

1 SB514
2 140756-2
3 By Senator Ross
4 RFD: Education
5 First Read: 12-APR-12

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8 SYNOPSIS: This bill is the Jobs and Education Reform
9 Act of 2012.

10 This bill would establish a means for
11 improving public elementary and secondary
12 education, in the state, by implementing a
13 mandatory school improvement plan for schools
14 identified as priority schools that need additional
15 resources in the areas of academics, finance, and
16 discipline.

17 This bill would provide for the mandatory
18 implementation of the Torchbearer Model of school
19 transformation for only those schools identified as
20 priority schools in need of improvement.

21 This bill would provide flexibility to the
22 State Department of Education and local educational
23 systems.

24 This bill would also provide a mechanism to
25 improve career and technical education programs
26 thereby improving the workforce in the state.
27

1 A BILL
2 TO BE ENTITLED
3 AN ACT
4

5 To establish the Jobs and Education Reform Act of
6 2012, as a new Chapter 6C, Title 16, consisting of Sections
7 16-6C-1 to 16-6C-14, inclusive, Code of Alabama 1975; to amend
8 Sections 16-37-3, 16-37-4, 16-37-5, 16-37-6, and 16-37-8, Code
9 of Alabama 1975; and to add Sections 16-37-8.1 to 16-37-8.4,
10 inclusive, to the Code of Alabama 1975, to provide a means for
11 improving public elementary and secondary education in the
12 state by implementing a mandatory school improvement plan for
13 schools identified as priority schools that need additional
14 resources in the areas of academics, finance and discipline;
15 to provide for the mandatory implementation of the Torchbearer
16 Model of school transformation for schools identified as
17 priority schools in need of improvement; to provide
18 flexibility to the State Department of Education and local
19 educational systems; and to provide a mechanism to improve
20 career and technical education programs thereby improving the
21 state workforce.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Chapter 6C is added to Title 16 of the
24 Code of Alabama 1975, to read as follows:

25 §16-6C-1.

26 This chapter shall be known and may be cited as the
27 Jobs and Education Reform Act of 2012.

1 §16-6C-2.

2 For the purposes of this chapter, the following
3 terms shall have the following meanings:

4 (1) ADEQUATE YEARLY PROGRESS. As defined in the No
5 Child Left Behind Act, Title I, Section 111(b)(2)(A).

6 (2) CRITICAL NEEDS AREAS. Those curriculum and
7 teaching areas where there is an urgent need for action. These
8 areas include reading, mathematics, science, technology
9 education, and other areas to be identified from time to time
10 by the state board.

11 (3) ELECTRONIC CONTINUOUS IMPROVEMENT PLAN. Plans
12 for improvement developed for priority schools.

13 (4) INSERVICE EDUCATION. The training of regularly
14 certified education professionals who hold positions in the
15 public schools of the state.

16 (5) LOCAL EDUCATIONAL AGENCY. A county or city board
17 of education and the school systems over which these boards of
18 education have authority.

19 (6) PRIORITY SCHOOL. Any school that has a majority
20 of its students scoring one or more grade levels below the
21 prescribed norm on the state-adopted student assessments or
22 any school designated as a priority school by the state
23 superintendent.

24 (7) PUBLIC EDUCATION. Kindergarten through the
25 twelfth grade.

26 (8) SCHOOL IMPROVEMENT SPECIALISTS. Persons
27 designated by the state superintendent with expertise in

1 improving performance in priority schools and providing
2 technical assistance to accomplish improved performance.

3 (9) STATE BOARD. The State Board of Education.

4 (10) STATE SUPERINTENDENT. The State Superintendent
5 of Education.

6 (11) TORCHBEARER TRANSFORMATION MODEL. A model for
7 school improvement that is determined by the state
8 superintendent consisting of well-documented strategies for
9 transforming schools, including innovative instructional
10 strategies, parental support and involvement, resources, and
11 embedded, sustained professional development applied to all
12 persistently underperforming schools known as priority
13 schools.

14 §16-6C-3.

15 The Legislature finds that a true need exists within
16 the state for improving schools identified as priority schools
17 by certain educational accountability measures. In furtherance
18 of this goal, the Legislature strongly endorses the State
19 Department of Education initiative, Rewards and Interventions
20 Plan, and the Alabama Accountability System. It is the intent
21 of the Legislature to promote and support this initiative, and
22 the Legislature recognizes that this initiative should be
23 implemented and funded in legislation. It is further the
24 intent of the Legislature that the elements of this initiative
25 are supported and that every effort is made to utilize any
26 appropriations recommended for each of these areas. It shall
27 be incumbent upon and the responsibility of each local

1 educational agency, local superintendent of education,
2 principal, and teacher to support the implementation of the
3 program.

