

advocate for SCHOOLS



TO SEE A LIST OF BILLS TRACKED BY AASB
DURING THE 2024 REGULAR SESSION,
CLICK ON BILL TRACKER BELOW:



AASB Advocacy Days

Alabama's legislative session is underway!

It's not too late join us in Montgomery for AASB Advocacy Days.*

Tuesday, February 27
[REGISTER NOW](#)
Dist. 6, 7, 8, 9 & CSFOs

Tuesday, April 2
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Dist. 1, 2, 3, 4, 5 & CSFOs

Wednesday, April 17
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Committee Day
All Districts & CSFOs

**You may sign up to participate for any of the dates if unable to attend on your district's designated day. However, please do not double register. For more information or any questions, please contact [Tracey Meyer](#)*

Changes to CHOOSE ACT

AASB has created a comparison chart of the CHOOSE Act as originally introduced and as substituted and approved by the House Ways & Means Education Committee.

[Click here for chart.](#)

2024 Regular Legislative Session

21 Days Remain



CHOOSE Act Changes, Heads to House for Vote

With the Alabama Constitution dictating all revenue-raising bills must originate in the House, Education Trust Fund (ETF) Budget Chair Rep. Danny Garrett wasted no time getting the Creating Hope & Opportunity for Our Students' Education (CHOOSE) Act before the House Ways and Means Education (HWME) Committee.

After a Senate public hearing on the bill last week, further discussions were held with AASB and partner education groups and Garrett presented a substitute bill ([H.129](#)) for adoption by committee members following a public hearing in the House Wednesday.

Committee members from both sides of the aisle questioned financial and academic accountability issues remaining in the substitute bill. Rep. Debbie Wood (R-Valley) remarked about the bill's potential impact on public school funds and the need to look more closely at how the legislature funds our schools, especially special education services. Rep. Alan Baker (R-Brewton) questioned why the state would invest public taxpayer dollars in non-accredited schools, as the bill would allow for a school to apply to become a participating school without full accreditation.

The bill as substituted would establish a \$500 million limit on the amount of "excess, unused, accumulated funds" that would be allowed to roll over from year to year in the CHOOSE Act Fund.

AASB Executive Director Sally Smith pointed out the \$500 million limit is almost equal to new growth available in the proposed FY25 ETF Budget for total increased education expenditures including both K-12 and higher education. AASB remains concerned about the impact the CHOOSE Act would have on future ETF budgets, especially when this bill reaches the concept of "universal school choice" in year three of implementation and beyond. "The experience

of universal school choice in other states is quite expensive and tends to benefit those already enrolled in private schools or home-schools," Smith said.

"If you're not at the table, you're on the menu. And public education, to some extent, has been on the menu right now...the substitute bill and the original bill are a more reasonable approach [to school vouchers], but our school board members aren't exactly wild about this policy direction. We are here, committed in good faith, to ensure good policy and most importantly, to protect the ETF."

Overall, while school boards are not supportive of the concept of school vouchers and education savings accounts (ESAs), AASB and partner education organizations expressed appreciation to both the House and Senate bill sponsors and the governor's office for taking time to listen to concerns about the CHOOSE Act.

Of the changes requested by AASB and partner education organizations to the bill as originally introduced, the substitute bill now includes:

- Clarifying special education provisions;
- Revising the ESA payment schedule;
- Requiring participating schools to be in-state;
- Reporting test scores (albeit to the Department of Revenue), and
- Establishing a two-part funding control mechanism (90% participation rate plus a limited roll over amount).

The HWME Committee reconvened Thursday to vote on the substitute. Although the bill was reported out favorably by voice vote, Reps. Barbara Drummond (D-Mobile), Prince Chestnut (D-Selma) and K.J. Lawrence (D-Hayneville) voted NO. "I think it's [CHOOSE Act] going to profit schools where those parents don't need any help," Drummond stated immediately prior to the committee vote.

The CHOOSE Act will very likely be on the House floor for vote Tuesday. Many members continue to contact AASB with concerns about the bill and provisions they would like to see. At this juncture, any concerns, ideas or suggested language need to be shared directly with lawmakers.

House Gets Back to Business

With House passage of the two-part gambling proposal, members got back to business moving bills through the legislative process. Several pieces of legislation were introduced and in and out of committee in less than 24 hours.

