

advocate for SCHOOLS



2023
ENACTMENTS
Updated 6.27.23



2023 Regular Legislative Session Enactments

The following includes a list of **ENACTED** education-related legislation tracked by **AASB** during the most recent Regular Session including general bills, local bills and joint resolutions.

Act No.	Bill Synopsis	<u>GENERAL BILLS</u>	Bill No./Sponsor
ETF Budget, Pay Raise, Supplemental Appropriation and Related ETF Bills			
<u>2023-379</u>	ETF Budget (FY24) - Appropriates \$8.8 billion from the Education Trust Fund (ETF) for the support, maintenance and development of public education, debt service and capital outlay for the fiscal year ending September 30, 2024. View budget spreadsheet.		S.88 (Orr) <i>Effective October 1, 2023</i>
	Click here for Updated Salary Matrix—Teachers, Nurses, TEAMS		
<u>2023-376</u>	Pay Raise - Provides a 2% pay increase to public education employees beginning with the fiscal year 2023-24.		S.85 (Orr) <i>Effective October 1, 2023</i>
<u>2023-378</u>	Miscellaneous Supplemental Appropriation - Provides a \$2.8 billion supplemental appropriation (excess ETF receipts) for multiple entities. K-12 allocation: \$360 million to schools boards to help offset inflationary increases in capital project and equipment costs, \$40 million for school safety grants, \$24 million for summer math camps, \$23.6 million to Foundation Program (for FY23 salary matrix), \$20 million to the highest-need systems for fleet renewal, \$20.4 million to pre-fund the cost of student materials for the beginning of the 2023-24 school year, \$10 million for College and Career Readiness grants, \$10 million to existing charter schools and \$179 million for K-12 Capital Grant Program.		S.87 (Orr) <i>Effective June 1, 2023</i>
<u>2023-389</u>	K-12 Capital Grant Program - Establishes the K-12 Capital Grant Program within the Office of the Lieutenant Governor to provide grants of up to \$5 million to local schools. Grants may be used to: assist with the total cost of capital projects, provide funds to assist with the payment of existing debt, deferred maintenance, school security and safety and/or technology and equipment for schools or students. K-12 Capital Grant Program appropriation is \$179 million, provided for in the miscellaneous supplemental appropriation. All applications to be considered shall be endorsed by a member of the House and Senate from the affected delegation.		S.269 (Orr) <i>Effective June 1, 2023</i>
<u>2023-390</u>	ETF Rolling Reserve Act Revisions - Amends the Rolling Reserve Act by creating the Educational Opportunities Reserve Fund at 20% of ETF surplus funds. Of the remaining surplus, 50% will be allocated to the Education Advancement and Technology (EAT) Fund, while approximately 30% will remain in the ETF as nonrecurring revenue after the budget stabilization and rainy day accounts are fully funded. The ETF appropriation cap will be reduced from 106.5% to 105.75% over a three-year period and will remain at 105.75%.		S.101 (Orr) <i>Effective September 1, 2023</i>

GENERAL BILLS, contd.