4 §16-6C-4.

5 The initiative for improving education shall be
6 implemented subject to current appropriations or as provided
7 for in any other appropriation legislation for public
8 education in the state. The program shall include, but not be
9 limited to, the development of a comprehensive plan for
10 improving priority schools.

11 §16-6C-5.

12 (a) Priority student strategy. The superintendent of
13 the local educational agency, along with the staff of each
14 school, shall develop a program and an electronic improvement
15 plan for success at each school for priority students, or
16 students performing below the standards set by the state
17 board. The standards shall include the results of the required
18 assessment program adopted by the state board with emphasis on
19 students who are found to be at one or more grade levels below
20 the prescribed norm.

21 (b) Priority school strategy. The state board shall
22 develop an assistance program for priority schools in need of
23 assistance. A priority school in need of assistance shall mean
24 any school that has a majority of its students scoring one or
25 more grade levels below the prescribed norm on the
26 state-adopted student assessments or any school designated as
27 a priority school by the state superintendent. Local

1 superintendents and local educational agencies shall be
2 expected to make the effort and commit the resources necessary
3 to improve the instructional programs for a school in need of
4 assistance and shall be required to budget all funds earned by
5 that school in the cost calculations of the Foundation Program
6 in support of school improvement. Local superintendents and
7 local educational agencies shall work with and, in all
8 appropriate instances, shall use assistance from the State
9 Department of Education, colleges of education, accrediting
10 agencies, and other sources.

11 (c) The plan of the state board for an assistance
12 program shall consist of all of the following components:

13 (1) The faculty and staff of each priority school in
14 need of assistance shall engage in a self-study to examine the
15 problem of low achievement within that school and shall
16 develop steps which may be taken to improve student
17 achievement. The state superintendent and parents of students
18 in those schools shall be consulted as part of this
19 self-study.

20 (2) If, after one year, student achievement has not
21 improved, the state superintendent shall designate a team of
22 practicing professionals to visit the school, conduct a study,
23 consult with parents of students in the school, analyze causes
24 of poor student achievement, and make specific
25 recommendations, which shall become a part of a school
26 improvement plan for the succeeding year.

1 (3) As a final step, when insufficient or no
2 improvement as determined by the state superintendent and the
3 state board is evident from the implementation of subdivisions
4 (1) and (2), the state superintendent shall intervene and
5 place the priority school in the Torchbearer Transformation
6 Model. This means, among other actions determined necessary by
7 the state superintendent, the appointment of a person or
8 persons to run the day-to-day operation of the school. In
9 considering intervention, the state superintendent and the
10 state board shall consider factors that affect the ability of
11 the school to reach the prescribed norm test score. Factors
12 shall include graduation rates, dropout rates, attendance
13 rates, special education enrollment, and any other data
14 necessary to interpret student achievement properly in each
15 school.

16 (d) Local educational agency improvement program.
17 The state board shall develop an assistance program for a
18 local educational agency identified as being a priority school
19 system in need of assistance. A priority school system in need
20 of assistance shall mean any local educational agency that has
21 a majority of its schools, or a majority of the students in a
22 system, in which the students are scoring one or more grade
23 levels below the prescribed norm. The state board shall
24 require a local educational agency in need of assistance to do
25 all of the following:

26 (1) The local educational agency and the local
27 superintendent, with input from other administrators,

1 teachers, staff, parents of students in the school, and the
2 local community, shall engage in a self-study to examine the
3 problem of low achievement within the system and to develop
4 steps which may be taken to improve student achievement.

5 (2) If, after one year, student achievement has not
6 improved, the state superintendent shall develop a system-wide
7 school improvement plan in consultation with teachers, parents
8 of students in the school, and the local community. This
9 school improvement plan shall become a part of the program and
10 financial operations of the local educational agency for the
11 succeeding year.

