

advocate for SCHOOLS



TO SEE A LIST OF BILLS TRACKED BY AASB
DURING THE 2022 REGULAR SESSION,
CLICK ON BILL TRACKER BELOW:



Spring Break

Legislative spring break is March 21-25. There will not be an Advocate for Schools newsletter next week. Legislators return on March 29.

Thank you!

Thanks to all who came to Montgomery to participate during this year's Advocacy Days. If you attended, don't forget to [fill out this survey](#).

Session Wrap-up

The session is slated to end mid-April according to legislative leadership.

A regular session can last no more than 30 legislative days within 105 calendar days, making April 25 the last day possible for legislators to meet.

However, with lawmakers meeting in-session three days per week since January, they have been speeding through their allotment of legislative days. Legislators are eager to get back home to campaign.

2022 Regular Legislative Session

7 days remain

Numeracy Act Vote On Hold Until After Break

Slated for final vote, a sweeping bill to help improve math proficiency scores of K-5 students in low-performing schools was removed from a proposed list of priority bills (special order calendar) to be debated in the House this week.

The [Alabama Numeracy Act \(S.171\)](#) sponsored by **Sen. Arthur Orr** was the first bill to be debated on the special order calendar when the House convened Thursday; however, the House Rules committee had a change of heart and the bill was removed to be taken up on the next legislative day, March 29.

Opponents, including the Eagle Forum and the Alabama Policy Institute, claim the 2019 math standards adopted by the State Board of Education are actually Common Core standards despite the fact the Act would prohibit the use of those standards.

Providing teachers and students support they need in the classroom to increase math proficiency is the focal point of this legislation, not Common Core standards. AASB fully supports the Numeracy Act along with its support structure to improve math proficiency.

Now, legislators' urgency to improve math proficiency will deliver a one-two punch when the House convenes after the break. The Numeracy Act and [H.429](#) sponsored by **Rep. Nathaniel Ledbetter**, a bill that would provide an auxiliary teacher in every K-3 classroom in low performing schools, are scheduled as priority bills one and two on the next special order calendar.

Both measures are targeted to increase math proficiency by adding support, high-quality professional development, math coaches and auxiliary teachers to elementary classrooms. Low performing schools would receive priority, while remaining schools would be phased in over a five-year period.

Call your House members and let them know you support the Numeracy Act and auxiliary teachers in Alabama classrooms.

Capital Outlay Now Allowable EAT Expense

Highlighted as one of AASB's legislative priorities, [S.175](#) sponsored by **Sen. Arthur Orr** was signed into law by Gov. Ivey this week.

[Act 2002-139](#) includes capital outlay as a qualified expenditure in the Education Advancement and Technology Fund (EAT) Fund, giving school systems more control and flexibility for school facility needs. Once the supplemental appropriation allocating EAT dollars ([H.267 Garrett](#)) is enacted for [this fiscal year](#) (FY22), school systems will be able to use those funds to help with new construction and/or renovation costs, in addition to these permissible expenditures: repairs and maintenance; classroom instructional support; insurance for facilities; transportation; acquisition and purchase of education technology; and school security.

AASB thanks Senate Finance and Taxation Education Chair Sen. Arthur Orr and House Ways and Means Education Chair Rep. Danny Garrett for their commitment to local boards to ensure they have the resources and flexibility needed to support schools and students.

Student Discipline Bill Public Hearing Held

The House Education Policy Committee held a public hearing Wednesday on [S.79](#), a bill sponsored by **Sen. Rodger Smitherman** that would establish a rigid, uniform system of due process for K-5 students facing suspension or expulsion. Concerns about the bill were shared by AASB and other education

groups, including School Superintendents of Alabama and the Council for Leaders in Alabama Schools.

AASB's General Counsel & Director of Legal Advocacy Jayne Harrell Williams told committee members during the public hearing that local school boards support providing appropriate due process, but this bill unfairly ties their hands. **Williams** also highlighted the following issues with the bill as currently written:

- A suspension would be triggered as short as 11 days. AASB believes this extensive due process should only trigger at 31 days;
- AASB would like to see a statement that the requirements of this bill do not apply to alternative school placements;
- Prohibits student removals in grades pre-K to 5 unless there is physical danger to a person. AASB would prefer these limitations be stated as ages, not grades;
- Mandates use of a hearing officer;
- Parties must mutually agree upon the hearing officer;
- Would subject student witnesses to cross examination and potentially retaliation;
- AASB has concerns about student privacy, and
- Require this full due process even if the student or his parent has no objection to the discipline.

