



SPECIAL EDITION



ALABAMA
ASSOCIATION OF
SCHOOL BOARDS

2021 Regular Legislative Session Enactments

General Bills

This publication only includes enactments of education-related bills tracked by AASB during the most recent legislative session.

Act No. Bill Synopsis

2021-4

Provides civil immunity to public schools and other entities from liability for damages, injury or death from a claim related to Coronavirus; provides an exception if there is clear and convincing evidence that the entity acted with wanton, reckless, willful, or intentional misconduct; requires claims to be filed within two years of the cause of action; makes the Act retroactive to March 13, 2020; and terminates the Act December 31, 2021, or one year after a declared Coronavirus health emergency expires, whichever is later.

S.30 (Orr) *Effective February 12, 2021*

2021-111

Authorizes the State Board of Education to issue alternative teaching certificates to qualified former members of the United States Armed Forces.

S.16 (Jones) *Effective June 1, 2021*

2021-103

Amends the School Choice and Opportunity Act to authorize the formation of a charter school on or within one mile of a military installation to serve dependents of the military or Department of Defense civilian employees.

S.103 (Barfoot) *Effective June 1, 2021*

2021-130

Exempts the Alabama School of Fine Arts, Alabama High School of Mathematics and Science; Alabama Institute for the Deaf and Blind, and Alabama School of Cyber Technology and Engineering from the payment of all state, county and municipal sales and use taxes.

S.40 (Givhan) *Effective March 31, 2021*

2021-157

Moves municipal elections scheduled August 2024 to August 2025, including city school board member elections tied to municipal elections. [See AASB memo.](#)

S.119 (Waggoner) *Effective January 1, 2022*

2021-166

Provides for student enrollment growth to be incorporated into the Foundation Program formula for school system funding based on the current year increase in average daily membership.

S.9 (Elliott) *Effective July 1, 2021*

- 2021-285** Provides public K-12 schools may not participate in, sponsor, or provide coaching staff for athletic events that permit athletes of one biological gender to compete against the other gender but excludes athletic events in which both biological genders are permitted to participate.
H.391 (Stadthagen) *Effective July 1, 2021*
- 2021-293** Updates language and revises the focus of content, course materials, and instruction relating to public K-12 sex education; requires schools to give advanced written notification of sex education or instruction about the human reproductive process and to make the curriculum available to parents or guardians upon request.
H.385 (Hall) *Effective July 1, 2021*
- 2021-305** Provides that a reduced speed school zone applies to every public or private school in the state; provides counties and municipalities shall each place and maintain reduced speed school zone signs on roads they maintain.
H.280 (Faulkner) *Effective July 1, 2021*
- 2021-330** Provides a 2 percent pay increase to public education employees; excludes superintendents of education unless there is a pay increase by a majority vote of the board.
S. 188 (Orr) *Effective May 4, 2021*
- 2021-340** Establishes the Teacher Excellence and Accountability for Mathematics and Science (TEAMS) Program; provides a salary schedule with higher pay for participating qualified math and science teachers for grades 6-12; provides contract employment in lieu of tenure; allots TEAMS positions to each school system based on student enrollment in grades 6-12; and provides a supplement for participants who teach in hard-to-staff schools.
S.327 (Chesteen) *Effective May 6, 2021*
- 2021-342** Appropriates \$7.67 billion from the Education Trust Fund for the support, maintenance and development of public education, debt service and capital outlay for the fiscal year ending September 30, 2022. [View budget spreadsheet.](#)
S.189 (Orr) *Effective Oct. 1, 2021*
- 2021-389** Adds computer science teachers to the Alabama Math and Science Teacher Education Program (AMSTEP) which provides a student loan repayment award based on meeting specific criteria; makes charter school teachers eligible with certain exceptions; adds teaching in schools designated as failing or underperforming to the program as eligibility criteria; and specifies funding terms.
H.175 (Lovvorn) *Effective August 1, 2021*
- 2021-391** Provides a supplemental appropriation from the Education Trust Fund to multiple agencies: appropriates \$52.8 million to the State Department of Education of which \$50 million shall be distributed to the TEAMS Fund established by Act 2021-340 for the new math and science teacher salary schedule, \$1 million for a marketing campaign for teachers, \$750,000 for National Board Certification of Teachers, and \$1 million for a Remote Learning Hub Pilot for STEM learning pathways for grades 6-12; additionally provides \$3.5 million to the Alabama Institute for Deaf and Blind; \$65 million to the Education Trust Fund Advancement and Technology Fund; and provides that any funds not expended by September 30, 2021, shall be carried forward for the purpose appropriated.
H.190 (Orr) *Effective May 6, 2021*