12 (3) If, after the implementation of the school
13 improvement plan, student achievement has not sufficiently
14 improved, relative to the performance of the previous year,
15 the state board shall require the state superintendent to
16 intervene and place the school or local educational agency,
17 whichever the case may be, in the system transformation model.
18 This means, among other actions determined necessary by the
19 state superintendent, the assumption of the direct management
20 and day-to-day operation of the local school or local
21 educational agency for such period of time as may be necessary
22 for student achievement to improve. In considering
23 intervention, the state superintendent and the state board
24 shall consider factors that may affect the prescribed norm
25 test score. Factors shall include graduation rates, dropout
26 rates, attendance rates, special education enrollment, and any

1 other data necessary to interpret student achievement properly
2 in each system.

3 (e) It is the intent of the Legislature that
4 intervention is not to occur when a school or local
5 educational agency scores below the prescribed average.
6 Intervention by the state board is to occur only after the
7 one-year period provided in this chapter during which a school
8 or local educational agency fails to show improvement. So long
9 as improvement is being shown, the state board may not
10 intervene but shall continue to encourage and support
11 improvement of the school.

12 (f) The Alabama torchbearer school model, a
13 well-documented model for transforming schools, shall be
14 utilized. The instructional strategies, parental support and
15 involvement, resources, and embedded, sustained professional
16 development of the model, shall be applied to all persistently
17 underperforming schools known as priority schools.

18 §16-6C-6.

19 (a) Local superintendents of education shall prepare
20 for the local educational agencies, annual budgets and
21 financial statements, monthly financial reports, and other
22 related documents for review and approval, as required by the
23 State Department of Education and state law. Following the
24 analysis of the financial integrity of each local educational
25 agency as provided in subsection (a) or subsection (b) of
26 Section 16-13A-2, if a local educational agency is determined
27 to have submitted fiscally unsound financial reports, the

1 State Department of Education shall provide assistance and
2 advice. If during the assistance the state superintendent
3 determines that the local educational agency is in an unsound
4 fiscal position, a person or persons shall be appointed by the
5 state superintendent to advise the day-to-day financial
6 operations of the local educational agency. If after a
7 reasonable period of time the state superintendent determines
8 that the local educational agency is still in an unsound
9 fiscal condition, a request shall be made to the state board
10 for the direct control of the fiscal operation of the local
11 educational agency. If the request is granted, the state
12 superintendent shall present to the state board a proposal for
13 the implementation of management controls necessary to restore
14 the local educational agency to a sound financial condition.
15 Upon approval by the state board, the state superintendent
16 shall appoint an individual to be chief financial officer to
17 manage the fiscal operation of the local educational agency,
18 until such time as the fiscal condition of the system is
19 restored. The chief financial officer shall perform his or her
20 duties in accordance with rules and regulations established by
21 the state board in concert with applicable state law. Any
22 person appointed by the state superintendent to serve as chief
23 financial officer to manage the fiscal operation of a local
24 educational agency shall be required to give bond with a
25 surety company authorized to do business in Alabama and shall
26 not be required to receive approval of the local
27 superintendent to expend monies.

1 (b) The chief financial officer shall serve at the
2 pleasure and under the direction of the state superintendent.
3 The state superintendent, directly or indirectly through the
4 chief financial officer, may direct or approve such actions as
5 may in his or her judgment be necessary to do all of the
6 following:

7 (1) Prevent further deterioration in the financial
8 condition of the local educational agency.

9 (2) Restore the local educational agency to
10 financial stability.

11 (3) Enforce compliance with statutory, regulatory,
12 or other binding legal standards or requirements relating to
13 the fiscal operation of the local educational agency.

14 (c) The state superintendent shall oversee the
15 financial integrity of local educational agencies and shall
16 appoint a Chief Education Financial Officer.

17 (1) The Chief Education Financial Officer shall be
18 responsible for the collection and analysis of financial
19 reports and other related documents required to assess the
20 financial integrity of local educational agencies.

21 (2) The Chief Education Financial Officer shall
22 prepare reports on the financial integrity of local
23 educational agencies.

24 (3) The Chief Education Financial Officer shall
25 assist local educational agencies that are experiencing
26 deteriorating financial positions.

1 (4) The Chief Education Financial Officer shall be
2 bonded in the amount of one hundred thousand dollars
3 (\$100,000).

4 (d) Unsound financial condition alert and
5 assistance. The State Department of Education shall provide
6 assistance and advice if an analysis of the financial
7 integrity of a local educational agency determines the
8 financial reports are fiscally unsound.

9 (e) Unsound financial condition continuous
10 assistance. If, during the assistance the state superintendent
11 determines the local educational agency is in an unsound
12 financial condition, the state superintendent shall appoint a
13 person to provide onsite continuous advice on the day-to-day
14 financial operations of the local educational agency.

