

# advocate for SCHOOLS



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



## Gambling Bills Introduced

Chair of the Senate Finance and Taxation General Fund Committee Sen. Greg Albritton filed [gambling legislation](#) on Thursday.

Over the years, the Alabama Senate has passed gambling legislation only for it to fall short once it reached the House chamber.

A lottery bill, if passed, would have to be approved by voters in a [constitutional amendment](#). Alabama currently is one of only five states without a lottery, along with Alaska, Hawaii, Utah and Nevada.

## AASB Advocacy Day

It's not too late. Even if your district is not listed below, you may still sign up to attend AASB's final Advocacy Day of the session. Register today!

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

2022 Regular  
Legislative Session

12 days remain

## House Goes to Work on Education Trust Fund Budget

The House Ways and Means Education (HWME) Committee approved a record \$8.17 billion Education Trust Fund (ETF) Budget for FY23 as well as several other education-related appropriation bills. HWME Committee Chair Rep. Danny Garrett told committee members although the state is "sitting on a mountain of cash" with a substantial infusion of federal dollars, "We must be careful of the fiscal cliff that is coming, and probably when we least expect it." Garrett emphasized lawmakers need to be "prudent and thoughtful" when considering what is best when making budget decisions."

The ETF Budget ([H.135-Garrett](#)) acted on by the HWME committee contains significant increases for K-12. Garrett told committee members the increases will directly benefit classrooms.

- [ETF Budget, as substituted by HWME](#)
- [ETF Spreadsheet](#)

The budget also includes a \$4 million increase for the Information Technology Services Program which would provide funding to improve cybersecurity and staffing network administrators. Increased funding for cybersecurity is one of [AASB's legislative priorities](#) this session.

| ETF Budget FY23<br>HWME substitute highlights:                                  |                 |                      |          |   |
|---|-----------------|----------------------|----------|---|
|   | HWME Substitute | Governor Recommended | Increase | Rationale   |
| Classroom Materials   | \$900/unit      | \$700/unit           | \$9.5 M  | Increases classroom materials by \$200/unit   |
| Information Technology Services Program (Technology Coordinators)               | \$20.1 M        | \$16.1 M             | \$4.0 M  | Of the total allocation, \$10.4M to be used for improving cybersecurity, including protection of data and infrastructure and to fund network administrators |
| Alabama Reading Initiative (ARI)  | \$94.2 M        | \$85.2 M             | \$9.0 M  | To provide near actual funding for salary and benefits for approx. 780 reading coaches statewide  |
| AL Math, Science & Technology Initiative (AMSTI)                                | \$48.2 M        | \$33.2 M             | \$15 M   | To provide for provisions set forth in the AL Numeracy Act, if enacted (S.171)  |
| Teacher Aide Grant Program (auxiliary teachers)                                 | \$5.4 M         |                      | \$5.4 M  | To fund approx. 154 auxiliary teachers (aides) in low-performing schools  |
| Office of School Readiness (Pre-K) - \$24.M increase in appropriation over FY22 |                 |                      |          |   |

The committee also approved a four-percent pay raise for education employees ([H.136-Garrett](#)) and a one-time bonus ([S.30](#)) for retirees in the Teachers Retirement System (TRS) sponsored by Sen. Bobby Singleton.

The ETF budget will go to the House floor for vote **Tuesday, March 8** - a great opportunity for attendees at AASB's final Advocacy Day!

## School Improvements Bill Close to Final Passage

A bill to include capital outlay as a permitted use of supplemental dollars from the **Education Advancement and Technology (EAT) Fund** received HWME Committee approval Wednesday, bringing it one step closer to final passage.

[S.175](#) sponsored by Sen. Arthur Orr, provides additional flexibility for school facility needs. Orr's bill would permit capital outlay - or new construction - as an additional qualified expenditure, giving school systems more control and flexibility, especially to assist with rising renovation and construction costs. **Bill moves to full House for final passage.**

## Speaking of Supplemental Dollars

The supplemental appropriation for the current fiscal year ending September 30, 2022, from the **Education Advancement and Technology (EAT) Fund** to various school systems, colleges, universities and other entities also was approved by the HWME Committee this week.

[H.267 \(Garrett\)](#) appropriates \$205.7 million to K-12 schools for FY22. Dollars allocated to the EAT Fund currently may be used for repairs and maintenance; classroom instructional support; insurance for facilities; transportation; acquisition and purchase of education technology; and school security measures. [View amount for each school system beginning on page 4 of the bill.](#)

A separate supplemental appropriation bill - [H.138 \(Garrett\)](#) - approved by the HWME Committee, directs an additional \$652.1 million to the Education Advancement and Technology Fund for flexibility and distribution to K-12, two-year and four-year colleges and other educational entities. **This supplemental includes \$125 million redirected from the governor's budget** that previously was to be allocated solely for capital outlay pursuant to the 2020 PSCA bond issue.