- 2021-420** Appropriates \$206 million to K-12 from the Advancement and Technology Fund to be used in FY21; authorizes funds be used for repairs and deferred maintenance, classroom instructional supplies, insurance for facilities, transportation, acquisition or purchase of education technology or school security measures; provides \$1.9 million of this amount shall be distributed to the Ed Farm Classroom of Tomorrow and \$76 million to higher education.
S.193 (Orr) *Effective May 13, 2021*
- 2021-424** Requires mental health awareness be included in the annual school safety training for public K-12 school employees.
H.97 (Morris) *Effective August 1, 2021*
- 2021-428** Creates the Extended Learning Opportunities Act to authorize public K-12 students to earn elective credit through an approved extended learning opportunity beginning in the 2021-2022 school year; defines an extended learning opportunity as an out-of-classroom experience through nonprofits, businesses, trade associations or the U.S. Armed Forces to provide enrichment, career readiness, or other approved educational opportunities; requires the State Board of Education to adopt a policy, process and forms; and requires local boards of education and charter schools to develop criteria.
H.486 (Scott) *Effective August 1, 2021*
- 2021-439** Amends the Public Works Act to authorize local boards of education to negotiate with the lowest bidder when two or more bids are received and all bids exceed available funding for the contract.
S.109 (Gudger) *Effective August 1, 2021*
- 2021-452** Specifies public K-12 local schools have sole authority to contract for the broadcast of regular season sporting events; prohibits any individual, firm, corporation or association with otherwise interfering or restricting such media or broadcast coverage.
H.248 (Rich) *Effective August 1, 2021*
- 2021-464** Establishes the Education Retirees' Trust Fund as a permanent trust and investment account in the State Treasury as a mechanism to fund future bonuses for education retirees; prohibits any funding from the Education Trust Fund; and authorizes bonus checks upon the fund balance reaching \$100 million.
S.61 (Chesteen) *Effective August 1, 2021*
- 2021-475** Authorizes local school boards to offer yoga as a voluntary elective to students in grades K-12; limits the instruction exclusively to poses, exercises and stretching; requires use of English descriptive names; prohibits the use of chanting, mantras, guided imagery, induced hypnotic states, traditional yoga greetings and other practices defined in the Act; and requires signature by a parent/guardian of a consent form that includes the specific statement that yoga is part of the Hinduism religion.
H.246 (Gray) *Effective August 1, 2021*
- 2021-476** Removes Department of Construction Management (DCM) oversight from K-12 public education construction projects that cost less than \$500,000 or for HVAC system renovation/repairs or roof maintenance and repairs; establishes a study group to make building code and safety requirement recommendations to the Governor, Speaker of the House and Senate President Pro Tempore by December 1, 2021; and completely removes DCM oversight of the Alabama Community College System construction projects.
H.220 (Ledbetter) *Effective for K-12 on February 1, 2022*
Effective August 1, 2021 for Alabama Community College System

- 2021-485** Provides an exemption from the competitive bid law for city and county school systems that participate in national or regional cooperative purchasing agreements for the lease and lease/purchase of goods and services.
H.187 (Collins) *Effective May 21, 2021*
- 2021-493** Prohibits state and government entities, institutions of education and businesses from requiring immunization as a condition for receiving services or attendance; provides that education institutions may require a student to prove vaccination status, with exceptions, for vaccines that had been required as of January 1, 2021.
S.267 (Orr) *Effective August 1, 2021*
- 2021-503** Establishes the Alabama Non-Disparagement Obligations Act to provide for the creation and enforcement of non-disparagement obligations in contracts between parties, including public schools.
H.494 (England) *Effective January 1, 2022*
- 2021-519** Provides the Seizure Safe Schools Act to authorize an unlicensed medication assistant be trained to administer seizure disorder medication to students in public K-12 schools beginning in the 2022-2023 school year; requires the inclusion of the seizure management and treatment plan in the student's individual health plan; requires schools provide parents, students and school employees an annual list of school employees trained to administer seizure disorder medication that must be posted on the local board of education's website; and requires the State Board of Education to ensure a nurse is hired in every public K-12 school from funds appropriated for that purpose.
H.76 (Jackson) *Effective August 1, 2021*
- 2021-537** Authorizes Tier II plan members in the Teachers' Retirement System to convert accrued sick leave into creditable service for retirement; increases the Tier II employee benefit contribution from 6% to 6.2% of salary beginning October 1, 2021.
H.93 (Baker) *Effective May 27, 2021*
- 2021-538** Makes it a Class A misdemeanor for a school employee to solicit a student to transmit obscene matter to any person.
H.240 (Shaver) *Effective August 1, 2021*

