

advocate for SCHOOLS



TO SEE A LIST OF BILLS TRACKED BY AASB
DURING THE 2023 REGULAR SESSION,
CLICK ON BILL TRACKER BELOW:



Charter School Legislation

AASB is monitoring House and Senate action for possible introduction of a new or amended charter school law. Many Republican lawmakers support charter schools/charter school expansion; however, there are differing ideas as to what new legislation should include.

Advocacy Days

There are still a few spots left for you to join us in Montgomery for *AASB Advocacy Days. All board members will receive 2 hrs. of training credit for participating in this free event.

Apr. 18 - REGISTER NOW

Districts 6, 7, 8, 9 & CSFOs

Legislative Webinar

Join us Monday, May 1 from noon to 1 p.m. for a free webinar featuring **House Ways and Means Education Committee Chair Rep. Danny Garrett**, who will discuss Alabama's tax structure and offer a deeper understanding of how Alabama compares to other states.

REGISTER NOW

2023 Regular Legislative Session

20 Days Remain

Public School Dollars for Private School Vouchers

An irresponsible school choice bill that would provide education vouchers for private and homeschool students was introduced Tuesday. The Parental Rights in Children's Education (PRICE) Act, sponsored by **Sen. Larry Stutts (S.202)** and **Rep. Ernie Yarbrough (H.295)**, would provide educational savings accounts (ESAs) of \$6,900 to eligible students beginning with the 2024-25 school year. The millions of dollars to fund these vouchers would come directly from the Education Trust Fund (ETF) which is specifically intended to support public education in Alabama.

What Does the Bill Do?

The PRICE Act, under management of the Department of Revenue, would establish an ESA for parents to fund their children's educational needs. ESAs would allow parents to pay for various educational goods and services, including private and homeschooling options.

Under the Act, money in an ESA could be used to fund:

- Tuition at any private or religious school
- Textbooks
- Extracurricular activities
- Tutoring services
- Vocational and career tech classes
- Summer and afterschool programs
- Therapy services
- Postsecondary courses
- Computer hardware
- Education software
- School uniforms
- Test prep courses
- Transportation
- Any other approved expenses

This state-funded support could amount to be an estimated \$600 million hit to the ETF and meanwhile, public school parents are expected to cover many of the same expenses themselves.

Who Would Be Eligible?

There would be a three-year phase-in with eligibility initially for kindergarten, 3rd, 6th, 9th and 12th grades and their siblings in the first two years beginning in 2024-25. Additionally, students zoned for underperforming schools, those who qualify for special education, are homeless or in foster care, have parents on active military duty, or are siblings of eligible children in another category also would be eligible. All K-12 students would be eligible for ESAs in the third year.

The bill also proposes the establishment of a **Parent Advisory Board** to supervise the program. The board would consist of representatives from private, church, parochial and homeschools

AASB Concerns

ESAs are essentially middle class entitlements to families who already can afford homeschooling or private education for their children. Under this Act, parents would receive funds from the state to cover expenses such as elite summer camps, specialized foreign language schools, or extravagant field trips, due to the broad interpretation of educational expenses.

Moreover, critics who argue the notion that school vouchers will not negatively impact public schools is a false narrative. In reality, these programs are detrimental to public education. For instance, suppose a public school has a class of 20 students and three of them decide to withdraw, taking the corresponding \$20,700 (\$6,900 per student) with them to a private school. Even with the reduced funding, the public school still has to bear the expenses of teacher salaries, school buses and overhead cost and utilities, since operational costs would remain well after the students leave for private schools.

Other issues with the Price Act include:

➤ **Redirects Public Education Dollars** - Establishing ESAs would compel Alabama to

fund two education systems – one public and one private.

➤ **No Academic Accountability-** The bill's lack of accountability also is a major concern. There is no state assessment mandate, state report card requirement or required participation in the state's Literacy and Numeracy Acts.

➤ **No Teacher Qualifications-** There are no provisions ensuring teacher qualifications or certifications to educate or protect them.

