

Alabama Public Charter School Commission
March 24, 2020 11:00 P.M.
Teleconference

MINUTES

The Alabama Public Charter School Commission (APCSC) met on Tuesday, March 24, 2020, via teleconference 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

Mr. Henry Nelson welcomed everyone and roll call was taken. All members of the Commission were present via teleconference and participated in the meeting. Members of the committee are as follows:

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

Logan Searcy reminded everyone of protocols to make the teleconference more efficient. Mr. Nelson asked everyone if they had an opportunity to review the minutes and the agenda. A motion was made by Jamie Ison to approve the minutes and it was seconded by Eddie Hill. The motion carried.

LEAD Academy's Presentation

Chairman Nelson announced that the meeting was to hear LEAD academy's response to a letter, dated March 18, from the commission and suggested that LEAD provide their responses bullet by bullet since the letter was 98 pages long.

Charlotte Meadows from LEAD Academy addressed the commission. She introduced several representatives in various capacities who were participating in the teleconference. She mentioned that they were excited that LEAD had formed a new network with Tyler Barnett, New Schools for Alabama. Ms. Meadows stated that LEAD's initial request was to utilize STEM hands-on learning program but only to implement a few features at a time. She announced that LEAD had formed a partnership with Lead the Way so now LEAD would like to utilize STEM learning extensively. She also stated that LEAD the Way would provide professional development for teachers during the summer. She introduced the regional director of Lead the Way who was also participating in the teleconference.

The second item that Ms. Meadows addressed was LEAD's organizational chart. She stated that LEAD had two excellent leaders and New Schools for Alabama had suggested that they define their chain of command using these two leaders. Mrs. Searcy suggested that LEAD fulfill their contract with their previous Educational Service Provider (ESP) and to document how they do so.

Ms. Meadows then commented that the budget was much improved due to the amount of money that LEAD had since they were no longer using an ESP. She discussed three leaders at LEAD and their qualifications and experience to fulfill the role of the ESP namely, Amber Anderson serving as the business leader, Abraham Lee the principal, and Adam Hopper, the assistant principal. She stated that LEAD does not have an Educational Director but they will be interviewing within the next 12 months.

Ms. Meadows also discussed the immense progress LEAD had made since the last commission meeting in February. Ms. Amber Anderson then spoke to discuss the financial progress made including, but not limited to: FY2020 budget submitted and approved by state, 2019 financials approved, receipt of all federal funds and CNP monies back to May, and no outstanding debt due to paying off \$30,000 debt for computers. She then discussed the five-year forecast that the commission had requested. Ms. Meadows then commented on how Mr. Abraham Lee benefits LEAD academy. Mr. Lee then spoke to the commission to further explain some progress made and the efforts used to combat the gap left by the coronavirus.

Discussion – Questions and Concerns

Mr. Nelson then asked Ms. Meadows what she wanted the commission to do. Mrs. Searcy commented that according to LEAD's original contract, it would be a change in their application to use Project Lead the Way, a change in their organizational chart since they no longer have an Educational Director, and a change since they did not have an external audit, yet adding a grade would be in line with their original contract. Ms. Meadows stated that according to the state most systems do not have to have an external audit and she didn't want to do anything different from the state requirements. Ms. Logan reiterated that an external audit, the academic program, and the organizational chart were in their original contract and thus they were entered into Charter Tools and now there are changes proposed. Commissioner Lisa Williams inserted that the head of the school and the ESP are a "deal breaker" to her and the commission needs to discuss whether they are going to dismiss LEAD's contract stating that if that was the commission's intent then they need to use a more formalized approach. She further commented that there is no longer an ESP to provide financial assistance, governance, and educational direction and she is very uncomfortable moving forward. She discussed the lack of funding, lawsuits pending, and the absence of an external audit. She mentioned dismissing the contract again and another commissioner (unnamed) agreed, stating that there was litigation forthcoming regarding the principal. Ms. Meadows then explained that the litigation was no longer ongoing and that their insurance company had absorbed the cost of the settlement. There was further discussion from Ms. Williams concerning the challenges and Ms. Meadows explaining how LEAD had overcome the hurdles. Mr. Nelson asked the commission's attorney to discuss the options regarding whether to void or amend LEAD's original contract. Mr. Lane Knight, the attorney, discussed the option of terminating and revoking the contract for material changes or allowing LEAD to submit another contract with the needed changes. Commissioner Sydney Raine then asked what would happen to the school during the gray period while another contract is being developed. The attorney responded that the gray area would not be spelled out specifically, yet the "spirit" would be that the school would continue to operate until the charter is revoked or amended. Commissioner Jamie Ison then asked if the original contract could simply be amended with all of the needed changes. The attorney responded that the contract could be amended item by item according to the commission's pleasure. Commissioner Allison Haygood then commented that according to her understanding, the agenda was to amend the contract step by step on this day. Commissioner Williams stated that she did not want to revoke the contract yet she did want to spell out details in the new contract. Commissioner