Local Bills

- 2021-135** Dale County: Directs the Dale County Board of Education to determine and set the annual salary paid to the local superintendent of education.
H.250 (Clouse) *Effective April 1, 2021*
- 2021-149** Elmore County: Authorizes the Elmore County Board of Education to insure school buildings and property either in the State Insurance Fund or with an insurance company.
S.271 (Barfoot) *Effective April 2, 2021*
- 2021-217** Trussville City: Authorizes the Jefferson County Commission, if approved by voters, to renew an expiring 8.8 mill special school ad valorem tax for the Trussville city school system and incorporate it into an existing 5.1 mill school ad valorem tax to total 13.9 mills beginning October 1, 2021.
H.515 (Garrett) *Effective April 15, 2021*
- 2021-218** Midfield City: Authorizes the Jefferson County Commission, if approved by voters, to renew an expiring 10.5 mill ad valorem tax for the Midfield city school system and incorporate it into an existing 6 mill school ad valorem tax to total 16.5 mills beginning October 1, 2021.
H.522 (Coleman) *Effective April 15, 2021*

- 2021-329** Etowah County: Provides distribution of beer tax revenue to the Etowah County, Gadsden and Attalla boards of education based on the most recent average daily membership, and restricts use to capital outlay, renovation and repairs and to preserve teacher units.
S.168 (Jones) *Effective May 4, 2021*
**retroactive to October 1, 2017*
- 2021-343** Cullman County: Provides a constitutional amendment that, if approved by voters, would change the county superintendent of education from appointed to elected.
H.622 (Harbison) *Effective May 6, 2021*
- 2021-394** Jefferson County/Gardendale City: Authorizes the Jefferson County Commission, if approved by voters, to incorporate an expiring 8.8 mill school ad valorem tax for the Jefferson County School Tax District into an existing 5.1 mill school ad valorem tax to a total 13.9 mills beginning October 1, 2021.
H.515 (Treadaway) *Effective May 5, 2021*
- 2021-522** Pike Road City: Provides that upon expiration of a 6.5 mill school ad valorem tax, if approved by voters, an increase of 19 mills to reach a total 25.5 mills school ad valorem tax restricted to use for capital outlay purposes and for the payment of principal and interest on indebtedness for those purposes.
H.591 (Meadows) *Effective May 26, 2021*

Resolutions

Resolutions express the will of the legislature but do not have the effect of law. Either house can adopt a general resolution, but both houses must adopt a joint resolution which are then forwarded to the Governor for signature and assigned an act number by the Secretary of State.

- 2021-7** Establishes the Purple Star Schools Program and Committee to recognize the efforts of public K-12 and charter schools in the state that are especially committed to successful transitioning military students and their families by providing continuing support and resources for those students and families.
SJR 3 (Butler)
- 2021-95** Commends public K-12 educators and encourages the State Board of Education to take certain actions in response to the Corona virus pandemic such as encouraging administration of and participation in the ACAP assessment for all school systems and waiving all accountability indicators for 2021.
HJR 72 (Collins)
- 2021-334** Endorses and encourages Holocaust education in the state of Alabama and requests that the revised Alabama Social Studies Course of Study curriculum contain components to ensure students learn the breadth of the history of anti-Semitism and the Holocaust.
HJR 160 (Faulkner)
- 2021-367** Creates the Joint Legislative Study Commission on expanding access to quality pre-K programs to evaluate best practices; identify barriers to offering quality improvement systems for childcare centers; assess existing obstacles to achieving full access to first class pre-K classrooms; and submit recommendations for legislative action to remedy or address identified issues.
HJR 176 (Kitchens)

- 2021-230** Urges the Governor to implement the Paperwork Reduction Committee created in Act 2001-475 and with the Alabama Education Association (AEA) appoint committee members to implement the outlined duties and responsibilities.
SJR 78 (Marsh)
- 2021-263** Urges the State Board of Education and local boards of education to install of drinking fountains, water coolers, or water bottle filling stations in public K-12 schools and the State Department of Education to provide adequate funding.
SJR 91 (Coleman-Madison)
- 2021-541** Creates the Joint Interim Study Commission on Responsible Technology Purchases by Public Education to examine the short-term and long-term fiscal impact of the significant increase in mass technology purchases, and to recommend new methods of addressing any potential economic, privacy and environmental impacts of those purchases.
SJR 111 (Singleton)

Vetoed

- S.94** Would have delayed implementation of the retention provision for third grade students in the Alabama Literacy Act from the 2021-2022 school year until the 2023-2024 school year.
S.94 (Smitherman)

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For a copy of any enacted bill or resolution listed above, click on the highlighted act number or go to the Alabama Secretary of State's Office to [view legislative acts here](#).