



TO SEE A LIST OF BILLS TRACKED BY AASB
DURING THE 2022 REGULAR SESSION,
CLICK ON BILL TRACKER BELOW:



Grocery Tax: A Thing of the Past?

You could save some money at the grocery store if [H.174 \(Holmes\)](#) passes this legislative session.

The bill would exempt food sales from sales tax, but it does not offer a way to make up for that lost revenue to the Education Trust Fund (ETF). Currently, grocery taxes contribute more than \$500 million to the ETF.

AASB is monitoring this bill closely.

AASB Advocacy Days

Advocacy Days are underway! Have you registered yet? Space is still available, but seats are going fast, don't delay!

Feb. 22 | Districts 1, 2, 3
[REGISTER NOW](#)

Mar. 8 | Districts 4, 5, 6
[REGISTER NOW](#)

**You may sign up for any of the dates if unable to attend on your designated district day.*

**2022 Regular
Legislative Session**

21 days remain



Alabama Numeracy Act Still a Work in Progress

A major math education bill - the **Alabama Numeracy Act** - aimed at getting students math proficient by the end of 5th grade was approved Wednesday by the Senate Education Policy Committee with a commitment by the bill's sponsor (Sen. Arthur Orr) to work with the education community and other lawmakers to address concerns with the legislation. Orr's bill ([S.171](#)) would require schools to provide additional math-focused staff (i.e., math coaches) and sets forth specific skills students would need to master in each grades K through five. The bill would also:

- Create an Office of Mathematics Improvement within the State Department of Education, an Elementary Mathematics Task Force, and a Postsecondary Mathematics Task Force;
- Require restaffing or school overhaul for persistently low performing schools, and
- Set up an Alabama Summer Mathematics Achievement Program.

While there are some similarities to the Alabama Literacy Act such as tutoring and summer school options, Orr pointed out there is no retention provision. However, schools not attaining identified achievement levels would be governed by a management team assigned by the Office of Mathematics Improvement. The team would oversee and direct duties of a school principal, recommend removal of school personnel, mandate complete school reconstitution or make application to become a public charter school.

The bill has an estimated price tag of [\\$92 million](#), so Orr, who chairs the Senate Finance and Taxation Education Committee (SFTE) asked for the bill to be approved by the Senate Education Policy Committee and then have it reassigned to SFTE while the legislation continues to be tweaked. He

asked **State Superintendent of Education Dr. Eric Mackey** to head a task force to address concerns and return with recommendations. Orr said he intends to bring forth a substitute bill before the Senate takes up the ETF Budget, which begins in the House this session.

Focus on Mental Health in K-12

Two bills making their way through the legislature signal the state is wanting to invest more in K-12 mental health. Mental health support and services for students have significantly improved since the onset of the COVID-19 pandemic, and currently there are 114 state-funded mental health coordinators in Alabama school systems.

Subject to funding by the legislature, [S.40 \(Smitherman\)](#) and [H.123 \(Ledbetter\)](#) would require a mental health coordinator for every school system. **Sen. Rodger Smitherman's** bill also would require the State Department of Education (SDE) to develop and implement a program to provide social-behavioral and social-emotional supports for at-risk students. ([S.40](#)) passed the full Senate Thursday and has been assigned to the House Ways and Means Education (HWME) Committee. [H.123](#), sponsored by **Rep. Nathaniel Ledbetter**, was approved as **amended** by the HWME committee and now goes to the full House for consideration.

Teacher Shortage Workforce Option

Help may be on the way for Alabama's school systems to fill the teacher shortage gap. Companion bills recently introduced by **Sen. Chris Elliott (S.188)** and **Rep. Chris Sells (H.278)** would allow retirees to return to the classroom without adversely affecting their retirement benefits, and provide relief in critical teacher shortage areas such as math, science and special education.

Under current law, Teachers' Retirement

System (TRS) retirees are allowed to return to work with an RSA-participating employer in a part-time or temporary capacity. The retiree's salary cannot exceed the limitation on earnings which are subject to change based on the Consumer Price Index. The limit for the 2022 calendar year is \$34,000.