Education Policy and Procedure

- 2023-75** **Alabama Safe at School Act**– Requires the State Board of Education to develop guidelines on adrenal insufficiency before the 2024-25 school year. Local boards of education will be responsible for ensuring that students with adrenal insufficiency receive the necessary medical support, including having an on-site nurse or trained unlicensed medical assistant available before, during and after-school activities and extracurriculars in accordance with their Individual Health Plan (IHP). Students with adrenal insufficiency shall not be excluded from certain activities. Certain school employees will be trained to administer injectable medications to students with an adrenal insufficiency based upon guidelines.
- S.52 (Orr)**
Effective May 1, 2023
- 2023-179** **Financial Literacy**- Requires students entering 9th grade in the 2024-25 school year to complete a course in personal financial literacy and money management before graduation. Before June 30, 2024, the State Department of Education (SDE) shall identify approved literacy courses that may fulfill one unit of academic credit for any mathematics course and create an examination that focuses on the standards of the approved financial literacy course. The exam shall be administered to each student upon completion of the course and results shall be recorded and reported annually to the SDE.
- H.164 (Whitt)**
Effective August 1, 2023
- 2023-200** **Military Family Jobs Opportunity Act** - Expands the Military Family Jobs Opportunity Act to allow spouses of civil servants employed by the United States Department of Defense to benefit from extended professional license reciprocity.
- S.37 (Givhan)**
Effective August 1, 2023
- 2023-203** **Competitive Bid Increase** - Increases the competitive bid amount minimum from \$15,000 to \$40,000 for city and county boards of education. Also provides a mechanism to increase the competitive bid minimum every year starting in 2027 based on the Consumer Price Index (CPI).
- H.65 (Collins)**
August 1, 2023
- 2023-234** **Interstate Teacher Mobility Compact** - Creates the Interstate Teacher Mobility Compact to streamline the employment of teachers in participating states, providing them with an additional licensure pathway. The Interstate Teacher Mobility Compact Commission will govern this process and comes into existence when membership reaches 10 states. Alabama is the ninth state to join.
- S.46 (Orr)**
Effective August 1, 2023
- 2023-235** **Cardiac Arrest Prevention Act** - Establishes the Tyrell Spencer Act, mandating that coaches undergo training and adhere to all health and safety guidelines concerning sudden cardiac arrest. This act builds upon existing CPR and automated external defibrillator (AED) training requirements. The State Board of Education is responsible for approving the training requirements and adopting guidelines and informational materials regarding sudden cardiac arrest. Beginning with the 2024-25 school year, prior to engaging in any athletic activity, a parental/guardian and student athlete must sign a cardiac prevention acknowledgment form concerning cardiac arrest and prevention. This law requires the Alabama High School Athletic Association (AHSAA) and the Alabama Independent School Association (AISA) to provide proper training.
- H.45 (Gray)**
Effective August 1, 2023
- 2023-293** **Transgender Sports Prohibition** - Expands the prohibition for transgender athletes from competing in ALL non-co-ed school athletics. No adverse action may be taken against a public K-12 school or public two-year or four-year institution of higher education for maintaining separate athletic teams or sorts for biological male and female students, nor can any retaliation or adverse action be taken against a student who reports an alleged violation of this law to an employee or representative of a public K-12 school or public two-year or four-year institution of higher education.
- H.261 (DuBose)**
Effective August 1, 2023

GENERAL BILLS, contd.**Education Policy and Procedure**

- 2023-340** **School Principal Leadership and Mentoring Act** - Establishes the School Principal Leadership and Mentoring Act and the Alabama Principal Leadership Development System. It also establishes a mentoring program for new principals and a continuing professional learning program for principals and assistant principals. Each school administrator is required to develop a comprehensive professional learning plan to be implemented annually beginning with the 2024-25 school year. Annual supplements of \$10,000 for principals and \$5,000 for assistant principals will be available for those who successfully complete the program, predicated on funding from the Legislature.
- S.300 (Orr)**
Effective June 1, 2023
- 2023-341** **Athletic Trainers** - Establishes the Athletic Trainer Secondary School Incentive Program, to provide for athletic trainers in rural 1A, 2A, 3A and Title I schools, grades 6-12. Beginning with the 2024-25 school year, grants of up to \$7,500 to be used as stipends for eligible trainers will be available for local boards that meet specific requirements regarding the utilization of athletic trainers. The program is capped at \$2 million per school year.
- S.267 (Chesteen)**
Effective September 1, 2023
- 2023-355** **Cash as Payment Option** - Requires public K-12 schools and local boards to accept cash as a form of payment along with any other form of payment of its choosing for admission to school-sponsored sporting events that are open to the public.
- H.364 (Hurst)**
Effective June 1, 2023
- 2023-365** **Alabama Credential Quality and Transparency Act** - Creates the Alabama Credential Quality and Transparency Act, establishing a searchable public online registry known as the Alabama Credential Registry. This registry will include industry-recognized degrees and certifications that lead to employment and prepare students for the workforce, promoting transparency and accessibility. Beginning with the 2025-26 school year, Alabama high school graduates must earn one or more college or career readiness indicators before graduating.
- H.109 (Collins)**
Effective August 1, 2023
- 2023-370** **Discharge Firearm on School Property** - Prohibits the discharge of firearms on school property and designates the offense as a Class B felony. Specific exceptions to this prohibition take into account circumstances that may warrant the use of firearms, including an organized competition or school system-sanctioned event involving use of firearms, land leased from a school system or 16th Section land that does not have any school buildings and is not actively used to for the purpose of providing educational or recreational activities to students.
- H.34 (Estes)**
Effective August 1, 2023
- 2023-410** **County Superintendent Salary** - Removes the requirement to set the salary for elected county superintendents of education before the start of their term and establishes a retroactive effective date of July 1, 2021.
- S.279 (Price)**
Effective June 6, 2023
- 2023-417** **Alabama Literacy Task Force** - Amends the Alabama Literacy Act to:
- Require the task force to evaluate the age appropriateness of intervention program materials
 - Authorize the task force-approved assessments for three years, beginning with the 2023-24 school year
 - Allow for assessments to be added during the same time frame, but not removed
 - Require the task force to make public all rubrics and measurements used to analyze all assessments
- H.430 (Garrett)**
Effective June 7, 2023
- 2023-427** **Public Works Increase** - Increases the threshold amount for public works bids from \$50,000 to \$100,000.
- S.279 (Price)**
Effective September 1, 2023

