

# advocate for SCHOOLS



TO SEE A LIST OF BILLS BEING TRACKED BY AASB DURING THE 2019 REGULAR SESSION, CLICK BELOW.



## Appointed Positions

S.222 (Butler) would transition the remaining 37 county elected superintendent offices to appointed positions. The bill is one step away from final passage!

## Release ATF Funds

The school year is winding down and summer programs begin soon. The clock is ticking for school systems to benefit from the \$128.7 M supplemental appropriation available only when the Legislature takes action on S.196 (Orr).

## Advocacy Days

Spend a day in Montgomery to learn and experience the legislative process, interact with lawmakers and earn two training hours. There is no registration fee and lunch is provided.

April 16 - D1, D2, D3  
April 30 - D7, D8, D9  
May 21 & 22 - all districts

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## 2019 Regular Legislative Session

21

days remaining



ALABAMA  
ASSOCIATION OF  
SCHOOL BOARDS

## Appoint School Superintendents; Oppose \$35M Grab from Schools

**From best governance for local schools to setting a reasonable number of restrooms required for school stadiums, committees covered a wide range of K-12 issues.**

### Don't Force School CEO to Campaign Appoint Superintendents

**The House Education Policy Committee Wednesday approved S.222 (Butler), a bill to transition the 37 remaining elected school superintendent positions to appointed offices.** Bill sponsor **Sen. Tom Butler** said the appointed governance model works best for kids. In the last years of a term, elected superintendents have to consider each decision they make based on how it will influence chances for re-election. **Rep. Tracy Estes**, a former Winfield City school board member, said appointed superintendents are empowered to make the hard decisions when having to campaign makes that job difficult.

**Rep. Bob Fincher said he wanted his county to have an option.** "They do have an option," said **Sen. Butler**. A county could pass a local constitutional amendment, like Franklin County did, and the transition to appointed would not take place.

**The bill next moves to the House floor to be considered for final passage.** Local school leaders have sought the appointed superintendent legislation each year to ensure Alabama's students benefit from the best practice in school governance. Less than one percent of the nation's school superintendents are elected for that very reason. It's time to adopt the strongest governance practice for kids.

If enacted, a currently-elected superintendent may accept a contract from their school board making the position appointed. The bill specifies that no vacancy would have to be posted. Otherwise, all elected superintendents would be able to run for another four-year term after completing their current term. Only upon vacancy of the second term would the position become an appointed office. **School leaders urge House members support S.222 (Butler).**

## Stop Plan to fund \$35M Medicaid Costs with Education Dollars

**The proposed Education Trust Fund (ETF) budget would include a new \$35 million liability moved out of the General Fund (GF) budget.** A Children's Health Insurance Program (CHIP) is a Medicaid program to serve children. The argument being floated is that children need to be healthy to learn in school. Using that argument, children also need to use roads and bridges to get to school to learn, be safe from fire and crime with troopers, police and fire departments to learn in school, and more. It doesn't fly.

### ETF funding is for public education.

Any diversion of funds to offset the need for general public services simply pushes costs to the ETF and solves nothing. The CHIPS program, like all Medicaid programs, will continue to have rapidly increasing costs and require a solution. AASB adamantly opposes diverting education funds to non-education expenses. Healthcare is critical and Alabamians look to state leaders to ensure sufficient resources to address basic governmental services in the General Fund.

**A PARCA survey released this week** included two critical findings:

- **Alabamians rank public education as the most important state service** (above health care, highways and public safety).
- **Alabamians strongly support keeping the education and general fund budgets separate** (by a whopping 82 percent!).

The results are not surprising when it confirms voters' decision to earmark funding for public education.