Paul Moran agreed with commissioner Williams, stating that he did not want to revoke yet the contract did need to be reset due to changes. He also stated that, according to his experience, Project Lead the Way was much more expensive than what was reported today. Attorney Knight stated that according to the comments, it seems that rather than terminating the contract that LEAD could be required to submit an amended contract with details spelled out. This contract would be voted on at a later date, alleviating the gray period, without formally voiding the original contract.

Mrs. Searcy then stated that there are some basic questions, such as if LEAD be able to “grow a grade” that need to be answered today so that the school would know how to continue. Ms. Williams asked whether amending the contract gives it a good reset. Mrs. Searcy recommended a contract committee comprised of two or three commissioners who would meet with LEAD academy to discuss needed changes.

Ms. Meadows agreed that LEAD would work with the committee to make changes and then she reiterated the cost of Project Lead the Way for its work with LEAD academy. Ms. Anderson answered other questions related to the budget and another representative from LEAD academy (Farrow) pleaded with the commission not to revoke the contract, stating that the changes were “fixable” and then asked that the commission make a decision on the sixth grade growth. Ms. Williams asked for clarification in regard to voting on each amendment and then voting on a new contract and Mr. Nelson concurred. Commissioner Haygood stated that the expense associated with Project Lead the Way that Ms. Meadows reported was in line with what her school paid. She then questioned LEAD’s plans for growth and stated that even though an external audit was not required by the state, it was in LEAD’s original contract. Ms. Anderson responded that growth would not incur any additional expenses except utilities. She also discussed the expense of additional teachers and a one-time expense to modify the building that was already in the budget.

Commissioner Sydney Raine stated that he thought the commission could vote on the amendments except for the sixth-grade change. Ms. Meadows stated that it would be detrimental to send their present fifth graders back to public school. Mr. Raine stated that increasing the grades would exacerbate the problem. Commissioner Marshall stated that the only practical growth would involve maintaining the current fifth graders and allowing them to progress to sixth grade at LEAD. Commissioner Williams stated that there should be no issue with an outside audit with agreement from Commissioner Nelson. Ms. Haygood reiterated the issues that need to be addressed – utilizing Project Lead the Way, the Organizational chart, the fifth grade continuing at LEAD, and the outside audit. She then asked if the commission could set a timeline.

Votes

Lisa Williams made a motion to allow LEAD fifth graders to continue at LEAD academy, specifically retaining the current fifth grade population and not accepting any new students. Mr. Marshall seconded the motion. Roll call was taken and the motion carried with nine in favor and one recused. The vote is as follows:

Nelson – Yes	Raine – Yes	Ison – Yes	Green – Recused
Williams – Yes	Haygood -Yes	Terry - Yes	
Hill – Yes	Marshall - Yes	Moran – Yes	

Allison Haygood then stated that LEAD desired to remove or discontinue using STREAM 360 as their educational program and continue utilizing STEM. Ms. Williams stated that she would want more than discussion on this matter. Mr. Nelson asked for volunteers to get two more commissioners to work with Williams and Haygood on the contract committee. Mr. Moran volunteered to help. Mrs. Searcy stated that she would organize the meetings and requested that the commissioners download the ZOOM app. Mrs. Searcy asked if the ESP could be taken out of the contract and Ms. Williams stated that was a “huge chunk,” a big piece for her to vote on today. Mrs. Searcy stated that it can be very difficult to get an ESP to come to Alabama. Attorney Knight stated that if the commissioners can’t agree whether LEAD can operate without an ESP or not, then they would have to look at a revocation process. Ms. Williams stated that hopefully the commissioners could come to an agreement and that a revocation won’t happen. Ms. Meadows stated that their work with New Schools for Alabama indicated that an ESP is not necessary although they had given them a list of ESPs that would come to Alabama. Mrs. Searcy stated that the Alabama Department of Education had served as an ESP for LEAD and had done an excellent job in assisting them in meeting requirements. Ms. Williams stated that she had read all of this yet student outcome is the main concern. Mr. Eddie Hill stated that the ALSDE had the best people providing leadership and the commission needed to do what was best for the kids.

