

Resolution

WHEREAS, the Alabama Public Charter School Commission (the “Commission”) was established by the Alabama School Choice and Student Opportunity Act of 2015 with a mission to authorize high-quality public charter schools in accordance with state law; and

WHEREAS, in evaluating and reviewing charter applications, the Commission is charged with the responsibility of employing procedures, practices, and criteria consistent with nationally recognized principles and standards for quality charter authorizing; and

WHEREAS, in order to overrule the decision of a local school board and authorize a public charter school, the Commission is charged by law with doing all of the following:

- a. Find evidence of a thorough and high-quality public charter school application from the applicant based on the authorizing standards in subdivision (8) of subsection (a) 16-6F-7.
- b. Hold an open community hearing opportunity for public comment within the local school system where the application was denied.
- c. Find that the local board’s denial of an original charter application was not supported by the application and exhibits.
- d. Take into consideration 1. other existing charter school applications, 2. the quality of school options existing in the affected community, 3. the existence of other charter schools, and 4. any other factors considered relevant to ensure the establishment of high-quality charter schools in accordance with the intent of this chapter.
- e. Find evidence that the local school board erred in its application of nationally recognized authorizing standards.

WHEREAS, on **February 23, 2022**, Freedom Preparatory Academy appealed to the Commission the denial of its application to the Birmingham City Board of Education; and

WHEREAS, the Commission held an open community hearing on **April 28, 2022**, that provided for public comment; and

WHEREAS, the Commission has evaluated the original application submitted to the Birmingham City Board of Education by Freedom Preparatory Academy, assessing the applicant’s overall capacity to implement its proposal; and

WHEREAS, the Commission took into consideration existing charter school

applications, the quality of the school options existing in the community, the existence of other charter schools, and any other factors considered relevant to ensure the establishment of high-quality charter schools in accordance with the intent of this chapter; and

WHEREAS, the Commission has engaged The University of Alabama, College of Education, Office of Evaluation Research and School Development (the “External Evaluator”) to assist with the evaluation process and to provide information, analysis, and guidance to assist the Commission in determining whether the charter application has met the standards for approval under state law and nationally recognized principles and standards; and

WHEREAS, the External Evaluator has evaluated Freedom Preparatory Academy’s application, has assessed the applicant’s overall capacity to implement its proposal, and has issued an analysis to the Commission regarding the application; and

WHEREAS, Freedom Preparatory Academy was given an opportunity to respond to the External Evaluator’s evaluation and did, in fact, respond to the evaluation;

WHEREAS, the Commission is most appreciative of the efforts of Freedom Preparatory Academy as reflected in the submitted application.

NOW THEREFORE, BE IT RESOLVED, that the Alabama Public Charter School Commission, after review of the charter school application submitted by Freedom Preparatory Academy and the related materials of the Birmingham City Board of Education, and after applying procedures, practices, and criteria consistent with nationally recognized principles and standards for quality charter authorizing, does hereby overrule the Birmingham City Board of Education’s denial of the application of Freedom Preparatory Academy and approves the application.

BE IT FURTHER RESOLVED as follows:

1. The applicant has demonstrated competence in each element of the Commission’s established approval criteria and is likely to open and operate a thorough and high quality public charter school.
2. The Birmingham City Board of Education’s denial of Freedom Preparatory Academy’s original charter application was not supported by the application and exhibits and, moreover, the Birmingham City Board of Education erred in its application of nationally recognized authorizing standards when it denied the application.
3. The approval of the application of Freedom Preparatory Academy is supported by other factors including, without limitation: 1. other existing charter school applications, 2. the quality of school options existing in the affected community, 3. the existence of other charter schools, and 4. other factors considered relevant to ensure the establishment of high quality charter schools, as articulated by the

Commission during the May 11, 2022 meeting.

4. The execution of a charter contract with the applicant shall be subject to the applicant's demonstration it is in good standing financially and that it is in good standing educationally.
5. The charter contract shall contain readiness-to-open provisions that shall serve as reasonable conditions that the applicant must satisfy before the charter school opens.
6. Within sixty (60) days of this approval, the governing board of the approved public charter school and the Commission shall execute a charter contract that clearly sets forth the academic and operational performance expectations and measures by which the public charter school will be judged and the administrative relationship between the Commission and the public charter school, including each party's rights and duties and the Chairman of the Commission shall hereby be authorized to execute the contract on the Commission's behalf and submit it and related attachments to the Alabama State Department of Education, as provided by law.

Resolution adopted and approved by the Alabama Public Charter School Commission at its meeting of May 20, 2022.



Its Chairman