15 (f) Unsound financial condition intervention. If,
16 after a reasonable period of onsite continuous assistance, a
17 local educational agency remains in an unsound financial
18 condition, the state superintendent shall request approval by
19 the state board to have direct control of the fiscal operation
20 of the local educational agency. If the request is approved,
21 the state superintendent shall present to the state board a
22 proposal for the implementation of management controls
23 necessary to restore the local educational agency to a sound
24 financial condition. Upon the approval of the state board, the
25 state superintendent shall appoint a chief financial officer
26 to manage the financial operations of the local educational

1 agency, until the fiscal condition of the local educational
2 agency is restored.

3 (1) The chief financial officer shall have the right
4 of approval of every action affecting the expenditure of
5 funds.

6 (2) The chief financial officer shall be bonded and
7 is not required to have approval of the local superintendent
8 in the control of the funds of the local educational agency.

9 (3) The state superintendent may review decisions of
10 the chief financial officer and the local educational agency.

11 (4) The chief financial officer shall assume the
12 duties established for local superintendents of education
13 relating to fiscal operations of local educational agencies
14 pursuant to applicable Alabama law, rules of the state board,
15 and other requirements such as federal regulations, opinions
16 of the Alabama Attorney General, opinions of the Department of
17 Examiners of Public Accounts, and interpretations by the state
18 superintendent.

19 (5) The state superintendent may direct and approve
20 actions:

21 a. To prevent further deterioration in the financial
22 condition of the local educational agency.

23 b. To restore the local educational agency to
24 financial stability.

25 c. To enforce compliance with statutory, regulatory,
26 and other financial standards and requirements.

1 (g) Nothing in Chapter 13A or this section shall be
2 construed to deprive any employee of any procedural or
3 substantive right that would otherwise be guaranteed to the
4 employee under the United States Constitution and the laws of
5 this state.

6 §16-6C-7.

7 (a) In addition to providing quality instruction in
8 classrooms and fiscal soundness, all local educational
9 agencies shall be accountable for compliance with statutes and
10 rules regarding school safety and discipline. The State
11 Department of Education shall send to all local educational
12 agencies and all local superintendents of education, on or
13 before August 1 of each year, a manual containing all acts of
14 the Legislature and all rules promulgated by the state board
15 that pertain to school safety and discipline. Within 30 days
16 after receipt of this manual, each local educational agency
17 shall provide to the state board a report, in the form
18 prescribed by the State Department of Education, describing
19 compliance by the local educational agency with the acts and
20 rules. If a local educational agency is determined by the
21 state board to have failed to comply in any material respect
22 with the acts or rules, the State Department of Education
23 shall provide assistance to obtain compliance. If, after one
24 year, the state board determines that a local educational
25 agency refuses or fails to come into compliance with the acts
26 and rules, the state superintendent shall intervene in and
27 assume the direct management and day-to-day operation of the

1 local educational agency for such period of time as the state
2 board deems necessary to bring the local educational agency
3 into compliance with the acts and rules.

4 (b) School safety and discipline accountability. The
5 state board shall utilize one or both of the following
6 criteria to determine if intervention by the state
7 superintendent is necessary as required by Section 16-6B-5.

8 (1) Failure of a school or local educational agency
9 to develop and implement the policies, rules, and laws
10 relative to school safety and discipline as published and
11 disseminated annually by the state superintendent.

12 (2) Failure of a school or local educational agency
13 to respond to legitimate and documented school safety and
14 discipline concerns or incidents, or both, as determined by
15 the state superintendent after investigating the concerns or
16 incidents. The state superintendent shall investigate the
17 following requests or incidents, or both, to determine if
18 assignment of State Department of Education personnel to a
19 school or local educational agency for school safety and
20 discipline assistance is warranted:

21 a. A written request by official action of any of
22 the following:

23 1. A local parent or professional or community
24 organization.

25 2. A majority of the employees of a school or local
26 educational agency to the state superintendent with evidence
27 that a request was first submitted to the school principal.

1 3. The local superintendent.

2 4. The local educational agency relative to specific
3 school safety and discipline issues and no action was taken or
4 action was inadequate as determined by the state
5 superintendent.

6 b. A written request by official action of a school
7 sanctioned student organization to the state superintendent
8 with evidence that a request was first submitted to the school
9 principal; second, the local superintendent; and third, the
10 local educational agency relative to specific school safety
11 and discipline issues and no action was taken or action was
12 inadequate as determined by the state superintendent.

