

## **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, the Commission may grant charters only to applicants that have demonstrated competence and are likely to open and operate a successful public charter school; is to base its decision on documented evidence collected through the application review process; must follow policies and practices that are transparent and based on merit; must avoid conflicts of interests or any appearance thereof; and must require significant and objective evidence of interest for the public charter school from the community the public charter school wishes to serve; 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 recommendations 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, Barnabas School of Leadership filed a public charter school application with the Commission on **June 24, 2022**; and

WHEREAS, a public forum was held for local residents in Dothan, Alabama on **July 20, 2022**; and

WHEREAS, a capacity interview of Barnabas School of Leadership was conducted on **July 28, 2022**; and

WHEREAS, the External Evaluator has evaluated the 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, Barnabas School of Leadership was given an opportunity to respond to the evaluation of the External Evaluator and did, in fact, respond; and

WHEREAS, the Commission is most appreciative of the efforts of Barnabas School of Leadership as reflected in the submitted application.

**NOW THEREFORE, BE IT RESOLVED, that the Alabama Public Charter School Commission does hereby approve the application of Barnabas School of Leadership to operate a public charter school in Dothan, Alabama.**

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 successful public charter school.
2. The stated mission of the school is consistent with the Alabama School Choice and Student Opportunity Act (the "Act") which identifies "servicing students who are at risk of academic failure" as an appropriate goal and mission of a public charter school. *Ala. Code* § 16-6F-5(a)(10).
3. The execution of a charter contract with the applicant shall be subject to the applicant's demonstration that it is in good standing both financially and educationally, and that, consistent with its application and as represented to the Commission during the August 2, 2021 public hearing, the school will not have a "parochial or religious theme," *Ala. Code* § 16-6F-7(b)(3)(b), will not engage in any "sectarian practices in its educational program, admissions or employment practices, or operations," *id.* at § 16-6F-9(c)(2), and will not "discriminate against any person on the basis of race, creed, color, sex, disability, or national origin or any other category that would be unlawful if done by a non-charter public school." *Id.* at § 16-6F-9(c)(1).
4. 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.
5. The charter contract shall further contain a provision requiring a third party to oversee and administer the enrollment process for the school so as to ensure that the school conducts that process in compliance with the Act, which prohibits a school from limiting admission based on "ethnicity, national origin, religion, gender, income level, disability, proficiency in the English language, or academic or athletic ability." *Ala. Code* § 16-6F-5(a)(3).
6. The charter contract shall further contain provisions ensuring that the school will at all times operate consistent with the First Amendment to the Constitution of the United States' prohibition of an establishment of religion and with the Fourteenth Amendment's guarantee of equal protection of the laws, including, without limitation, ensuring that, to the extent that the school uses facilities owned by a religious institution, it does so solely for secular educational purposes, that such facilities contain no religious symbols or messaging, that such facilities are not used to provide the opportunity for proselytizing the students of the school by clergy, school employees, or adult volunteers, and/or that the use of such facilities shall not involve or necessitate an ongoing administrative entanglement between the school and the religious institution, in which one party exerts influence over the content, scheduling, or staffing of the other's programs and activities.
7. 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, including any amendments to the approved charter contract template deemed necessary in the discretion of the Chairman, 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 August 31, 2022.**

  
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Its Chairman