

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, the application review process must include a thorough evaluation of each written application, an in-person interview with the applicant group, and a public forum for local residents; 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 evidence that the local school board’s denial of an original charter application is not supported by the then current 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.

WHEREAS, on March 13, 2025, Alabama Aerospace and Aviation High School – Birmingham (“AAAHHS - Birmingham”) appealed to the Commission the denial of its application to the Birmingham Board of Education; and

WHEREAS, the Commission held a capacity interview on April 9, 2025; and

WHEREAS, the Commission held an open community public forum on May 1, 2025, that provided for public comment on the application; and

WHEREAS, the Commission duly notified the local school board that the Commission would consider the appeal pursuant to a public hearing and that the local school board had the opportunity to address the Commission at the public hearing; and

WHEREAS, the Commission has evaluated the original application submitted to the Birmingham Board of Education by AAAHS – Birmingham and the current application and exhibits, 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, any opinions on the application expressed by the local school board, and any other factors considered relevant to ensure the establishment of high-quality charter schools; and

WHEREAS, the Commission is most appreciative of the efforts of AAAHS – Birmingham as reflected in the submitted application.

NOW THEREFORE, BE IT RESOLVED, that the Alabama Public Charter School Commission, after review of AAAHS – Birmingham’s original and current charter school application and exhibits, and after applying procedures, practices, and criteria consistent with nationally recognized principles and standards for quality charter authorizing, does hereby deny the appeal submitted by AAAHS - Birmingham and determines at this time as follows:

AAAHS - Birmingham failed to garner enough affirmative votes of the Commission for the decision of the Birmingham Board of Education to be overruled, and AAAHS – Birmingham’s application to be approved, in accordance with the requirements of the Alabama School Choice and Student Opportunity Act of 2015 and the Commission’s Bylaws. The Commission’s debate on this issue, including reasons for denial of AAAHS – Birmingham’s appeal as articulated by certain Commissioners, was recorded and is available as a public document and is incorporated herein by reference. The Commission further considered the Application Rubric Summary prepared and submitted to the Commission.

Specifically, and among other articulated reasons, the Commission determined that overruling the decision of the Birmingham City Board of Education and approving the application was not warranted under the standards set forth in *Ala. Code* § 16-6F-6(c)(14).

The applicant is invited and encouraged to make further refinement to its application and program and to submit an updated application during a subsequent application cycle.

Resolution adopted and approved by the Alabama Public Charter School Commission at its meeting of May 12, 2025.



Its Chairman