### Numeracy Act Sails Through Senate

A [substitute version](#) of the Alabama Numeracy Act that would phase in math coaches, prioritizing elementary schools with the lowest proficiency scores, and expand the grounds for mandated school restructuring moved quickly in the Senate this week, with committee approval Tuesday and floor passage 24 to 3 Wednesday.

Now, [S.171](#) by **Sen. Arthur Orr**, will require state intervention for schools that have not reached specified attainment levels in math, reading or both. [View talking points](#)

The performance targets would be determined by the State Department of Education's (SDE) Office of School Improvement, and if after four years of state assistance the school does not meet these targets, the school board either must reconstitute the school by removing all personnel or convert to a charter school. The appeal process in the original bill was removed as was a third restructuring option.

**Sen. Orr** has committed to working with the education community to address concerns with the bill and has already addressed many, including making math coaches local employees instead of SDE hires, and removing provisions for elementary a principal evaluation system.

**AASB** applauds Orr's and the Senate's goal to aggressively target Alabama's persistently low on state and national math assessments. However, AASB supports including a restructuring option that can be practically implemented in the midst of a labor shortage and in rural areas - without lawsuits.

As written now, mandating reconstitution of a school would force school boards to terminate all a school's employees including librarians, lunchroom workers and other non-instructional staff - and provide hearings required under the Student First Act (SFA). Though these employees could reapply for jobs with the system according to the bill, they also have a right to appeal. Under the SFA, an independent hearing officer would then determine whether terminating a lunchroom worker or librarian for the school's failure to meet reading or math benchmarks is considered arbitrary or capricious. If the hearing officer rules against the school board, the employee would return to their position in the school. The charter school conversion process is also cumbersome because it again eliminates the entire faculty and staff. Displaced staff could reapply, be transferred to other vacancies in the system or be laid off with a reduction in force.

Orr announced that **Rep. Terri Collins** will be handling the bill in the House and would address any "viable" issues that may arise. The HWME version of the education budget already includes \$15 million for math coaches specified in the act, signaling House support for the bill.

The bill could be in the House Education Policy Committee as early as next week.

**Let your House members know school boards welcome support that would come with the Numeracy Act, but advocate for more precision and flexibility to address schools failing to meet benchmarks.**

### Test Exemption for English Language Learners (ELL)

Many might be surprised to know students who do not speak English are given tests written in English. Currently, test scores of ELL students are being counted toward schools and school systems overall English proficiency score. [S.170 \(Orr\)](#), would exempt ELL students' test scores from consideration when assigning a letter grade pursuant to the A-F grading system to a school or school system for the first three years a student is enrolled in an ELL program. The [bill was amended](#) in the **House Education Policy Committee** to change the requirement from the first three years to the first five years. The bill was approved by the committee; moves to the full House.

### Help for K-3 Teachers

A bill introduced by **Rep. Nathaniel Ledbetter (H.429)**, co-sponsored by **Rep. Terri Collins**, would authorize the employment of auxiliary teachers (teacher aides) in K-3 classrooms to assist teachers in low-performing schools with instructional and noninstructional activities. The State Board of Education would be charged with establishing and maintaining a comprehensive plan, beginning with the 2023-24 school year, to phase in the employment of auxiliary teachers in schools where 75% or more of the student population scores at or below Level 1 proficiency on the Alabama Comprehensive Assessment Program (ACAP).

The bill also would allow local boards to hire individuals who are currently in or have completed an apprenticeship or internship in an established education program under the Alabama College and Career Readiness Act or the Alabama Credential Quality and Transparency Act. Boards also could utilize high school, two-year or four-year students as volunteer aides.

The goal of the legislation, if enacted, would be for all public schools in the state providing instruction in K-3 to employ auxiliary teachers on or before July 1, 2030. Funding would be contingent upon appropriation by the legislature. **Note: The HWME budget allocates \$5.4 million for this Teacher Aide Program for Underperforming Schools.**

### Parents Choice Act 2.0

**Rep. Charlotte Meadows** introduced a new bill [\(H.452\)](#), which is an updated version of the originally filed House companion to the Parents Choice Act (PCA) bill sponsored by **Sen. Del Marsh**, to provide education savings accounts for eligible students.

There are several new provisions in her updated bill, including a definition of home school students and further clarifications for participating private schools.

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