

advocate for SCHOOLS



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



Lottery Dollars for Education?

A House committee will vote next week on a new version of the lottery bill. On Thursday, the House Economic Development and Tourism Committee adopted a [substitute](#) for S.220 (Albritton) which will now split revenue 75% to the General Fund and 25% to the Education Trust Fund. **Pending House committee vote.**

Approve PLOP: 5th Retirement Option

[H.21 \(Baker\)](#) would allow a retiree to choose a partial lump sum worth up to two years of retirement benefit with a decreased monthly benefit thereafter. Individuals would be able to make a significant purchase or make a move upon retirement if they wish. The option does not greatly compromise the monthly benefit and simply adds another choice.

Pending final passage in Senate.

2019 Regular Legislative Session

12

days remaining

Ivey Supports Change to State Oversight of K-12 Education

A constitutional amendment that would completely overhaul K-12 state governance was introduced Thursday. The proposal, endorsed by Gov. Kay Ivey who serves as State Board of Education president, parallels changes made to the Alabama Community College System in 2016 lauded as a success story.

[S.397 \(Marsh\)](#) is a state constitutional amendment that, if approved by voters in the March 2020 primary election, would change the currently elected State Board of Education to a governor-appointed Commission of Elementary and Secondary Education. The governor would appoint nine commissioners, subject to confirmation by the Senate, to serve staggered six-year terms and limited to two terms in office. Seven commissioners would be appointed from congressional districts and two commissioners at-large.

The commission would appoint a Secretary of Education, also subject to Senate confirmation. The State Department of Education would be governed by the commission and work in coordination with local boards of education. For legislative passage, a constitutional amendment must receive a three-fifths vote in both chambers before going to the ballot with no governor signature required.

Currently, the State Board of Education has eight elected members representing legislatively drawn districts across the state. The governor serves as the ninth member and president by virtue of the office.

AASB requested significant changes when the governor and legislative leaders consulted stakeholders about the proposal. After those changes were made, the AASB Board of Directors voted to support the constitutional amendment being put before voters in the March 2020 primary. AASB Executive Director Sally Smith said, *“Fundamentally, we believe it is important the people of Alabama have an opportunity to vote on this dramatic change and that such change is needed to drive significant, sustained improvement in our schools across the state.”* [See AASB’s statement.](#)

Education associations are not opposing the effort and have either taken a neutral position or no position to allow voters to decide.

Separate legislation, [S.398 \(Marsh\)](#), would require the governor to consult with the House and Senate minority caucuses when appointing minority members to the commission.

Support Retirement Adjustment: H.77(Baker)

Following a House vote of 100-0, the Senate Finance & Taxation Committee still needs to address [H.77 \(Baker\)](#). Under a 2012 law change, new teachers pay a lower contribution rate for a reduced retirement benefit, may not retire until age 62 nor can they apply accrued sick leave toward retirement service credit. However, local schools are experiencing a teacher shortage with few to no applicants to fill positions and a loss of teacher graduates to other states. The retirement plan change was an



overcorrection to address unfunded liability in the retirement system and tied Alabama with Pennsylvania for the largest benefit cut (20 percent) in the nation. The latest information indicates savings from the 2012 adjustment are nine years ahead of schedule. Corrections must now be made to the benefit to help address absenteeism, high costs of substitutes and to improve teacher pay/benefits. The bill would require new teachers to bear most of the cost for higher benefits, an option to retire after 30 years and the ability to apply accrued sick leave toward retirement service credit. **Call [Senate FTE committee members](#) and ask them to act on [H.77 \(Baker\)](#) ASAP.**

Appoint School Superintendents

AASB's effort for strong local school governance is pending final passage in the House. [S.222 \(Butler\)/H.387 \(McMillan\)](#) would transition remaining elected county school superintendent positions to appointed offices. The transition for currently elected superintendents would be by contract following bill passage, OR the individual may opt to complete his/her current term, and then run for another four-year term of office. The position would become appointed upon vacancy or completion of the second term to provide ample time for the change.