Mr. Tyler Barnett, Executive Director for New Schools for Alabama, addressed the commission. He stated that it is indeed difficult to get ESPs to come to Alabama. He then stated that there is no clear definition of what an ESP should look like and that Project Lead the Way is an ESP. He said that he will be happy to help LEAD going forward and that LEAD is in a much better position moving forward spending \$16,000 as compared to \$300,000. He stated that if he had been involved with LEAD from the beginning then he would have advised them not to take an ESP. Ms. Williams stated that “we need to nail down in writing” so that we can move forward with clarity. Mrs. Searcy stated that the commission discuss moving from STREAM to STEM and then reminded LEAD to ensure that they don’t utilize any proprietary materials from Unity Services. Ms. Williams made the motion to remove the requirement from LEADs contract for an ESP to provide services as a part of their charter school contract with the caveat that there is a committee from the commission to work with them which would allow for Project Lead the Way. Jamie Ison seconded the motion and it carried with nine in favor and one recused. The vote was as follows:

Nelson – Yes	Raine – Yes	Ison - Yes
Williams – Yes	Haygood -Yes	Terry - Yes
Hill – Yes	Marshall - Yes	
Moran – Yes	Green – Recused	

Ms. Williams then stated that LEADs organizational structure with no ED needs to be approved. She also asked if there was any way to hire the Educational Director this year. Ms. Meadows reiterated that the 3 persons in place were sufficient until they add more buildings and that the \$8,000 left over in the budget would not be sufficient. Mr. Barnett explained that he had assisted LEAD in developing their organizational chart and it currently reflects what they have in place and it is similar to other charter schools in the nation yet it does project future growth. He stated that this organizational structure would prove efficient for a single site operation if there are clear lanes of responsibility. Mr. Hill stated that Ms. Meadows indicated that she did not need an ED at this time and Ms. Meadows agreed. Mrs. Searcy stated that the ALSDE infrastructure does not recognize dual leadership. That is, the ALSDE is not set up to notify

three people and she needed to ensure that the line of communication is clear so that the state department could contact the correct person. She stated that the state department may just send all communications to Mr. Lee and that LEAD needed to be aware of their responsibility to get the communications to the right person. Ms. Williams stated that all models do not “marry well” asking if they could expect an ED in one or two years. Ms. Meadows responded with “year 3.” Commissioner Ison made the motion to accept the organizational structure proposed by LEAD academy and Kim Terry seconded it. The motion carried with nine in favor and one recused. The vote is as follows:

Nelson – Yes	Raine – Yes	Ison - Yes
Williams – Yes	Haygood -Yes	Terry - Yes
Hill – Yes	Marshall - Yes	
Moran – Yes	Green – Recused	

Final Discussion and Adjournment

Mrs. Searcy stated that she would contact the commissioners to see when they need to meet.

Ms. Meadows asked if the commission needed to vote on Project Lead the Way so that LEAD Academy could get on the summer calendar for professional development. Ms. Haygood and Mrs. Searcy stated that technically Lead the Way was already in the contract and that they could work with Tyler and Lead the Way through the committee and revisit school design later. Ms. Meadows thanked the commission and asked them to send any questions or concerns that need to be addressed.

Mrs. Searcy then informed the commission that they now have their own website. She stated that committee meeting minutes and other posts could be found there and that she would link it to the state website. She also stated that she had received three applications that were submitted to School Works for review. The next meeting would be held on May 12 to approve or deny these applications. Mrs. Searcy also stated that a vote would be taken on an appeal from Magic City. She informed the commission that Dr. Janis Drake would serve on the rotating committee during this appeal. Mrs. Searcy stated that Magic City’s public forum is set for April 23 and it would probably be held virtually. Attorney Knight concurred that this is the proper way to go under the circumstances so the commission can continue with the public forum. Mrs. Searcy then stated that Woodland had requested an extension on their revocation proceeding stating that they preferred a face to face meeting. This request was granted and is set for April 20. Mrs. Searcy stated that the other two applications were Ivy Classical, located in Prattville, and Breakthrough Academy located in Perry County. She is waiting for dates for their public forums and she will suggest late April or early May.

Ms. Williams made a motion to adjourn and it was approved by acclamation.