Under these bill proposals, retirees would be allowed the flexibility to return to work for participating employers in the Retirement Systems of Alabama (RSA) with no salary limitation and continue to draw benefits if they have been separated from active service for a year. Retirees who return to work within the first year – those who have not drawn their benefit for twelve (12) consecutive months – must suspend their benefit during employment or contract while performing services for an RSA-participating employer. The one-year separation of service restarts after that employment or contract ends.

[Click here for an easy-to-read bill summary.](#)

Alabama Literacy Act Pausing 3rd Grade Retention

Plans to hold off retention requirements for one year (2022-23) are closer to happening after [H.220 \(Collins\)](#) was approved as amended by the House Education Policy Committee this week. The bill's sponsor, **Rep. Terri Collins**, said she believes more data is needed to determine proficiency markers. The Alabama Literacy Act, passed in 2019, assumed the state would have three years of testing data. The pandemic interrupted those plans in March of 2020 just as school systems were gearing up for the first Alabama Comprehensive Assessment Program (ACAP) assessment.

In the Senate, **Sen. Rodger Smitherman** has introduced a bill ([S.78](#)) to delay retention until the 2025-26 school year. Smitherman's bill will be before the Senate Education Policy committee next Wednesday. **Gov. Kay Ivey** has publicly stated support for a one-year delay.

Public Records Roundtable

For several years proponents of changes to Alabama's public records law have introduced legislation to revise current statutes. AASB has repeatedly voiced concern over these attempts because critical issues affecting school boards have not been addressed in revisions presented to lawmakers. AASB is not alone in wanting to bring a better bill before the legislature to address concerns with the public records law. Local governments and other state entities have shared concerns as well.

Recognizing that more collaboration is needed before another attempt is made to amend current public records law, **Sen. Arthur Orr** has introduced a joint resolution ([SJR 31](#)) to create the Alabama Public Records Study Task Force. The task force will be charged with studying current Alabama statutory and case law and recommending proposed. AASB will have an appointed member on this taskforce. The resolution has been approved by the Senate and is awaiting action by the House.

Parents Choice Act Update

No action was taken by the Senate on **Sen. Del Marsh's** ([S.140](#)) Parents Choice Act (PCA) this week. The PCA

would create education savings accounts (ESA) for parents to pay for private school, home school, after school programs or summer school at an annual \$537 million hit to the ETF. Marsh has informed colleagues and others a substitute bill already has been drafted. Still actively working the bill, Marsh has indicated the substitute would significantly scale back the initial fiscal impact to a projected \$28 million. In the substitute, ESAs only would apply to kindergarten students in 2023-24 and then phase-in additional grade levels each year until fully implemented. In the original bill, ESA eligibility would have been extended to all grades in 2024-25.

AASB continues to monitor this bill and will keep you apprised as information is received. **AASB urges you to share concerns about the Parents Choice Act with your state senators and representatives.**

Floor Action

[S.170 \(Orr\)](#) - **ELL student exemption**- would exempt the academic performance of English Language Learner students from consideration in the assigning of an academic achievement grade to a school or school system. **PASSED** Senate - Assigned to House Education Policy committee.

Committee Action

[H.241 \(Collins\)](#) - **AL Credential Quality and Transparency Act** - would provide essential data about all educational and occupational credentials and competencies to be available to state residents. Approved as amended by House committee.

[S.79 \(Smitherman\)](#) - **Suspension due process** - would provide a uniform statewide system of procedural due process protections relating to suspensions and expulsions of public school students for violating the student code of conduct or state law. Approved as amended by Senate committee. AASB has reservations about this bill and will work for improvements.

Select Bill Introductions

[H.307 \(Baker\)/S.209 \(Chesteen\)](#) - **Alternative teacher certificates** - would authorize issuance of a professional educator certificate to those holding an alternative certificate who have been employed for one full year as an educator. Current law states you must be employed for three full years.

[H.331 \(Warren\)](#) - **Kindergarten bill** - would require children to complete kindergarten or otherwise demonstrate first grade readiness before entering 1st grade.

View the Alabama Legislature in Session

AASB is your boots-on-the-ground in Montgomery when lawmakers are in town, but did you also know that you can watch what is going on at the State House, too? The [Alabama Legislature](#) unveiled a new website this session. Here is a [Quick Clicks User Guide](#) to help you navigate how to view committees, watch House and Senate floor action and search for bills.

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