

advocate for SCHOOLS



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



Law Enforcement Retirees as SROs

The Senate approved [S.255 \(Melson\)](#) to authorize a federal, state or local certified law enforcement officer, retired in good standing after 25 years of service, to serve as an armed school resource officer.

K-3 Literacy

Reading proficiency in early grades recognizes is a critical milestone for student success. [H.388 \(Collins\)](#) / [S.263 \(Orr\)](#) would address reading by third grade but school leaders are concerned about the state requiring a retention policy for third grade students who don't meet proficiency.

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2019 Regular
Legislative Session

19

days remaining

Keep Teachers in Alabama; Time for Education Budget to Move

Public education will be front and center in upcoming weeks as the Senate begins discussing the education budget in committee and the House is poised to consider the Teacher Recruitment & Retention Act on the floor at any time.

Alabama Competes for Teachers and is Losing

Asking teachers to work for less and longer before retiring for a smaller retirement package is not a good plan. New teachers don't stay in Alabama. Fewer students are choosing to become teachers and when they do graduate from colleges of education are leaving the state. Georgia, Mississippi and Tennessee are hiring Alabama's teachers with better pay over time and better retirement benefits. Most systems, especially rural schools, are feeling the impact and stand to benefit from [H.77 \(Baker\)](#).

In 2012, lawmakers crafted Tier 2 in the Teachers Retirement System. Incoming teachers contributed less toward retirement but received a smaller benefit in an effort to reduce the overall unfunded liability of the retirement system. The change also moved the retirement age to 62, regardless of service years, and prohibited accruing sick leave to count toward retirement service credit. The effort turned out to be over-aggressive as the Teachers Retirement System reported cost savings are nine years ahead of projections. Meanwhile local schools are seeing a far greater cost because the changes weakened their ability to compete for new teachers and retain teachers currently on staff.

[H.77 \(Baker\)](#) would offer a more generous benefit, allow sick leave to accrue to retirement service and provide an option to retire after 30 years or age 62.

The employee would bear the greatest share of the cost under the proposed plan for new hires, with current employees having an option to remain in their current plan.

With these changes, the retirement systems will still save some \$2.22 billion dollars over the next thirty years. House WME Committee members took two weeks to study and ask detailed questions before unanimously approving [H.77 \(Baker\)](#) Wednesday.

Local school leaders urge House members to support [H.77 \(Baker\)](#). Local school leaders can share their growing frustration in finding teachers for their students. This is a significant piece of legislation that can not wait. **Vote YES to [H.77 \(Baker\)](#) — the Teacher Recruitment and Retention Act.**

ETF Budget Questions Raised

Chairman of the Senate FTE Committee Sen. Arthur Orr this week briefed members about key decisions they must make when the education budget is discussed next week. The governor's budget proposal, [S.199 \(Orr\)](#), includes two unusual items.

First, it places a \$35 million Medicaid program for children in the ETF. The CHIPS program is currently housed in the General Fund that has a more than \$100 million carry-over in the version approved



by the House last week. The CHIPS program is estimated to cost some \$85 million next year and expected to grow rapidly. Moving that liability to the ETF does not answer the need for the state to address its Medicaid costs, and simply punts it to a different budget to the detriment of public education. **Urge your senator to remove the \$35 M CHIPS program and put it back in the General Fund.**

A \$55 million payment to the Budget Stabilization Fund, over the statutorily required payment, is the second anomaly. The \$55 million bonus payment is puzzling because education has numerous immediate needs, one-time and recurring. No definitive answer has been given as to why the \$55 million is being put in an account that may not be accessed unless proration is called — or unless the law is changed.

Expect the FTE Committee to discuss its own version of the budget over the next few weeks. Local school leaders should be having conversations with their lawmakers about their school plans, challenges and needs as the budgets are built. Your lawmakers should be part of your local school leadership team to ensure state and local dollars work together, and for the same goals, to best serve your students.

Local Dollars Sought by Charter Schools

When Alabama passed its charter school law, hailed at the time as the strongest model of accountability in the nation, it also contained specific language about how state and local revenue would flow. S.311 (Marsh) would remove the purposeful language that did not require local funds a school system had already restricted, earmarked or otherwise pledged for a specific purpose to flow to a new charter school. This language was included to protect school board revenue already committed to fund a specific project or bond issue.

This move is extremely alarming since the strong standards in the law are being thwarted by the state charter school commission. The commission is approving charter applications the National Association of Charter School Authorizers, contracted by the commission to review the applications, said should be rejected. **OPPOSE S.311 (Marsh).**

SSUT Change Helps Schools

A bill seeking to amend the Simplified Sellers Use Tax (SSUT) includes language to give 25% of a county's portion to school systems located within the county. H.418 (Scott) passed by voice vote in the House WMGF Committee Wednesday. The SSUT is a voluntary method for online sellers to collect a fixed use tax on internet purchases, a program for which Alabama has taken the lead. No mandate currently exists, however major online sellers such as Amazon and Walmart have voluntarily agreed to participate and tax revenue are

growing each year. The current tax is set at 8 cents, with four cents going to the state (75% to GF, 25% to ETF), and four cents flowing to local entities (40% to counties and 60% to cities). The bill would increase the tax by one cent for counties and cities that would divide 5 cents at the 40/60 ratio.

When the SSUT passed, education leaders agreed to allow the GF a larger portion of state dollars to help address the huge deficit in that fund. However, since the program began, education advocates learned that counties and cities were not sharing the tax revenue from these purchases with schools.

Kudos to the Association of County Commissions of Alabama that recognized the validity of those concerns and offered an amendment so 25% of local county revenue from the SSUT could flow to schools. Conversations are underway so cities also will include their schools in the effort to recoup the loss of local sales taxes from internet purchases.

SUPPORT H.418.

Education Bills of Interest

H.339 (Ledbetter) - Pledge of Allegiance - would require the Pledge of Allegiance be conducted at the beginning of each school day in K-12 public schools.

Passed House by 101-0 vote and moves to Senate

H.349 (Collins) - Age gap remedies - addresses statutory inconsistencies for the ages being classified as a minor or adult. Bill was amended to clarify a school may not deny admission to a child under the age of 19 who is on track to graduate. **Approved by House Committee**

S.140 (Whatley) - Sex Education - would revise content, course materials and instruction provided for any sex education or human reproductive system program. **Passed Senate by 26 to 1 vote and moves to House**

H.449 (Gray) - Yoga - would authorize local boards to offer yoga in grades K-12, currently prohibited in Alabama public schools. **Introduced**

H.469 (Rogers) - Character Education - would require a comprehensive K-12 character ed program five times/week, no less than 40 minutes/day to include methods for discouraging bullying and violent acts against students. **Introduced**

S.304 (Chambliss) - Emergency Teaching Certificates - would retitle as urgent certificates and extend length from one to two years with the ability for renewal twice for a maximum of six years. **Introduced**