



TO SEE A LIST OF BILLS TRACKED BY AASB
DURING THE 2021 REGULAR SESSION,
CLICK BELOW



2021 Enactments

Look for the *2021 AASB Enactments* publication once all bills have been finalized. The Enactments provide Act numbers and a summary of all education-related general bills, local bills and resolutions.

Governor's Options

All bills passed by the Legislature on the final day are transmitted to the governor.

The risk for every bill is that lawmakers have no recourse to override a gubernatorial veto.

The governor now will decide whether to sign the bill into law or let the bill die by her inaction which is called a "pocket veto." She has 10 days to act (May 27).

Did you know?

To adjourn Sine Die translates to adjourning indefinitely or "without a day" for future action or meeting.

The 2021 Regular Legislative Session has ended.

Adjourned Sine Die

Sine Die: 2021 Session a Boost for K-12 Schools

The largest education budget in state history, an innovative program to recruit math and science teachers, a Foundation Program formula to fund growing school systems and a variety of bills to help local school systems streamline operations are just a few of the education wins lawmakers supported for K-12 schools. Often unscripted - and definitely memorable - the unconventional COVID-restricted 2021 legislative session is finally over. Ultimately, the more controversial bills including lottery and gaming, medical transgender ban for minors, and a bill to limit the governor's authority during a state of emergency failed. Special sessions will handle redistricting required after the 2020 census and possibly for gaming and prisons.

Final Passage: Two-Year Delay for 3rd Grade Retention

The bill to delay third grade retention for students not reading at grade level passed after an animated House floor debate, a cloture vote and a tabled floor amendment. Proponents and opponents, sometimes emotional, each stated the goal to provide support for students who are struggling. **Rep. Barbara Drummond** handled **S.94 (Smitherman)**, saying the delay showed compassion and recognized that educators and students are under incredible pressure to catch up after COVID. **Rep. Terri Collins**, sponsor of the Alabama Literacy Act, said that is exactly why it would be harmful to delay before the initial third grade assessment data is available. Opponents of the bill believe the delay ignores the urgency

of the efforts now being implemented. In the end, the bill passed by a bipartisan **68-27 vote**. Should the governor sign the bill, the retention for third grade students who do not read at grade level will apply in the 2023-2024 school year.

Competitive Bid Exemption

The Senate unanimously approved H.187 (Collins) to provide an exemption from the competitive bid law for certain lease/purchases. County and city school systems that participate in national or regional cooperative lease/purchasing agreements will no longer be required to competitively bid those goods or services. Thanks go to bill sponsors **Rep. Terri Collins** and **Sen. Andrew Jones** for supporting a multiple-year effort by the Alabama Association of School Business Officials (AASBO) and local school leaders.

School Construction: Executive Amendment for K-12

Lawmakers approved the governor's Executive Amendment to delay for K-12 only the implementation date of a bill to remove Division of Construction Management (DCM) oversight for specified construction projects. H.220 (Ledbetter) applies to K-12 construction projects that cost less than \$500,000 or for HVAC system renovation/repairs or roof maintenance and repairs.

Originally slated to take effect Aug. 1, the governor pushed the effective date for the K-12 provision to Feb. 1, 2022. The bill appoints a study group to assess the bill's impact on public safety and provide recommendations to the governor.

No COVID Vaccine Mandates

Lawmakers approved [S.267 \(Orr\)](#) to prohibit entities, including public schools, from requiring COVID vaccinations. Following concerns that the language was too broad, sponsors amended the bill to ensure schools may still require vaccinations that were required as of Jan. 1, 2021. The bill becomes effective immediately upon its becoming law.

Pending Governor's Signature

The following education bills were forwarded to the Governor on the last day of the session. If the Governor does not sign a bill, it dies by a pocket veto.

[H.76 \(Jackson\)](#) - **Seizure Safe Schools Act** - permits a student health care plan to include the administration of seizure medication by an unlicensed medication assistant who received specified training.

[H.93 \(Baker\)](#) - **Tier 2 Retirement** - allows the conversion of sick leave into retirement service credit for Tier II plan members in the Teachers Retirement System.

[H.240 \(Shaver\)](#) - **Obscene materials** - makes it illegal for a school employee to solicit a student to send obscene material to any person.

[H.246 \(Gray\)](#) - **Yoga in schools** - authorizes local boards to offer yoga to students in grades K-12.

[H.494 \(England\)](#) - **Non-disparagement agreements** - creates the Alabama Non-Disparagement Obligations Act, providing for the creation and enforcement of non-disparagement obligations in contracts.

Bills that Died

These select education bills did not receive further consideration during this legislative session:

[H.208 \(Warren\)](#) - **Kindergarten bill** – would require a child to successfully complete kindergarten or demonstrate first grade readiness before being enrolled in first grade.

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

[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.

[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.

[H.487 \(Collins\)](#) - **Charter schools** - would revise the manner of appointing members to the Charter School Commission and revise the local share of operational funding to charter schools.

[H.498 \(Collins\)](#) - **Alabama Credential and Transparency Act** - would provide a free searchable database for all educational and occupational credentials, competencies and workforce programs.

[H.552 \(Moore\)](#) - **TRS full-time employment** - would allow a retiree to be employed full-time as a K-12 teacher, for one academic year at a time, without limit on compensation or suspension of retirement allowance.

[H.559 \(Meadows\)](#) - **AAA Scholarships** – would allow a taxpayer to claim a tax credit of up to 75 percent, not to exceed \$75,000 per taxpayer or a cumulative \$30 million annually. All Scholarship Granting Organizations would be required to expend funds on scholarships within three calendar years.

[H.572 \(Hurst\)](#) - **Work-based Learning** - would require school boards to post information about work-based learning opportunities on school websites and provide this information to students in an orientation each semester.

[H.633 \(Meadows\)](#) - **Education savings accounts** - would create an Education Savings Account voucher to allow parents to divert state education funds to private K-12 schools.

[S.10 \(Shelnutt\)](#) - **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.

[S.93 \(Smitherman\)](#) - **Mental health service coordinators** - would establish qualifications and duties of mental health coordinator and require each local board to employ a coordinator subject to state funding.

[S.165 \(Orr\)](#) - **Open Records Act** - would revise the Public Records Act for government entities, including public schools.

[S.172 \(Singleton\)](#) - **Retiree lump sum** - would provide education retirees a one-time, lump-sum payment in FY22 (beginning Oct. 1, 2021) based on a formula of \$2 per month for each year of service or \$300, whichever is greater.

[S.203 \(Smitherman\)](#) - **Student discipline process** - would remove local school boards from student expulsion and long-term suspension decisions and require every school system to use a hearing officer.

[S.217 \(Melson\)](#) - **State textbook committee** - would revise current statute and specify criteria for textbook selection.

[S. 365 \(Marsh\)](#) - **Open enrollment** - would require schools to enroll students from outside the school system beginning in the 2022-23 school year.