

advocate for SCHOOLS



TO SEE A LIST OF BILLS TRACKED BY AASB
DURING THE 2021 REGULAR SESSION,
CLICK BELOW



Lottery Update

The Senate Wednesday adopted enabling legislation to authorize a state lottery if approved by voters. **Sen. Arthur Orr** added an amendment to dedicate 5 percent of lottery revenue to fund periodic education retiree bonuses.

The Senate has not yet approved the constitutional amendment to allow voters to decide whether or not to authorize a lottery on a statewide ballot. Lawmakers are still debating whether to expand the scope to include casinos and more.

Advocacy Day Limited

AASB is hosting an Advocacy Day April 20 with limited capacity due to the COVID restrictions in place at the State House. Click [HERE](#) for details.

April Schedule

April 12: Two-day week
April 19: Two-day week
April 26: Two-day week

2021 Regular Legislative Session

9
days remain

Local School Officials Lead Opposition to Bad Bills

Education leaders played defense this week opposing three bills that would negatively impact public school students. In House and Senate Education Policy Committee public hearings, AASB President Shannon Cauley (Baldwin County) testified to urge lawmakers to oppose the detrimental bills. Proposals include an open enrollment mandate; a move to expand tax credits for private school scholarships; and a repeal of the state's new rigorous mathematics and English standards.

Open Enrollment Mandate

The Senate Education Committee approved [S. 365 \(Marsh\)](#) by a 7-3 vote to require every school system to adopt an open enrollment policy. According to an SSA survey, 61 percent of responding school systems already offer open enrollment. Of those, a majority don't charge any fees. The bill would impose a mandatory fee, creating a financial barrier to students already attending schools outside their school system at no cost.

The bill would conflict with federal special education law and expose school boards to costly litigation. The Individuals with Disabilities Education Act (IDEA) prohibits schools from denying enrollment based on a child's disability. The Open Enrollment Act would expressly allow a school system to deny enrollment if it is unable to meet an applicant's special needs. The bill also would allow systems to deny enrollment to students who are not on track to graduate.

The legislation is unnecessary. Each school board is charged with making policies

to serve its students and school communities. Each board makes short-and long-term planning decisions about staffing, infrastructure, instructional materials and more to best meet the needs of their resident students and schools. AASB opposes [S. 365 \(Marsh\)](#).

AAA Tax Credit Expansion

A dollar-for-dollar tax credit would increase for individuals and corporations who donate for private school scholarships in [H.559 \(Meadows\)](#). Currently under the Alabama Accountability Act (AAA), the taxpayer may claim a tax credit of up to 50 percent, not to exceed \$50,000 per taxpayer or a cumulative \$30 million annually. The bill raises the tax credit to 75 percent, not to exceed \$75,000 of the tax liability.

Scholarship Granting Authorities (SGOs) have been unable to reach the funding cap each year. The bill would allow current donors to divert a larger share of their tax dollars, intended to flow to public schools, to private schools. Students who participate in the scholarship program do not show significant improvement on standardized test scores nor academic proficiency compared to public school peers. AASB opposes [H.559 \(Meadows\)](#).

Common Core Myth Returns

Proponents of repealing Alabama's education standards resurrected arguments that national interests infusing social engineering and inappropriate concepts into the state's learning standards. [H.440 \(Fincher\)](#) would repeal the strengthened and recently adopted math and English

standards, force the state to backtrack to old standards for one year and mandate adoption of completely new standards the following year.

“We created them. We own them. We can adapt them,” Cauley said about Alabama’s standards. “The bill would send us back a decade to the detriment of all of Alabama’s students,” she said. The SDE testified, explaining there will always be similarities in standards across the nation because, for example, every student learns to count, then add. Math is math. The standards ensure students are learning basic concepts that build on each other in a sequence that Alabama education professionals design.

The myth that federal interests were taking over education stemmed from confusion when a federal grant was tied to a voluntary national effort to align the sequence of learning to help students in a more transient society, particularly for military families. Confusion persists about what a learning standard is versus locally adopted curriculum or how a subject is taught and what materials are used. This longstanding issue has resurfaced but has been soundly rejected multiple times. Alabama has moved beyond the common core debate, and it needs to be put to rest once and for all. AASB opposes [H.440 \(Fincher\)](#).

School Construction Management

K-12 schools would be free to complete small capital improvement projects more quickly and cost effectively with the adoption of [H.220 \(Ledbetter\)](#). While the bill seeks to remove the Alabama Community College System (ACCS) from Division of Construction Management (DCM) oversight entirely, it would only exempt K-12 school systems’ construction projects costing less than \$500,000. It also would remove DCM project approval being required for repairs/maintenance of HVAC systems or for roof repairs/maintenance.

In a public hearing, superintendents and industry experts including architect Rep. Craig Lipscomb testified that the DCM process often causes major delay and adds significant costs to construction projects. The Senate Governmental Affairs Committee approved the bill which awaits final passage in the Senate. AASB supports [H.220 \(Ledbetter\)](#).

Charter School Local Funding Effort Shifts

[S.387 \(Smitherman\)](#) was introduced this week to revise funding for public charter schools. It limits the scope of [H.487 \(Collins\)](#), which was carried over in the House last week and does not address the state charter commission appointment process.

The bill now limits local funding to follow only those students who reside within the school system, not the county where the charter school is located. No local funding follows a student who resides outside the school system. While charter schools will receive their

share of countywide school taxes just as other school systems, the remaining local funds the charter school receives would be capped at the per student amount of the school system’s 10-mill match. The bill is pending in Senate Committee.

Education-related Bill Activity

[H.97 \(Morris\)](#) - Mental awareness training - would require annual mental health awareness training for all public K-12 employees. Approved by Senate committee.

[H.220 \(Ledbetter\)](#) - School construction management - would transfer authority of construction management for K-12 public schools to the SDE. Approved as substituted by Senate committee.

[H.246 \(Gray\)](#) - Yoga in schools - would authorize local boards to offer yoga to students in grades K-12. Approved by Senate committee.

[H.280 \(Faulkner\)](#) - School speed zones – would expand reduced school speed zones to include every public and private school in the state. Approved by Senate committee.

[H.486 \(Scott\)](#) - Extended Learning Opportunities Act - would provide a process for public K-12 students to participate in and receive elective credit for extended learning opportunities outside of school.

[H.572 \(Hurst\)](#) - Work-based learning - would require school boards to post information about work-based learning opportunities on school websites and provide this information to students in an orientation each semester. Approved by House committee.

[S.203 \(Smitherman\)](#) - Student discipline process - would remove local school boards from student expulsion and long-term suspension decisions and require every school system to use a hearing officer. Approved by Senate.

[S.355 \(Whatley\)](#) - Increase compulsory school age - would increase the compulsory attendance age from 17 to 18 years of age; raise the age of school withdrawal from 18 to 19 years of age; and prohibit a public school denying a student enrollment solely based on age if the student is under 20 years of age OR because the student is not “on track to graduate.” Approved by Senate committee.

[S.367 \(Coleman-Madison\)](#) - School drinking fountains - would require drinking fountains, water coolers or bottle filling stations in public K-12 school buildings. *Failed in Senate committee due to cost concerns to retrofit existing school buildings and became a joint resolution, [SJR 91 \(Coleman-Madison\)](#) to urge the state and local boards of education to require the above.*

[S.368 \(Coleman-Madison\)](#) - Water bottle filling stations – would require water bottle filling stations in newly constructed and renovated public K-12 school buildings. Approved by Senate committee.