School superintendents must have the ability to focus on governing school systems without the pressure to fundraise and campaign every four years. The highest qualified and capable superintendent applicants may not be willing to seek the position because it requires a political campaign. Campaigns often cause division of loyalty within the system and after what may be an intense and negative election, the victor is supposed to unite opposing camps to lead a unified team. Financial donors to the campaign may expect favors. Elected superintendents indicate that particularly in the last two years of a four-year term, each decision must be weighed based on how it will impact their re-election.

The elected superintendent model does not put children first. It ensures the best politician wins, not necessarily the best school leader. It is a poor governance model and no other state but Florida elects superintendents. **Urge your House member to vote YES to [S.222 \(Butler\)/H.387 \(McMillan\)](#) for final passage.**

Emergency Teaching Certificates Extension

The House Tuesday unanimously approved [H.506 \(Estes\)](#) to give emergency help to local school systems struggling to find teachers. Current law offers an emergency certificate for individuals with a bachelor's degree, subject to a background check, ONLY when a certified teacher is unavailable. However, it is currently limited to one year and may not be renewed.

One of the first recommendations from the Teacher Shortage Commission was to extend the one-year timeframe. [H.506 \(Estes\)](#) would provide a two-year emergency certificate that could be renewed once for a maximum of four years. Bill sponsor **Rep. Tracy Estes** said limiting the total timeframe to four years addressed concerns that a longer window would be a disincentive for

individuals to seek certification. **Pending action in the [Senate Education Policy Committee](#).**

SSUT (Online Sales Tax) to Include Schools

Differing bills are moving to revise the Simplified Sellers Use Tax (SSUT) which provides an option for online retailers to pay one statewide tax rate for internet purchases. Current law splits revenue between state/local governments, and the counties and cities share the local revenue. However, local school systems have not gotten their share of local sales taxes. **[S.153 \(Melson\)](#)** is a technical change to SSUT and was amended in committee to provide 25 percent of county funds be distributed to local school boards within the county. City revenue is not addressed. **Pending final passage in House.**

Age Gap Remedy Approved

Whether an individual is deemed a minor or adult is significant for what services may be offered and eligibility for specific programs. Current laws are inconsistent with how 18 or 19 year-olds are classified, leading to gaps individuals may find themselves in without any options. **[H.349 \(Collins\)](#)** would address statutory differences to ensure consistency in laws when determining if an individual is a minor or adult. For K-12 specifically, it would require that if a child under age 19 is on track to graduate, a public school may not deny admission to the student. **Pending final passage in Senate.**

Bills of Interest

[H.291 \(Garrett\)](#) - Religious Release Time - would authorize local school boards an option to adopt a policy to offer release time during the school day for students to receive religious instruction off campus. **Pending final passage in Senate.**

[H.339 \(Ledbetter\)](#) - Pledge of Allegiance - would require the Pledge of Allegiance at the beginning of each school day in K-12 public schools. As **amended**, no child may be penalized/punished if he/she refuses to recite the pledge. **Awaits House concurrence.**

[H.449 \(Gray\)](#) - Yoga in Schools - would authorize instruction of yoga in K-12 schools; expressly prohibits use of chants, mantras and more. **Introduced.**

[H.592 \(Stadhagen\)](#) - Immunization - would remove the religious exemption to the requirement that a child must be vaccinated to participate in a public/private K-12 school. **Introduced.**

[S.8 \(Coleman-Madison\)](#) - City School Systems - would increase the minimum population requirement for formation of a city system from 5,000 to **15,000** and require financial viability. **Failed Senate committee.**

[S.90 \(Scofield\)](#) - AL Broadband Accessibility Act - Would use a potential \$30M ETF appropriation (increased from \$20M in FY19) to fund \$2.5M ADECA grants for broadband projects. **Approved by Senate.**