GENERAL BILLS, contd.**Education Policy and Procedure****2023-451**

Alternative Teacher Prep Program - Establishes prerequisites for State Board of Education approval of alternative teacher education preparation organizations. The Board shall consider those organizations that:

- Include successful operation in at least five states without being on probation
- Operate an alternative teacher education preparation program for a minimum of 10 years Those requiring applicants to pass an examination aligned with Alabama standards in the subject area
- Provide evidence of certifying at least 10,000 teachers in the United States

If an organization does not meet these prerequisites, it may still be approved if certified by the Council for the Accreditation of Education Preparation. Teachers receiving a certificate through an approved alternative teacher preparation program are required to participate in the Alabama Teacher Mentorship Program.

H.342 (DuBose)*Effective September 1, 2023***2023-527**

Special Education Classroom Cameras - Requires local boards of education to install, maintain and operate video cameras in self-contained special education classrooms, if funding is available to do so. **Note: The FY24 ETF Budget contains a \$500,000 line item for Cameras in the Classroom Program, presumably for school boards to apply for grants to purchase video cameras pursuant to this legislation.**

S.56 (Orr)*Effective September 1, 2023***2023-555**

Parental Rights - Codifies findings of the Alabama Supreme Court and the U.S. Supreme Court recognizing parents have a fundamental right to direct the upbringing of their children which includes the education, upbringing, care and control of their children and that the government may not burden that fundamental right unless there is a compelling state interest and the government uses the least restrictive means possible to further that interest.

H.6 (Paschal)*Effective September 1, 2023***School Choice Bills****2023-418**

Alabama Accountability Act (AAA) - Amends the AAA by:

- Expanding the number of qualifying schools by replacing the term “failing school” with “priority school” to correspond with those schools earning a D or F on the state’s report card. This change increases the number of qualifying schools from 79 to 220 and eligible students from 3,200 to 4,400
- Increasing the family income threshold from 185% poverty level (approx. \$46,000) to 250% poverty level (approx. \$62,000) and allows a student to remain on scholarship until a family’s annual income exceeds 350% (approx. \$87,000)
- Setting the maximum scholarship amount for ALL students to \$10,000 (currently \$6,000 to \$10,000 based on grade level)
- Expanding eligibility to students with unique needs - those with Individualized Education Plans (IEPs) or 504 accommodations
- Giving priority schools with board approval, the same flexibility as conversion charters so long as priority school shows growth in student assessments. If no growth in five years, flexibility revoked
- Increasing tax credit cap in ETF to \$40 million (currently \$30 million) with a maximum cap of \$60 million
- Ensuring 25% of first-time scholarship recipients are not zoned for a priority school

S.263 (Chesteen)*Effective September 1, 2023***2023-420**

Charter School Law - Amends the Alabama School Choice and Student Opportunity Act to:

- Require local authorizers, those school boards with authority to approve charter schools within their jurisdiction, to reapply every five years if they want to continue authorizing
- Establish the nominating authority for commission members shall also be the appointing authority
- Require orientation and annual training for commission members
- Establish priority enrollment areas based on geography with majority “at-risk” students
- Employ administrative staff to serve at the pleasure of the commission
- Extend commission members’ terms to four years (currently two-year)
- Clarify start-up and conversion charter school funding

H.363 (Collins)*Effective June 8, 2023*

GENERAL BILLS, contd.**Retirement System and Sick Leave Bills**

2023-334 **School Resource Officer (SRO) Retirement Income Exemption** - Enables an individual who has retired under the Employees' Retirement System, holds Alabama Peace Officers' Standards and Training (APOST) certification and was previously classified as a law enforcement officer prior to retirement, to perform duties as an SRO without the suspension of retirement allowance as long as their earned compensation does not exceed \$52,000/year. **Note: After December 31, 2026, no individual can be employed under these conditions.**

H.41 (Reynolds)
Effective August 1, 2023

2023-352 **TRS Sick Leave/Adopted Child** - Authorizes public education employees and those employees of any authorized organization participating in the Teachers' Retirement System (TRS) to utilize up to eight weeks of sick leave (320 consecutive hours) for the following: (1) attending to an ill child during the period when a petition for adoption has been filed (2) allowing the use of sick leave to attend to an adopted child who is three years old or younger.

