asked the commission attorney if, once the rubric was agreed upon, it could be released to the public. Mrs. Searcy clarified that Mr. Morin was referring to the RFP rather than the rubric. Mrs. Searcy replied that nothing could be put on the state website without the state superintendent's approval. She added that the state reviews these contracts on behalf of the commission so the contract would go through the entire routing process. Chairman Nelson asked if the commission could review the top three vendors who scored the highest. Mrs. Searcy replied that the RFP committee makes the decision and the commission cannot get involved in the final steps of the process. Commissioner Marshall asked about the difference between hiring a lawyer and hiring a quality reviewer. Mrs. Searcy stated that the Alabama Bid Law needed to be followed when the proposal did not involve professional services. The commission attorney, Lane Knight, affirmed that lawyers were professional services and professional services provide an exemption to the bid law.

### **Setting Date for Next Meeting and Adjournment**

Chairman Nelson asked the attorney if the rubric needed to come back before the commission and the attorney confirmed that a vote was needed by the entire commission to approve the rubric. Mrs. Searcy stated that at the next meeting the rubric and the narrative surrounding the RFP would be presented. She suggested that one rubric be prepared for both applicants and quality reviews and then two separate RFPs be prepared for the commission to review. Commissioner Marshall inquired about the timeline and Mrs. Searcy suggested that it needed to be approved by late September since the budget is due by October 1. Mrs. Searcy suggested that the commission may want to wait until the new commissioners take office. She stated that the state school board would meet next week to discuss the candidates for new commissioners that were submitted for approval on the first Thursday in August. Since commissioner Ison and commissioner Hill would not be returning, there would be different commissioners in September.

Mrs. Searcy suggested dates for the next commission meeting and the commission agreed upon September 10. Commissioner Ison expressed her regret that she would not be involved in approving the new charter school applications and stated that she enjoyed working with the commission. Lisa Williams made a motion to adjourn and all commissioners agreed to adjourn.

