



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



Budget Isolation Resolution

Until both budgets go to the governor, the Budget Isolation Resolution (BIR) is a procedural requirement needing a supermajority vote before a bill may be considered on the floor. BIR votes can prevent controversial bills from being debated, but in turn, once this step is no longer needed, it eases the way for passage of controversial legislation. Timing is everything during the last days of a legislative session.

Keep Pressure On

Don't stop; your voices are being heard! There's still a chance the Students With Unique Needs (SUN) school voucher bill (H.334) could cross the finish line. Contact your Senator and urge them to:

- Keep the bill off the Senate Special Order Calendar Tuesday
- VOTE NO if it makes it to the Senate floor. Our tax dollars MUST NOT be used for private school tuition or to duplicate AAA scholarships

Upcoming Legislative Schedule

June 6: Last Day

2023 Regular Legislative Session

1 Day Remains

Winding Down: ETF Budget Signed, Vouchers Still a Threat

The governor signed the FY 24 Education Trust Fund (ETF) and General Fund Budgets Thursday as lawmakers were wrapping up the second of three remaining session days. Once both budgets were transmitted to the governor, the BIR procedural vote was no longer in play. The elimination of the BIR allowed the House and Senate to skip a step, paving the way for a number of education-related bills to receive final passage, including two pieces of school choice legislation.

Charter School Revisions

Headed to the governor is a bill that makes changes to the current charter school law aimed at improving school governance and overhauling the Charter School Commission. [H.363](#), sponsored by Rep. Terri Collins would:

- 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
- 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)
- Further clarify start-up and conversion charter school funding

AAA Expansion

Sen. Donnie Chesteen's bill, [S.263](#), to expand private school scholarships under the Alabama Accountability Act (AAA), is also on the governor's desk. This legislation:

- Expands 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

- Increases the family income threshold from 185% poverty line (approx. \$46,000) to 250% poverty line (approx. \$62,000) and allows a student to remain on scholarship until a family's annual income exceeds 350% (approx. \$87,000)
- Sets maximum scholarship amount for ALL students to \$10,000 (currently \$6,000 to \$10,000 based on grade level)
- Expands eligibility to students with unique needs - those with Individualized Education Plans (IEPs) or 504 accommodations
- Gives priority schools same flexibility as conversion charters so long as priority school shows growth in student assessments. If no growth in five years, flexibility revoked
- Increases the tax credit cap in ETF to \$40 million (currently \$30 million) with a maximum cap of \$60 million

SUN Vouchers: Near Final Passage

With only one legislative day left, there is a strong possibility the Students With Unique Needs (SUN) school voucher bill could make it to a Senate special order calendar for final passage. The bill, [H.334](#), sponsored by Rep. Danny Garrett, would provide students with unique needs, such as those with Individualized Education Plans (IEPs) and 504 accommodations, a \$6,500 voucher for their private school education. This subsidy mirrors that of unique needs students in the AAA scholarship expansion bill, [S.263](#), sponsored by Sen. Donnie Chesteen, currently awaiting the governor's signature.

► **IMPORTANT:** After academic accountability measures were removed in the House, SUN now bears significant resemblance to the Parental Rights In Childrens' Education (PRICE) Act, the sweeping school choice voucher bill. While SUN's initial hit to the ETF (\$5 million) is lower in comparison to the PRICE Act (\$600 million) and other proposed voucher legislation, school boards are greatly concerned passage of this bill could set a precedent for universal school choice similar to what has occurred in other states.

Grocery Sales Tax

The Senate approved and the House concurred with an amendment to the grocery sales tax bill, [H.479](#), sponsored by **House Ways and Means Education Chair Rep. Danny Garrett**, before sending to the governor.

When it passed the House, the bill proposed the first 1% cut, from 4% to 3%, to occur on Sept. 1, 2023, and then to be reduced by another 1% to 2% on Sept. 1, 2025, but only if projected revenue to the ETF that year is at least 2% higher than the previous year.

Concerns about an immediate hit to the ETF with a projected 2% revenue growth prompted **Senate Finance and Taxation Chair Sen. Arthur Orr** to get the Senate to increase the projected revenue growth trigger to 3.5% before the second 1% reduction in sales tax could occur. On September 1, 2024, which is sooner than originally stated in the House version, if projected FY25 ETF growth is 3.5%, the second 1% reduction would kick in to bring the state's grocery sales tax down to 2%. However, if 3.5% growth is not projected, the final 1% reduction will not occur until a subsequent fiscal year when that growth is achieved. When fully implemented, the grocery sales tax is expected to reduce annual revenue to the ETF by **\$318 million**.

Literacy Task Force Revamp

[H.430](#), sponsored by **Rep. Danny Garrett**, reshaping the Alabama Literacy Act Task Force and requiring evaluation of materials for age appropriateness, received final passage Thursday after a Senate floor amendment was added. When the bill was first introduced, it proposed placing the task force under the purview of the State Superintendent of Education and naming the director of the Alabama Reading Initiative (ARI) as chair of the Literacy Task Force. The Senate amendment removed the superintendent's oversight and left the ARI director on the task force, but not as chair. The bill, now headed to the governor, did not have smooth sailing. The proposed changes to the makeup of the Literacy Task Force and its duties under the Literacy Act caused opponents to mount a vigorous campaign based on concerns that the science of reading would not be followed and the current assessment vetting and selection process would be weakened.

When enacted, the law will:

- Require the task force to evaluate the age appropriateness of intervention programs
- 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

On Governor's Desk

These bills received final passage this week and are awaiting the governor's action:

[H.6 \(Paschal\)](#) - **Parental Rights** - would establish legislative findings relating to the fundamental rights of parents and provide that the government may not burden certain fundamental rights of parents

[H.342 \(DuBose\)](#) - **Alternative Teacher Prep Program** - would provide additional requirements for alternative education programs offered by an approved alternative teacher education preparation organization

[S.56 \(Orr\)](#) - **Special Ed Classroom Cameras**- would require local boards to install, maintain and operate video cameras in self-contained special education classrooms, if funded

[S.279 \(Price\)](#) - **County Superintendents Salaries**- would remove the requirement for superintendent's salary to be set before the beginning of term of office

Still in Line for Final Passage

[H.43 \(Warren\)](#) - **First-Grade Readiness** - would require a child to successfully complete kindergarten or demonstrate first-grade readiness before enrolling in first grade

[S.196 \(Orr\)](#) - **Open Records** - would amend the procedures for requesting and obtaining public records from public officers (including local school boards)

Budget Bills Enacted

The State Department of Education will send out school system allocations based on the enacted budget next week.

▶ **FY24 ETF Budget (S.88 Orr)**

[Act 2023-379](#)

▶ **FY24 ETF Spreadsheet**

[Spreadsheet](#)

▶ **Pay Raise - 2% (S.85 Orr)**

[Act 2023-376](#)

▶ **Supplemental Appropriation (S.87 Orr)**

[Act 2023-378](#)

▶ **K-12 Capital Grant Program (S.269 Orr)**

[Act 2023-389](#)

▶ **Rolling Reserve Act Revisions (S.101 Orr)**

[Act 2023-390](#)

Be on the Lookout...

- For upcoming Special Editions of Advocate highlighting Enactments and bills that DID NOT pass
- AASB Webinar: 2023 Legislative Wrap-up and Review (June 27- Noon to 1 p.m.) - Registration info coming soon

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