Chair of the House Education Policy Committee Rep. Terri Collins asked opponents and proponents to work with the sponsor and find "common ground" before the committee votes after spring break. AASB is committed to continue working with Sen. Smitherman to come up with agreeable language so full support can be given to the bill.

Charter School Funding

The Senate approved a measure Thursday that would expand charter school funding to include county tax dollars. Currently, public charter schools receive state and federal funding only. **S.302**, authored by **Sen. Del Marsh** and the companion bill **H.459**, sponsored by **Rep. Terri Collins**, would allow county tax revenue to follow students who reside in and attend a public charter school in the same county at a pro rata share of the county-wide taxes. A charter school located in counties with a population of less than 40,000, as **amended** by **Sen. Bobby Singleton** and adopted on the senate floor, would not receive county tax revenue. Instead, the State Department of Education would provide the 10-mill match requirement for Foundation Program participation from state funds appropriated for the Foundation Program to the start-up public charter school. Conversion charter schools would receive all of the local funding that the local school system would otherwise have been allocated before conversion. **Singleton's** amendment further provides that charter schools won't receive more per-student state funding than traditional public schools in a county.

On the Senate floor, **Sen. Billy Beasley** asked the bill's sponsor what impact this will have on local school systems. "This legislation only affects - minimally - five counties where charter schools currently exist," **Marsh** responded.

On Wednesday, a public hearing was held before the House Ways and Means Education Committee on the

companion bill, **H.459 (Collins)**. Currently, the House bill does not include the amendatory language added in the Senate. A committee vote on the House bill's fate will take place after the legislative spring break.

Divisive Concepts Bill

The House voted in favor 65 to 32 on legislation that would ban the teaching of "divisive concepts" in public schools. **H.312**, authored by **Rep. Ed Oliver**, would prohibit state educators from promoting or advancing certain concepts regarding race, sex or religion in certain teaching or training. A public hearing was called on the bill last month and the committee met again last week to discuss it, only to carry the bill over. Opponents say the measure would silence teachers from discussion in the teaching of history. The House State Government Committee, chaired by **Rep. Chris Pringle**, presented the bill a third time in committee Tuesday where it was approved and then passed on the House floor Thursday. **H.312** now goes to committee in the Senate.

Final Passage

H.307 (Baker) - **Alternative teacher certificates** - would authorize the SDE to issue a professional teaching certificate to educators with one or more alternative certificates who have been employed with a local board for one full year. Awaiting governor's signature.

Committee Action

H.435 (Wingo) - **AMSTEP student loan repayment** - would increase the loan repayment award for math and science teachers in the Alabama Math and Science Teacher Education Program (AMSTEP) - from \$5,000 to \$7,500 *per year* (\$30,000 total) for four consecutive years. Approved by House Ways & Means Education Committee; moves to full House.

H.442 (Hurst) - **School sporting events payment options** - would require public schools to accept all forms of payment, including cash, for admission to school-sponsored sporting events. Approved by House Education Policy Committee; moves to full House.

H.456 (Garrett) - **ETF debt service fund** - would establish a separate State Treasury fund known as the Education Trust Fund Debt Service Sinking Fund and would provide for the administration and uses of the Fund. Approved by House Ways & Means Education Committee; moves to full House.

H.472 (Brown) - **Mask opt-out** - would enable parent s or guardians of a K-12 public school student to opt out of requirements that students must wear a face covering at school, school function, on a school bus or at a school bus stop. Approved by Urban and Rural Development Committee; moves to full House. **AASB believes mask requirements should be local board decisions.**

S.313 (Orr) - **Public funds for ballot measures** - would prohibit public employees in their official capacity from expending public funds on activities advocating in favor of or against a statewide or local ballot measure. Approved **as substituted** by Senate Fiscal Responsibility and Economic Development Committee; moves to full Senate.

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