H.103 (Baker)
Effective September 1, 2023

LOCAL BILLS

2023-23 **Vestavia Hills** - Proposes an increase in the special tax levied by the City of Vestavia. Currently, the tax rate is \$2.56 per \$100 of assessed value. The city intends to raise the rate by 9.8 mills, allowing it to collect a maximum rate of \$3.54 per \$100 of assessed value. The rate increase is subject to the approval of a majority of qualified voters residing in the city, who must vote on the proposed increase in a special election. **Note: Special election was held on May 9, 2023 - this measure failed.**

S.63 (Waggoner)
Effective April 4, 2023

2023-65 **Lamar County** - Beginning with the next term of office, the superintendent's annual salary will be set by the county board of education and paid in equal monthly installments from available county funds. Additionally, the superintendent will be reimbursed for official travel expenses at the same per diem and mileage as provided to state employees.

H.74 (Estes)
Effective April 27, 2023

2023-95 **Elmore County** - Provides the local board of education will appoint the county superintendent upon term completion of the current elected superintendent. Allows the current elected superintendent to continue serving as an appointed superintendent without following posting and selection procedures by entering into a contract with the board no later than September 1, 2023.

H.99 (Ingram)
Effective May 3, 2023

2023-298 **Cullman County**- Permits the town of Garden City in Cullman County to sell a portion of the former Garden City school property without a majority vote of the city council.

H.468 (Harbison)
Effective May 30, 2023

2023-395 **Henry County** - Permits members of the Henry County Board of Education to receive an additional monthly expense allowance of \$200, in addition to their existing allowances, compensation, and salary as provided by law. Converts the additional expense allowance into a salary for all board members, effective from the next term of office.

H.409 (Rehm)
Effective September 1, 2023

2023-411 **Lauderdale County** - Permits members of the Lauderdale County Board of Education to receive an additional monthly expense allowance of \$700, in addition to their existing allowances, compensation, and salary as provided by law. Converts the additional expense allowance into a salary for all board members, effective from the next term of office. Commencing with the election of the next board president, the president shall receive an additional \$500/month while serving in that position.

S.303 (Melson)
Effective August 1, 2023

RESOLUTIONS

Resolutions express the will of the legislature but do not have the effect of law. Either chamber can adopt a general resolution, but both chambers must adopt a joint resolution which are then forwarded to the governor for signature and assigned an act number by the secretary of state.

2023-30

Joint Interim Study Commission on Responsible Technology Purchases - Establishes the Joint Interim Study Commission on Responsible Technology Purchases. This commission will investigate the short-term and long-term fiscal impacts of significant technology purchases, as well as propose ways to address any potential economic, privacy and environmental consequences of these purchases. The commission will consider the feasibility of creating a total cost of ownership matrix for large technology purchases by public K-12 schools, higher education institutions and state government agencies. This commission is required to report its findings and any proposed legislation to the Legislature by January 1, 2024, after which it will be dissolved.

SJR16 (Singleton)

For a copy of any ENACTED bill or resolution, click on the highlighted act number in each listing or go to the Alabama Secretary of State’s Office to [view legislative acts here](#).

Bills NOT Passed this Legislative Session

AASB tracks approximately 200 education-related bills each session, including resolutions and local legislation. While not every bill is mentioned in the *Advocate for Schools* newsletter, our governmental relations team keeps a close watch on all legislation identified as having an impact on K-12 education.

The following is a list of education-related legislation that **did not pass** during the 2023 Regular Session.

Click on any highlighted bill number to view that piece of legislation.

School Choice Bills, *not passed*

- **PRICE Act** - [H.295 \(Yarbrough\)](#) / [S.202 \(Stutts\)](#) - would establish the Parental Rights in Children’s Education (PRICE) Act to provide education savings accounts (ESAs) in the amount of \$6,900 per student for qualified education expenses including private school tuition, extra-curricular activities, etc.
- **SUN Vouchers** - [H.334 \(Garrett\)](#) - would provide education savings accounts (ESAs) in the amount of a \$6,500 voucher for Students with Unique Needs, such as those with Individualized Education Plans (IEPs) and 504 accommodations for qualified education expenses provided by an education service provider.
- **Alabama Fits All Scholarships** - [H.442 \(Garrett\)](#) - would provide a \$6,900 scholarship per recipient for tuition and approved education expenses for non-public school students including those in private, parochial, church and home school programs.