➤ **AAA Scholarships-** The PRICE Act does not prevent students from obtaining both AAA scholarships and ESA funds.

➤ **Lacks Strong Financial Accountability-** The bill provides limited financial oversight. The Department of Revenue is only mandated to carry out random ESA audits yearly.

➤ **Expansive Allowable Expenditures-** The bill permits expenditures including violin lessons, costly computers and cheerleading uniforms—items public school children parents have to pay for—resulting in inequitable opportunities among students.

ETF Budget on the Horizon

With the end of the school just weeks away, an approved education budget is critical for school systems to finalize staffing plans for the upcoming school year. The ETF budget was expected to start moving sometime in April. However, **Finance & Taxation Education Committee Chair Sen. Arthur Orr** said he expects the FY24 ETF Budget and related appropriation bills to be taken up in committee the first week of May.

School board members are eagerly awaiting the education budget as well as much needed changes to the governor's \$2.8 billion supplemental appropriation, half of which is designated for non-education related expenses. Without significant changes to the governor's supplemental, and absent an Education Advancement and Technology (EAT) appropriation this year, taxpayers must ask: Why isn't the state using the surplus of education dollars to better support school systems? These funds should be used to reduce divisors, boost crucial capital outlay assistance and ensure full unit allocations for assistant principals.

While many believe school systems have ample funding due to the federal Elementary and Secondary School Emergency Relief (ESSER) appropriation, transportation, school security measures and facility insurance do not qualify as allowable expenditures. ESSER funds are designated for specific allowable expenditures such as learning loss, COVID health protocols, HVAC and State Department of Education (SDE) approved facility renovations. Without an EAT appropriation or a significant boost for K-12 in a separate supplemental allocation, school systems will have to rely on local funds for these critical expenditures.

The scope of allowable ESSER expenditures was further narrowed when the **United States Department of Education issued guidance** advising local school systems not to use ESSER funds for new construction. Projects must align with COVID-19 prevention, preparation

and response efforts and must be spent by September 30, 2023 (ESSER II) and September 30, 2024 (ESSER III).

AASB strongly encourages lawmakers to introduce an EAT appropriation or allocate sufficient funds in the governor's supplemental to support essential expenses associated with capital outlay.

Usurping Local Control

A public hearing was held in the **House Health Committee** on **H.186** sponsored by **Rep. Chip Brown**. Approved by the committee, the bill would grant parents the right to opt out of masking requirements in schools.

Brown told committee members not to simply look at the bill as being about masking, but rather about the rights of parents to make decisions they believe are in the best interest of their children.

AASB argued the legislation is about local control. Local decision-making empowers communities to shape policies and procedures according to their unique needs. Allowing parents or groups to opt out of school policies by state law threatens to erode local control and diminish the importance of policies and procedures established by school boards.

AASB urges lawmakers to oppose H.186 when it comes to the House floor.

Protection of Parents Rights

The **House Judiciary Committee** approved **H.6** as amended, a "simple parental rights bill" as described by sponsor **Rep. Kenneth Paschal**. The sponsors said the bill is needed to protect parents' rights to direct the upbringing, education, care, custody and control of their children and would prohibit the government from interfering with parents' fundamental rights unless there is a compelling state interest.

Paschal informed committee members of the state's compelling interest in ensuring children attend school would still exist, and passage of this legislation would not interfere with parents' responsibility to comply with Alabama law requiring school attendance. He also noted laws governing homeschool education, compulsory attendance and other statutes related to the parent-child relationship would remain unchanged. He argued his 'common sense' law was merely aimed at codifying 100 years of Supreme Court precedent.



Closer Look at Rolling Reserve

Potential amendments to the ETF Rolling Reserve Act may not be such a good thing. AASB is closely reviewing **S.101 (Orr)** to see what type of impact any changes to the Rolling Reserve Act may have on the future of funding for K-12. *Stay tuned...*

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