Senate Slow to Gamble

Unlike the House’s quick hand dealing with gambling, **Senate President Pro Tem Greg Reed** made it clear the Senate will not rush anything through. Some senators have said there will be an attempt at a major rewrite of this legislation.

First-Grade Readiness Clears House

After House passage but little traction in the Senate during previous sessions, **H.113**, sponsored by **Rep. Peblin Warren**, now heads to the Senate, where the companion bill already has passed out of committee. **S.76**, is sponsored by **Senate Education Policy Committee Chair Sen. Donnie Chesteen**, showing bipartisan support for this bill and a commitment to getting it passed. This bill would require Alabama public school students to either attend kindergarten as young as 4-years-old or pass a readiness assessment to enter first grade as young as 5-years-old.

Sex Ed in the Classroom

Rep. Susan DuBose has filed **H.195**, a bill that would require any sex education or human reproductive curriculum or program in a K-12 public school to exclusively teach sexual risk avoidance and encourage the avoidance of any non-marital sexual activity. The bill also would require schools give notice to parents/guardians at least 14 days in advance before any sex education is taught and includes an opt-out provision. Under current law, public K-12 schools must emphasize abstinence as the only effective protection against pregnancy and sexually transmitted disease.

Caps on Property Tax Assessment

A bill has been filed, **H.73 Pettus**, that would cap the amount a property tax appraisal could increase from the previous year. If the assessed value of a property increases over the previous year, that increase would be capped at 3% or 5%, depending on the property type. If enacted, this would harm local education, governments, and public services. AASB and partner education groups signed a position letter to be distributed to lawmakers expressing serious concerns with any proposed caps on local property tax growth because of the negative fiscal impact on local education. **H.73 will be before the House Ways & Means General Fund Committee Wednesday at 1:30 p.m. PUBLIC HEARING**

HOUSE COMMITTEE ACTION

The House incorporates/highlights adopted committee amendments. Click on the provided bill link(s) to see bill(s) and amendment(s), if any.

House Education Policy

H.95 (Stubbs) - Virtual Testing - would authorize closed-browser remote testing of full-time K-12 virtual students for state-required assessments. **Approved as amended by House committee**

SENATE COMMITTEE ACTION

The Senate does not incorporate/highlight adopted committee amendments. Click on the provided bill link(s) to see copy of legislation and click on the word “amended” to see copy of amendment(s), if any.

Senate Education Policy

S.98 (Orr) - School Security Inspection Grants - would provide criteria for school security inspections, grade local boards based on compliance and establish a School Security and Fire Safety Fund to provide school security grants to qualifying local boards. Stating this bill is a "work in progress", **Orr** will be introducing a floor amendment to remove the A-F grading provision and is open to other changes. **Approved as amended by Senate committee**

BILLS IN COMMITTEE NEXT WEEK...

HOUSE Education Policy

2/28/24 - 1:30 p.m.

H.169 (Woods)/S.48 (Reed) - Parents’ Right to Know - would require public Pre-K-12 schools to post class curricula on school website and permit parents/guardians of enrolled students to examine instructional and supplemental materials upon request.

H.173 (Hulsey) - Three-Cueing System - would prohibit use of three-cueing reading instruction in public K-12 education and curriculum.

H.188 (Collins) - Uniform Student Discipline - would create a uniform process for suspension and expulsion of public school students. **PUBLIC HEARING**

SENATE Education Policy

2/28/24 - 9:30 a.m.

S.2 (Allen) - Star Spangled Banner [C/A] - would require local boards to adopt policies requiring K-12 public schools to broadcast or sanction the performance of the first stanza of The Star-Spangled Banner at least once per school week.

S.35 (Smitherman) - Inclusive History Instruction - would require social studies and history instruction to be “fact-based, historically accurate, and inclusive of the history and contributions of minority groups.”

S.82 (Barfoot) - Athletic Associations - would prohibit public K-12 schools from being members of certain athletic associations and prohibit public K-12 schools from competing in athletic events against certain other schools.

S.143 (Shelnutt) - Teacher Certificate Revocation - would add the crime of school employee engaging in a sex act with a student to the list of crimes for which the State Superintendent is required to revoke the teaching certificate, upon conviction.

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