[Click here to download School Choice Bills Comparison Chart](#)

General Bills, *not passed*

- **Divisive Concepts Ban** - [H.7 \(Oliver\)](#) - would prohibit state educators from promoting or advancing certain concepts regarding race, sex or religion in certain teaching or training.
- **Religious Expression** - [H.35 \(Estes\)](#) - would require local boards of education to provide certain school resources to students to facilitate student led prayer.
- **School Lockdown Drills** - [H.42 \(Warren\)](#) - would require regularly scheduled lockdown drills to include participation of SROs and law enforcement and would designate days on which drills are conducted as school safety awareness days.
- **First Grade Readiness** - [H.43 \(Warren\)](#) - would specify that a child who turns age six on or before December 31 shall be entitled to enroll in first grade if he/she successfully completed kindergarten or deemed first-grade ready as determined by a State Board of Education-approved assessment to be developed by the State Department of Education. If a child does not meet first-grade readiness standards, the child shall enroll in kindergarten.

General Bills, *not passed*

- **Open Enrollment - [H.73 \(Garrett\)](#)** - would require each local board and charter school to adopt and implement and intra-and inter-district enrollment policy.
- **Students with Intellectual Disabilities - [H.90 \(Rogers\)](#)** - would provide that certain students with an intellectual disability are entitled to public school instruction and special services up to 26 years old.
- **Masking Opt-Out - [H.186 \(Brown\)](#)** - would allow a parent to opt his/her child out of any school policy requiring students to wear a face covering at school, school function, on a school bus or at a school bus stop.
- **Student Discipline Process - [H.269 \(Collins\)](#) / [S.181 Smitherman](#)** - would establish a uniform system of due process protections for students facing long-term suspension or expulsion.
- **Retiree Return-to-Work Benefits - [H.308 \(Sells\)](#)** - would have allowed a retiree to return to work and continue to draw benefits so long as they did not make over 75% of their annual retirement benefit each calendar year.
- **Modified School Calendar Grants - [H.333 \(Garrett\)](#)** - would establish the Alabama Modified School Calendar Grant Program to allow local boards to adopt a modified school calendar and to offset associated costs with grant funds.
- **Age-Appropriate Instruction - [H.354 \(Butler\)](#)** - would provide that classroom instruction or discussions related to gender identity or sexual orientation may not be provided to public school students in grades K-8 or in a manner that is not age or developmentally appropriate.
- **Funding for Retiree Increases - [H.437 \(Shedd\)](#) / [S.310 \(Orr\)](#)** - would establish a procedure for funding future benefit increases for TRS and ERS retirees.
- **Social Media Curriculum - [H.489 \(Robbins\)](#)** - would require students in grades 9-12 to complete one semester of age-appropriate, developmentally appropriate instruction on the risks and safe use of social media.
- **Prohibit Mayor on City BOE - [H.503 \(Estes\)](#)** - would prohibit a city's mayor for membership on a city board of education.
- **Social Studies Instruction - [S.180 \(Smitherman\)](#)** - would require social studies and history instruction to be fact-based, historically accurate and inclusive of the history and contributions of minority groups.
- **Open Records - [S.196 \(Orr\)](#)** - would amend the procedures for requesting and obtaining public records from public officers (including local school boards)
- **Star-Spangled Banner [C/A] - [S.238 \(Allen\)](#)** - would propose a constitutional amendment to require local boards to adopt policies requiring each K-12 public school to broadcast or sanction the performance of the first stanza of the Star-Spangled Banner at least once per week during school hours.

Legislative Quadrennium (2023-2026)

Regular Session Convening Dates

March 7, 2023

February 6, 2024

February 4, 2025

January 13, 2026

AASB LEGISLATIVE TEAM



Sally Smith, J.D.
Executive Director

ssmith@AlabamaSchoolBoards.org



Bart Reeves, Ed.D.
Assistant Executive Director
for Governmental Relations

breeves@AlabamaSchoolBoards.org



Tracey Meyer
Governmental Relations
Coordinator

tmeyer@AlabamaSchoolBoards.org