13 c. A written request by a local school principal
14 with evidence that a request was first submitted to the local
15 school superintendent and next, to the local educational
16 agency, relative to specific school safety and discipline
17 issues and no action was taken or action was inadequate as
18 determined by the state superintendent.

19 d. An official request by a local superintendent of
20 education.

21 e. An official request by a majority vote of a local
22 educational agency.

23 f. A person is killed or seriously injured at school
24 or a school related activity as a result of a violent act.

25 §16-6C-8.

26 Management of a school or local educational agency
27 occasioned by state intervention based on student achievement

1 or financial instability shall continue until such time as
2 either condition improves to an acceptable standard as
3 determined by the state superintendent. The local educational
4 agency may petition the state board for release from state
5 intervention by showing acceptable improvement in achievement,
6 acceptable improvement on financial stability, safety, and
7 discipline, or for other just cause for such release. The
8 state board, following a hearing, shall have final
9 determination on the matter of release from state
10 intervention.

11 §16-6C-9.

12 (a) The local educational agency shall prepare an
13 annual accountability report for each school and area career
14 and technical center under its jurisdiction, and for itself,
15 to be provided to the public under rules promulgated by the
16 state board. Such accountability reports shall include, but
17 not be limited to, all of the following:

18 (1) A funding and expenditure report which shall
19 include the amount of Foundation Program funds or career and
20 technical education funds, or both, earned and all funds
21 expended, and any other data deemed necessary by the local
22 educational agency or the state board to inform the public
23 about the financial status of each school.

24 (2) A student achievement report which shall include
25 a comparison of the immediately previous school year with the
26 previous five years regarding student performance on testing
27 required by the state board, dropout rates, attendance rates,

1 graduation rates, college attendance, and any other data
2 deemed necessary by the local educational agency or the state
3 board to inform the public about student achievement in each
4 school.

5 (3) A school safety and discipline report which
6 shall include statistical information relating to student
7 safety and discipline in each school and any other data deemed
8 necessary by the local educational agency or the state board
9 to inform the public about safety and discipline in each
10 school.

11 (b) These reports shall be released to the media and
12 presented to parent organizations, members of the Legislature
13 who represent the schools covered in each report, and the
14 state superintendent. These reports shall be made available to
15 the public, upon request, on or before 90 days after the end
16 of the fiscal year.

17 (c) The guardian of each student shall attend two
18 guardian-teacher meetings per year to discuss the academic and
19 career progress of the student and two school safety and
20 nutrition meetings per year conducted by school support
21 professionals.

22 §16-6C-10.

23 (a) Flexibility in elementary and secondary
24 education is often necessary to increase the possibility of a
25 successful outcome for students. The state superintendent
26 shall recommend and the state board may approve, school by
27 school or system by system as the case may be, waiver or

1 variance requests relating to specifically identified state
2 statutes, rules, regulations, policies, and procedures, or
3 provisions of this title, upon the written request of a school
4 or local educational agency. The goal for each waiver and
5 variance shall be the improvement of student performance. The
6 state board may not waive or approve variances for any
7 federal, state, or local rule, regulation, court order, or
8 statute relating to civil rights, insurance, retirement, the
9 state salary schedule, the compensation of education
10 employees, tenure and employment rights, state fiscal
11 allocations and appropriations for education personnel, the
12 protection of the physical health and safety of school
13 students, employees, and visitors, conflicting interest
14 transactions, the prevention of unlawful conduct, any law
15 relating to unlawful conduct in or near a public school, or
16 any reporting requirement.

17 (b) A local educational agency that has received a
18 waiver or variance shall remain subject to all other statute,
19 rule, regulation, policy, or procedure not specifically
20 detailed in the waiver or variance. In no instance shall any
21 school or local educational agency be allowed to charge
22 students tuition or fees, and the school shall remain open to
23 enrollment in the same manner as before the waiver request.
24 Intradistrict enrollment flexibility may be authorized by the
25 state superintendent.

26 (c) Local educational agencies may exercise
27 flexibility among line item expenditures, except a local

1 educational agency may not create a reduction of earned
2 teacher units, local educational agency support personnel, or
3 classroom supply funds.

4 Section 2. Sections 16-37-3, 16-37-4, 16-37-5,
5 16-37-6, and 16-37-8 of the Code of Alabama 1975, are amended
6 to read as follows:

7 "§16-37-3.

