



FREEDOM PREPARATORY
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February 15, 2024

Chairman Luis Ferrer
Alabama Public Charter School Commission
50 N. Ripley St.
Montgomery, AL 36130

RE: Appeal of Decision from Montgomery Public Schools to Deny the Application from Freedom Preparatory Academy to Open a Start-up Charter School in Montgomery

Dear Mr. Ferrer,

It is with great pleasure that Freedom Preparatory Academy (FPA) respectfully submits this letter appealing the decision of Montgomery Public Schools (MPS) to deny our application for a start-up public charter school in Montgomery. It is our intention to expand on our successful record of providing disadvantaged students in the South with a world-class college preparatory education, and we believe every student in Montgomery deserves such an option. For over three years, FPA has been engaging with the Montgomery community, and the time is now to bring our model to fruition for the students and families who need more.

On November 30, 2023, FPA submitted a complete and thorough application for a start-up public charter school to MPS. On February 13, 2024, MPS held a board meeting, at which they voted to deny our application. In light of that decision, FPA respectfully appeals the decision of MPS to deny our application on two fundamental bases:

- I. FPA met and exceeds most, if not all, requirements for a startup charter school in Alabama.
 - a. FPA submitted a complete and thorough application within the deadlines duly established by MPS;
 - b. FPA provided copious evidence of its excellent academic track record, which includes five consecutive graduating classes at its high school campus of 100% acceptance into 4-year colleges;
 - c. FPA provided an extensive description of its curricular and extracurricular offerings, its enrichment programming, its student support services, and its parent engagement strategies;



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- d. FPA described its experienced board leadership, and its plans to recruit additional board members in Montgomery;
- e. FPA submitted a letter of intent for a suitable and financially viable academic facility, which will be located in a former Virginia College facility; and
- f. FPA provided additional exhaustive information about its experienced and highly qualified leadership, its abundant philanthropic support inside and outside of Alabama, and its ample community relationships—all of which promises a strong future for FPA-Montgomery students.

II. At the February 13, 2024 board meeting and throughout key moments during the application process, MPS erred in its application of nationally recognized authorizing standards and, in at least one respect, violated the section of the Alabama charter school law prescribing the duties of the local authorizer during the charter school application process.

- a. Ala. Code § 16-6F-6(d)(2) holds that, “No later than 60 days after the filing of the charter application, the authorizer shall decide to approve or deny the charter application.” However, MPS waited a full 75 days, in clear violation of the law, to render its decision to deny the charter school application from FPA despite having numerous opportunities to adhere to the timeline provided in the charter school law. Additionally, the final hearing date of February 13, 2024 was nearly 3 weeks from the authorizer’s own posted deadline of January 26, 2024 to render a final decision.
- b. Ala. Code § 16-6F-6(d)(2) requires local authorizers to “execute the duties of quality charter authorizing, as defined by nationally recognized authorizing standards.” The 2018 National Association of Charter School Authorizers (NACSA) Principles and Standards for Quality Authorizing sets forth the following standards to ensure “fair, transparent, quality-focused procedures”:
 - i. A quality authorizer implements a charter application process that is open, well publicized, and transparent, and is organized around clear, realistic timelines;
 - ii. A quality authorizer utilizes a multi-stage process in which applicants are provided information at each stage and are permitted to respond to that information during the process.

MPS failed to disclose the results of capacity interview prior to the final hearing and, in fact, has not furnished FPA with a copy of that report to the date of this letter.

Additionally, at the final hearing, several MPS board members expressed a desire to ask questions clarifying certain parts of FPA’s charter school application and expressed disappointment that FPA was not available to answer questions; however, FPA was advised by MPS that they would not have an opportunity to speak and that they could simply “tune in” to watch the livestream.

In light of the facts presented in this letter and the tremendous need that remains in Montgomery, FPA humbly appeals to the Alabama Public Charter School Commission for an opportunity to be heard. It remains our ardent intention to provide Montgomery students with the excellent opportunities a Freedom Prep education affords, and we look forward to the opportunity to present our proposal.