

advocate for SCHOOLS



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



Halfway Mark

2024 Regular Session convened just over a month ago, but the Legislature already has completed 15 of its 30 legislative days, officially marking the halfway point.

Lawmakers have scheduled an “in-district” work week March 11-15 and will be taking their official spring break March 25-29.

AASB Advocacy Days

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

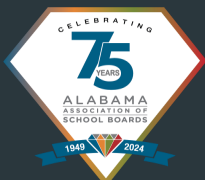
Tuesday, April 2
[REGISTER NOW](#)
Dist. 1, 2, 3, 4, 5 & CSFOs

Wednesday, April 17
[REGISTER NOW](#)
Legislative Committee Day
All Districts & CSFOs

**You may sign up to participate for either date 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](#).*

2024 Regular Legislative Session

15 Days Remain



ESA School Voucher Bill Signed Into Law

After five hours of discussion and several amendment attempts by opponents, the **Creating Hope & Opportunity for Our Students' Education (CHOOSE) Act**, an expansive education savings account (ESA) program, received final passage Wednesday in the Senate. Governor Kay Ivey signed the bill into law ([Act 2024-21](#)) Thursday making Alabama the **15th state** to provide families with an ESA option.

The quick pace at which this school voucher bill moved through the legislative process should come as no surprise. Ivey announced the CHOOSE Act as her number one legislative priority in her State of the State address on day one of the session. Having both House and Senate Education Budget Chairs, **Rep. Danny Garrett** and **Sen. Arthur Orr**, as bill sponsors ensured the legislation would be fast tracked.

Case in point, while the Senate was in recess Tuesday, **Orr** made a quick decision to hold the **Senate Finance and Taxation Education (SFTE) Committee** a day earlier than scheduled. That move allowed for approval of the CHOOSE Act, priming the bill for final passage before the legislative week's end.

With the law now on the books, the CHOOSE Act requires the legislature to appropriate **at least \$100 million** annually to the CHOOSE Act Fund. The first \$100 million is to be allocated in two separate \$50 million supplemental appropriations in FY24 and FY25.

Under the act, the Department of Revenue will establish ESAs for parents to access funds to pay for private school tuition, homeschooling and other educational expenses.

The CHOOSE Act will provide up to \$7,000 per student enrolled at an accredited, participating private or public school through an ESA funded by a new refundable income tax credit. Families who homeschool will receive

up to \$2,000 per homeschooler, with a \$4,000-cap for families with more than one homeschooler.

In 2025 and 2026, families whose household incomes do not exceed 300% of the federal poverty level (approx. \$93,000 for a family of four) qualify for the program, with the first 500 tax credits being reserved for special-needs students. Priority will be then be given to siblings of participating students and children of active duty military zoned for a priority school. **In 2027, the CHOOSE Act becomes universal and available to all students.**

For more information about the new law, [click here for CHOOSE Act chart.](#)

Capping Property Tax Assessments

A bill to cap annual property tax increases ([H.73 Pettus](#)) was approved by the **House Ways & Means General Fund Committee** Wednesday. A substitute bill was adopted which would cap both Class II and **Class III property tax increases at 5% from the previous year's assessed property value.** When originally filed, the bill set the annual cap at 3% for Class III and 5% for Class II properties. AASB and education partners have serious concerns about the bill and its potential impact on local school system revenues. AASB is working with the Association of County Commissions of Alabama and other interested parties to make additional changes to the bill to help reduce the amount of local revenue lost if enacted. The fiscal note estimates an **annual local revenue loss of \$67 million**, including an approximate \$20 million loss for public schools.

👉 **During the upcoming “in-district” work week, please contact House members and voice your concerns about the negative impact this bill will have on public schools.**

COMMITTEE ACTION

The following bills saw committee action in the Senate and public hearings in the House this week:

School Board Compensation Increase

AASB Priority Bill

S.175, sponsored by **Sen. Donnie Chesteen**, was unanimously approved Wednesday by the **Senate Education Policy Committee**. This bill would add two provisions to current law:

- Allowing for an increase of the maximum monthly compensation rate from \$600 up to \$900; and
- Incenting individual board members' compliance with annual training requirements established in the **School Board Governance Improvement Act of 2012**.