8 "The State Superintendent of Education shall
9 designate, by and with the advice and consent of the State
10 Board of Education, such assistants as may be necessary to
11 properly carry out the provisions of this chapter. The State
12 Superintendent of Education shall also carry into effect such
13 rules and regulations as the State Board of Education may
14 adopt and shall prepare such reports concerning the condition
15 of ~~vocational~~ career and technical education in the state as
16 the State Board of Education may require.

17 "§16-37-4.

18 "The State Board of Education shall have all
19 necessary authority to cooperate with the federal Department
20 of Health, Education and Welfare in the administration of the
21 act of Congress accepted in Section 16-37-1; to administer any
22 legislation pursuant thereto enacted by the State of Alabama
23 and to administer the funds provided by the federal government
24 and the State of Alabama, under the provisions of this
25 chapter, for the promotion of ~~vocational~~ career and technical
26 education in agricultural ~~subjects~~, trade, ~~and industrial,~~
27 ~~subjects~~ and ~~home economics~~ family and consumer sciences

1 subjects. It shall have full authority to formulate plans for
2 the promotion of ~~vocational~~ career and technical education in
3 such subjects as an essential and integral part of the public
4 school system of education in the State of Alabama and to
5 provide for the preparation of teachers of such subjects. It
6 shall have authority to fix the compensation of such officials
7 and assistants as may be necessary to administer the federal
8 act and this chapter for the State of Alabama, and to pay such
9 compensation and other necessary expenses of administration
10 from funds appropriated in this chapter. It shall have
11 authority to make studies and investigations relating to
12 ~~vocational~~ career and technical education in such subjects; to
13 promote and aid in the establishment by local communities of
14 schools, departments or classes giving training in such
15 subjects; to cooperate with local communities in the
16 maintenance of such schools, departments or classes; to
17 prescribe qualifications for the teachers, directors and
18 supervisors of such subjects, and to have full authority to
19 provide for the certification of such teachers, directors and
20 supervisors; to cooperate in the maintenance of classes
21 supported and controlled by the public for the preparation of
22 teachers, directors and supervisors of such subjects or to
23 maintain such classes under its own direction and control; to
24 establish and determine by general regulations the
25 qualifications to be possessed by persons engaged in the
26 training of ~~vocational~~ career and technical teachers.

27 "§16-37-5.

1 "The board of education of any county or of any city
2 having a city board of education may cooperate with the State
3 Board of Education in the establishment of ~~vocational~~ career
4 and technical education schools or classes giving instructions
5 in agricultural ~~subjects, in trade, or industrial subjects,~~ or
6 in ~~home economics~~ family and consumer sciences subjects and
7 may use any moneys raised by public taxation in the same
8 manner as moneys for other school purposes are used for the
9 maintenance and support of public schools.

10 "§16-37-6.

11 "The State Board of Education in its annual report
12 to the Governor shall set forth the condition of ~~vocational~~
13 career and technical education in the State of Alabama, a list
14 of the schools to which federal and state aid has been given
15 and a detailed statement of the expenditures of federal and
16 the state funds provided for the purposes of this chapter.

17 "§16-37-8.

18 "(a) In order to further develop the human and
19 natural resources of this state and to correlate and make
20 available information and training in local communities for
21 instruction in such subjects as mechanics, ~~home economics~~
22 family and consumer sciences, industrial, livestock, poultry,
23 horticulture, farming and dairying, and to provide exhibits of
24 an educational and cultural nature, and to provide for
25 lectures, extension courses from the state universities and
26 colleges or other sources, the various city or counties or

1 cities and county boards of education are hereby authorized to
2 create ~~vocational~~ career and technical education high schools.

3 "(b) Any city or county board of education, or any
4 combinations of city or county boards of education are hereby
5 authorized by agreement to jointly or severally contract for
6 the erection, maintenance and operation of ~~vocational~~ career
7 and technical education high schools and to contract for the
8 construction by each for such sums as said boards may agree
9 for ~~said~~ the erection, maintenance and operation. Any such
10 contracts shall be subject to approval by the State Board of
11 Education.

12 "(c) The governing body of any city or county shall
13 have the authority to contribute to the erection, maintenance
14 and operation of any ~~vocational~~ career and technical education
15 high school created under the provisions of this section.

16 "(d) The governing body of any such school shall be
17 authorized to receive any gift or donation or any
18 appropriation from any source, including federal, state,
19 county or municipality, and to comply with the provisions of
20 any federal or state law, rule or regulation in order to
21 receive funds therefrom, and to contract or comply with any
22 such law, rule or regulation in order to be entitled to
23 receive any such funds.