**Urge lawmakers to return the \$35 million obligation to the General Fund where it belongs.**

### Ease Building Code Burden on Schools

The House State Government Committee unanimously approved [H.159 \(Lee\)](#) Wednesday after learning a building code requirement demanded local schools build an unreasonable number of restrooms for athletic facilities. Bill sponsor Rep. Paul Lee said it has become known as the "bathroom bill" and greatly impacts new builds and renovations. Lee explained the exorbitant costs associated with complying with an unreasonable mandate for stadiums that are rarely used at full capacity. When asked what would happen if a stadium reached full capacity, he replied that at a championship game, perhaps, the schools could easily comply by arranging for temporary portable restrooms.

**Local school systems need relief as building and renovation projects are stalled or cancelled because of the unreasonable requirement.** The legislation is modeled on South Carolina legislation enacted last year with no opposition. AASB supports [H.159 \(Lee\)](#).

### Release Supplemental ATF Funding

Within this fiscal year that ends Sep. 30, 2019, local schools are eligible to receive a supplemental appropriation from the Education Advancement & Technology Fund. State revenue collected above the 2018 appropriations first go to the Budget Stabilization Fund and monies above that formula go to the ATF fund. Alabama had a stellar year and the ATF fund has some \$128.7 million available for K-12 schools.

**Each school system's allotment, outlined in [S.196 \(Orr\)](#), can be spent on the following this year:**

1. Repairs and deferred maintenance;
2. Classroom instructional support;
3. Insurance for facilities;
4. Transportation;
5. Acquisition/purchase of technology; or
6. School security.

**The monies only become available when the legislature enacts a supplemental appropriation.** With the late start of the legislative session this year, the time for school systems to receive and use the funding in the current fiscal year is closing fast. Urge lawmakers to move swiftly to enact [S.196 \(Orr\)](#), the supplemental appropriation from the Education Advancement & Technology Fund. Meanwhile, [S.199 \(Orr\)](#), the \$7.1 billion education

budget and [S.192 \(Orr\)](#), the 4 percent education pay raise, are not yet scheduled in committee.

### Support Teacher Recruitment & Retention Act

[H.77 \(Baker\)](#), aimed at helping to stem Alabama's teacher shortage, would offer a more generous retirement benefit, allow teacher sick leave accrual for retirement service credit and provide an option to retire at age 62 or after 30 years. The proposed retirement plan would require an employee to bear the greatest share of the increased cost. All new hires would fall under the plan while Tier 2 members have the option to stay in the existing plan. The entire education family supports the new retirement benefit as part of a package, that would include a teacher pay raise, to attract individuals to enter and remain in the teaching profession. **The House WME Committee is expected to vote on the bill next week.**

### State Board of Education Term Limits

The House Education Policy Committee Wednesday approved [H.150 \(Garrett\)](#), a bill to impose a two-term limit on members of the State Board of Education. If enacted, a current board member who has served one or two terms of office would be eligible to run for one more term. A current member who has served three or more terms would not be eligible to serve another term of office. State board members **Stephanie Bell, Yvette Richardson, and Ella Bell** would be impacted. **The bill next moves to the full House for consideration.**

### Education Bills of Interest

[H. 209 \(Pettus\) – School resource officers](#) - Would authorize a federal, state or local certified law enforcement officer, retired in good standing, with at least 25 years experience and meeting other conditions, to serve as an SRO. **Approved by House committee**

[H.339 \(Ledbetter\) - Pledge of allegiance](#) - Would require pledge of allegiance be conducted at the beginning of each school day in K-12 public schools. **On Tuesday's agenda for House floor consideration**

[H.388 \(Collins\) / S.263 \(Orr\) - Alabama Literacy Act](#) - Would implement steps to improve K-3 reading proficiency ensuring every student completing third grade would be reading at or above grade level or the student could be retained. **Introduced**

[H.385 \(Robertson\) - School safety plans](#) - Would redesignate current comprehensive school safety plan as a school emergency operations plan; changes "Code Red" to "School Lockdown". **Introduced**

[H.423 \(Warren\) - Mandatory kindergarten](#) - Would require successful completion from a public/non-public kindergarten program before being admitted to first grade in public schools. Changes public school kindergarten admission age from five years-old on or before Sept. 1 to Dec. 1. **Introduced**