Currently, 72% of Alabama's boards receive monthly compensation. The maximum monthly rate of compensation has not been increased in over two decades. This bill does not change current law regarding a board's choice to raise compensation above the maximum amount (which requires local legislation), nor will it affect an individual board member's right/ability to refuse compensation.

Let's Talk About Sex...or Not

'Don't Say Gay' and Sex Education

The **House Education Policy Committee** held public hearings Wednesday on two bills:

- **Rep. Mack Butler's (H.130)** would extend the state's current law prohibiting teacher instruction/classroom discussion on topics about sexual orientation and gender identity from K-5th to K-12th grades. This bill is similar to a provision in **Florida's Parental Rights in Education Act** passed in 2022, commonly referred to as the "Don't Say Gay" law.
- **Rep. Susan DuBose's (H.195)** would require any sex education taught in public schools be exclusively abstinence-based and follow the sexual risk avoidance curriculum aligned with Alabama's current **Health Education Course of Study** adopted by the State Board of Education. **The bill sponsor is amenable to an AASB amendment to remove legal cause of action language currently included in the legislation.**

Student Discipline Due Process

Rep. Terri Collins' student discipline bill, **H.188**, was carried over by the **House Education Policy Committee** to allow time for consideration of additional amendments proposed by the School Superintendents of Alabama (SSA). Requested amendments by AASB already have been agreed upon by the bill sponsor and will be included in a substitute bill in committee following the March 11-15 "in-district" work week.

FLOOR ACTION

The following bills received House passage and are pending Senate concurrence before heading to Governor:

Diversity, Equity and Inclusion Prohibition

The House approved a controversial bill, **(S.129)**, sponsored by **Sen. Will Barfoot** that would prohibit public K-

12 local boards, state agencies and public universities from sponsoring Diversity, Equity and Inclusion (DEI) programs defined in the bill as classes, training, programs and events where attendance is based on a person's race, sex, gender identity, ethnicity, national origin or sexual orientation. **Nothing in the act would prevent** employees or contractors of state agencies, public K-12 local boards or public universities from responding to questions raised about divisive concepts or DEI while participating in orientations, course work or trainings as part of their job duties.

OF NOTE: The **State Board of Education (SBOE)** addressed the issue of DEI with **adoption of a resolution** in 2021 prohibiting local boards from offering instruction that would indoctrinate students in ideologies promoting one race or sex above another. In 2006, the SBOE also adopted the **Alabama Educator Code of Ethics**. Educators are well versed in the Alabama Educator Code of Ethics and the high expectations placed upon them. **AASB believes** these practices alone should be more than enough to give concerned Alabamians assurance that divisive concepts are not taught in public K-12 schools. **The bill now goes back to Senate for concurrence with changes made in the House.**

Parents Right to Know

The House also gave final approval to **S.48**, sponsored by **Sen. Greg Reed**. The bill would require public K-12 schools to post classroom curricula on the school's website and include book titles on class syllabi for courses requiring reading materials. The bill also would establish a review and complaint process for parents with objections to classroom instructional or supplemental materials. **The bill now goes back to Senate for concurrence with changes made in the House.**

Select Bill Introductions

Below are a few of the education-related bills being tracked by AASB that were introduced this week:

H.280 (Lovvorn) - Fentanyl Prevention Instruction - would require research-based instruction on fentanyl prevention and drug poisoning awareness to be provided to public school students in grades 6-12.

H.290 (Oliver) - Cardiac Emergency Response Plan - would require each local board and governing body of a nonpublic school to develop and implement a cardiac emergency response plan.

S.211 (Chesteen) - Remote Enrollment of Military Special Needs Students - would provide for remote enrollment of special needs children of active duty military and would provide for the transfer of certain records for comparable services.

S.217 (Chesteen) - Paraprofessionals/Aides Credit - would provide certified teachers with one year of experience credit on the local salary schedule for every two years worked as a paraprofessional or classroom aide.

We will return with the next issue of our Advocate for Schools newsletter on March 22, after the "in-district" work week.

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