24 "(e) No tuition shall be charged to resident pupils
25 of the areas of the cooperating boards of education.

26 "(f) The agreement providing for the erection,
27 maintenance and operation of any such ~~vocational~~ career and

1 technical education high school shall provide for a staff,
2 together with provisions for its appointment, removal and its
3 powers, duties and authority; provided, that the same shall
4 not conflict with the provisions hereof, or with the laws
5 regulating the operation of public schools in the State of
6 Alabama. The said agreement shall also provide for an advisory
7 board, composed of one or more members of each cooperating
8 board of education selected by that board, together with its
9 powers and duties."

10 Section 3. Sections 16-37-8.1, 16-37-8.2, 16-37-8.3,
11 and 16-37-8.4 are added to the Code of Alabama 1975, to read
12 as follows:

13 §16-37-8.1.

14 (a) The Legislature finds and declares all of the
15 following:

16 (1) The long term prosperity of the state depends on
17 supporting an education system that is designed to prepare
18 students for a global economy.

19 (2) Education reform is a continuous and
20 comprehensive process that should focus on linking all facets
21 of the educational system. In analyzing educational support
22 facets, it is further affirmed that organizational structure
23 and governance, decision making, allocation of human,
24 material, spatial, equipment, and fiscal resources, teacher
25 preparation, and teacher development should be linked. The
26 Jobs and Education Reform Act of 2012 provides for the linkage

1 of these facets for the purpose of comprehensive and
2 sustainable reform.

3 (3) In today's competitive workforce, legislation
4 outlined in the Jobs and Education Reform Act of 2012 provides
5 for funding that supports and sustains professional
6 development for teachers, administrators, and instructional
7 support personnel and continuing education for parents.

8 (4) High school students and parents should
9 understand that they have options for career pathway programs
10 of study that join a college-ready academic core with quality
11 career, technical, and agricultural education studies that
12 result in a high school diploma and preparation for success in
13 advanced training, an associate's degree, a baccalaureate
14 degree, and a career.

15 (5) Each local educational agency should provide
16 every student with choices that are academically rigorous and
17 aligned to opportunities in high demand, high skill, and high
18 wage career fields and to postsecondary career and technical
19 pathways leading to advanced credentials or degrees. The
20 support of partnerships among postsecondary and higher
21 education institutions, business-industry, and faith-based
22 organizations should be developed with K-12 education in order
23 to provide the multitude of choices needed in the provision of
24 a world class curriculum.

25 (6) The state board and the boards of trustees of
26 the colleges and universities in the state should work
27 together to ensure that academic courses that are embedded

1 within career, technical, and agricultural education courses
2 are given appropriate academic credit at the high school level
3 and recognized at the postsecondary level.

4 (7) Teachers should be provided embedded and
5 sustainable professional development opportunities that
6 enforce the academically rigorous standards in relevant,
7 project-based course work.

8 (8) High school students should clearly understand
9 the options for dual high school and postsecondary credit, and
10 the state should properly fund these options.

11 (9) Every state education agency, postsecondary
12 institution, and local educational agency should provide all
13 high school students with opportunities for accelerated
14 learning through dual credit course work leading to a minimum
15 of six postsecondary credits and have as a collective goal to
16 graduate every student with postsecondary credit.

17 (10) Strategic industries in the state should be
18 partners in the public secondary and postsecondary education
19 system so that they are assured that our high school graduates
20 are prepared for success in the workforce. Four industry
21 representatives from four different industrial sectors shall
22 be appointed by the President of Manufacture Alabama and shall
23 be included in continued implementation or modification
24 concerning career technical curriculum and certification
25 requirements on a quarterly basis.

26 (11) The public education system in the state should
27 incorporate many different types of assessments and

1 certificates into their programs so that the skill level of a
2 student is assessed and that the assessment has meaning to the
3 student for postsecondary and career success.

4 (12) Students in the state should understand that a
5 high school diploma and some form of postsecondary credential
6 are key to success in the workforce and earning a family
7 living wage.

8 (13) Textbooks and other primary sources for
9 instructional content should be provided every student in
10 print or digital format for every course on an annual basis.

11 (b) The state board, working with the boards of
12 trustees of the colleges and universities in the state and
13 career technical and adult education, shall establish college
14 and career readiness competency standards in reading, writing,
15 and mathematics aligned with the core curriculum adopted by
16 the state board pursuant to subsection (a), with the level of
17 performance necessary to satisfy college readiness standards
18 in the technical colleges, community colleges, state colleges
19 and universities of the state and in other advanced training
20 programs.

