

advocate for SCHOOLS



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DURING THE 2021 REGULAR SESSION,
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Legislative Activity

Highlights this week:

The Senate approved medical marijuana legislation that now goes to the House.

The Senate delayed discussion on the gambling legislation.

The House approved the requirement for a child either to complete kindergarten or pass a readiness assessment to enroll in first grade.

Expected Legislative Schedule

March 1: 3-day week
March 8: 2-day week
March 15: 2-day week
March 22: Spring break

**Coronavirus
Information
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**2021 Regular
Legislative Session**

21 days remain

High Standards: School boards, kindergarten & construction

Lawmakers returned from a one-week hiatus and went right to work considering numerous education-related bills, including the B.E.S.T. Act. The Senate unanimously approved the bill and commended local school board members' request to set high expectations and accountability for themselves.

Senate Unanimous: Yes to B.E.S.T. By a 31-0 vote, the Senate approved the **B.E.S.T. Act**: "Our local school boards must be prepared and willing to lead by example with high standards and high expectations," said **Sen. Vivian Davis Figures**, the bill sponsor. "At the same time, no standard is effective without accountability, which this bill provides." The sponsor added three amendments to address concerns from fellow lawmakers. **S.170 (Figures)** is a request by school leaders to strengthen current law adopted in 2012 that established a code of conduct and training requirements.

The amendments:

- **Virtual option:** authorize peer review panel hearings to be held in-person or virtually. Lawmakers agreed the COVID experience demonstrated the need for a virtual option.
- **Discipline authority:** remove the appointed state Superintendent of Education from the disciplinary decision process. **Sen. Bobby Singleton** explained his amendment, saying no appointed individual should have authority to determine discipline on an elected official.
- **Qualifications:** remove some proposed language that added qualifying requirements to run for school board office.

In **B.E.S.T. action in the House Tuesday**, House members easily approved the procedural **BIR on H.338 (Estes)** by 72-20. However, as the floor discussion proceeded, opposition emerged including from a few superintendents.

At the podium, Estes said he was deeply disappointed because at no time had any entity approached him with questions or concerns. In the two years he has sponsored the bill which was unanimously approved twice by committee, he believed any questions should have been addressed in an open, transparent process.

Estes agreed to delay a vote on his bill to allow his colleagues time to discuss any concerns with him. As a result, Estes prepared an amendment which **Sen. Figures** added to **S.170** before Senate passage.

The B.E.S.T. Act is a proposal recommended by a task force that reviewed the 2012 law regarding school board member roles and expectations. Made up of local school board members, superintendents, school board attorneys, SSA, CLAS and the SDE, the task force recommended a mechanism and process for review and enforcement when a school board member falls short of their role and responsibilities.

Kindergarten Completion Approved The House Tuesday approved **H.208 (Warren)** to require students to complete kindergarten or demonstrate first grade readiness. Nineteen states and the District of Columbia currently require kindergarten and every Alabama school system already offers kindergarten. **Rep. Pebbin Warren**, bill sponsor, has been a strong advocate for

students meeting kindergarten standards to be prepared for a successful school experience .

A House floor amendment changed the readiness assessment from a locally approved option to a statewide assessment. It specifies the assessment include essential developmental writing and physical skills. As amended, the bill would become effective immediately upon the governor's signature or otherwise becoming law. The bill moves to Senate committee.

School Construction Oversight

The House approved [H.220 \(Ledbetter\)](#) Thursday to remove K-12 and higher education entities from Division of Construction Management oversight regarding building code standards for specified projects.

School officials have been frustrated by the red tape from DCM causing lengthy delays and significant costs to local construction projects.

A House amendment specifies that only construction projects costing more than \$500,000 remain under DCM to ensure code compliance. School construction projects that cost below \$500,000 and any repair or maintenance of heating, ventilation, and air conditioning systems; and any roofing repair or maintenance are removed from DCM oversight. Local entities will ensure building code standards are met. The bill, approved by a 96-1 vote in the House, is now in Senate committee.

Growth Factor for K-12 Funding

The bill to incorporate a student growth factor in the K-12 Education Foundation formula is ready for final passage in the House. The bill, [S.9 \(Elliott\)](#), would address a longstanding dilemma in the current funding process because annual school funding is calculated based on the previous year's student enrollment.

The proposed formula would add a growth component to include the net year-over-year growth in the preceding two school years. The formula also includes an adjustment to reflect virtual student funding. Without this change, no state funding flows to local school systems for new students that fiscal school year.

Local school board members support the change to provide funding support recognizing actual student growth in schools. Urge lawmakers to vote YES to [S.9 \(Elliott\)](#).

Education-related Bill Activity

[S.103 \(Barfoot\)](#) - Charter schools for military bases - would amend the Alabama School Choice & Opportunity Act to allow a charter school on or near military installations to serve military family dependents. Approved by House committee.

[H.1 \(Allen\)](#) - Vulnerable Child Compassion and Protection Act - would prohibit medical procedures, puberty-blocking medications and gender-changing hormones for minors. The bill would prohibit school employees from

withholding information about a students' self-perception about conflicting gender identification from their parents. Approved by House committee.

[H.76 \(Jackson\)](#) - Seizure Safe Schools Act - would authorize a seizure management and treatment plan for students. Approved by House, in Senate committee.

[H.97 \(Morris\)](#) - Mental awareness training - would require annual mental health awareness training for all public K-12 employees. Approved by House committee.

[H.187 \(Collins\)](#) - Competitive bids for local boards - would allow leases and lease/purchase agreements to be exempted from the competitive bid law when made through national or regional cooperative purchasing agreements. Approved by House, in Senate committee.

[H.220 \(Ledbetter\)](#) - School construction management - would transfer authority of construction management for K-12 public schools to the SDE. Approved by House.

[H.246 \(Gray\)](#) - Yoga in schools - would authorize local boards to offer yoga to students in grades K-12. Approved by House committee.

[H.260 \(Rich\)](#) - Teacher Bill of Rights - would create a Teacher Bill of Rights and direct each local board to provide to every employee. Approved by House committee.

[H.385 \(Hall\)](#) - Sex education - would revise content, course materials and instruction in public schools regarding sex education or the human reproductive process. Approved by House committee.

[H.391 \(Stadthagen\)](#) - Gender of athletes - would prohibit public K-12 schools from hosting/sponsoring or otherwise allowing students to participate as athletes in competitions against different biological birth genders, unless a co-ed team. Approved by House committee.

[H.407 \(Collins\)](#) - State Seal of Biliteracy - would recognize graduates who demonstrate specified proficiency of English and at least one other language with a seal on their diploma. Approved by House committee.

Selected Bill Introductions

[H.439 \(Chestnut\)](#) - Life skills course - would allow local boards to offer a life skills elective in grades 6-12 covering personal finance, personal rights and good citizenship.

[H.440 \(Fincher\)](#) - Repeal of Common Core - would terminate the use of the standards commonly known as the Common Core Standards, also known as the Alabama College and Career Ready Standards.

[H.447 \(Kiel\)](#) - School closures - would require local board approval if a public K-12 school is to be closed for more than 10 consecutive days.

[S.263 \(Butler\)](#) - Appointed superintendents - would require all county superintendents to be appointed upon expiration of current term, vacancy occurring before expiration of current term and after January 1, 2025.