21 (c) The state board shall require postsecondary
22 institutions to accept core curriculum course work completed
23 by high school students for purposes of admission into the
24 institutions. This section shall apply beginning with students
25 entering postsecondary institutions in the fall of 2012.

26 §16-37-8.2.

1 (a) Flexibility provisions that are outlined in the
2 state board Resolution for Innovation School Systems, dated
3 May 27, 2010, shall be supported with adequate funding from
4 the Legislature and technical assistance from the State
5 Department of Education to ensure cutting edge reform
6 impacting student achievement.

7 (b) The Jobs and Education Reform Act of 2012
8 supports the following reform initiatives for increasing
9 student achievement and graduation rates. Further, the Jobs
10 and Education Reform Act of 2012 establishes the flexibility
11 of the local educational agency to make instructional
12 decisions in the best interest of students served in order to
13 produce students for a global economy. These provisions
14 include, but are not limited to, all of the following
15 scientifically based innovations for increased student
16 achievement and educational reform:

17 (1) Mandatory prekindergarten.

18 (2) Alternative or year round academic schedules.

19 (3) Expansion in the number of arts, health, and
20 physical education courses offered.

21 (4) Required continuing education for parents.

22 (5) Flexible schedules for collaboration between
23 elementary and secondary teachers for the purposes of
24 curriculum development.

25 (6) Flexible schedules for collaboration between
26 secondary, postsecondary, and higher education for the
27 purposes of curriculum development.

1 §16-37-8.3.

2 (a) There is created an advisory council to develop
3 and monitor a five-year rolling strategic plan for PreK-20
4 education that helps align the supply and demand of the
5 Alabama workforce.

6 (1) The council shall be comprised of the following
7 members:

8 a. The State Superintendent of Education.

9 b. Members representing a cross section of business
10 leaders from each of the 16 clusters, which shall include, at
11 a minimum, four small business leaders.

12 c. Fourteen elected educator representatives, two
13 from each congressional district in the state, representing
14 each of the following:

15 1. Ten members from K-12.

16 2. Two members from postsecondary education.

17 3. Two members from higher education.

18 d. One economic development representative selected
19 by the Economic Development Partnership of Alabama.

20 e. One member of the state board.

21 f. One at-large representative appointed by the
22 Governor.

23 g. One member of the House of Representatives,
24 appointed by the Speaker of the House of Representatives.

25 h. One member from the Senate, appointed by the
26 Senate President Pro Tempore.

1 (b) The state level council shall encourage the
2 creation of councils at the regional and local level, to be
3 known as regional workforce development councils.

4 (c) Regional workforce development councils.
5 Regional workforce development councils, with assistance from
6 local chambers of commerce or other appropriate business
7 membership groups, should encourage rapid rollout of the
8 Alabama Scholars program, provide active support of student
9 organizations such as Future Business Leaders of Alabama, and
10 create career awareness through activities provided through
11 private business and classroom presentations.

12 (d) Local partnerships and advisory councils. Active
13 local partnerships between businesses and education should be
14 established to increase career awareness and development,
15 improve local business and industry commitment to career
16 development and exploration, and provide financial support
17 locally.

18 (e) Consolidation of local K-12 and postsecondary
19 business advisory councils in order to leverage resources such
20 as facilities, equipment, instructors, and funding and to help
21 align courses at the local secondary and postsecondary
22 institutions with employer needs. This can be accomplished
23 through articulation agreements and dual enrollments.

24 (f) In order to increase the graduation and
25 retention rates, every student should be enrolled in a career
26 pathway developed in the 8th grade and should take at least

1 two sequenced career and technical education courses in order
2 to prepare for careers in the workforce.

3 (g) Funding for career and technical education shall
4 be provided as a part of the operation and maintenance funding
5 in the Foundation Program and shall be funded per technical
6 program teacher.

7 §16-37-8.4.

8 All public school counselors shall dedicate at least
9 50 percent of their working time to college or career, or
10 both, counseling, and 10 percent of their working time shall
11 be dedicated to career and technical education counseling. If
12 possible and practical, counseling should be coordinated with
13 the parent or legal guardian of the student.

14 Section 4. This act shall become effective
15 immediately following its passage and approval by the
16 Governor, or its otherwise becoming law.