

1 SB403
2 150803-1
3 By Senators Beason, Glover, Williams, and McGill
4 RFD: Education
5 First Read: 04-APR-13

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, the State Board of
9 Education is directed to establish a core
10 curriculum for every student in grades kindergarten
11 through twelve in the state's public schools.

12 This bill would prohibit the State Board of
13 Education from adopting and the Department of
14 Education from implementing the Common Core State
15 Standards developed by the Common Core State
16 Standards Initiative.

17 This bill would prohibit the State Board of
18 Education, the Department of Education, and other
19 state bodies from compiling or sharing data about
20 students or teachers, except under limited
21 circumstances.

22 This bill would prohibit the State Board of
23 Education from entering into an agreement or
24 joining a consortium that would cede any control to
25 an entity outside the state.

1 This bill would also require notice and
2 public hearings before the State Board of Education
3 adopts or implements any statewide standards.
4

5 A BILL
6 TO BE ENTITLED
7 AN ACT
8

9 Relating to education and core curriculum standards;
10 to prohibit the State Board of Education from adopting and the
11 Department of Education from implementing the Common Core
12 State Standards developed by the Common Core State Standards
13 Initiative; to prohibit the State Board of Education, the
14 Department of Education, and other state bodies from compiling
15 or sharing data about students or teachers, except under
16 limited circumstances; to prohibit the State Board of
17 Education from entering into an agreement or joining a
18 consortium that would cede any control to an entity outside
19 the state; and to require notice and public hearings before
20 the State Board of Education adopts or implements any
21 statewide standards.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. (a) The adoption and funding of the
24 Common Core State Standards Initiative are hereby repealed.

25 (b) The State Board of Education shall not adopt,
26 and the Department of Education shall not implement, the
27 Common Core State Standards developed by the Common Core State

1 Standards Initiative. Any actions taken to adopt or implement
2 the Common Core State Standards at the state or district level
3 as of the effective date of this act are void ab initio.

4 (c) Beginning with the remainder of the 2012-2013
5 fiscal year, the State Board of Education, the Department of
6 Education, and any other state body shall not do the
7 following:

8 (1) Expend any funds, whether originating from Race
9 to the Top grants or elsewhere, on construction, enhancement,
10 or expansion of any Statewide Longitudinal Data System (SLDS)
11 designed to track students or compile their personal,
12 non-academic information beyond what is necessary for basic
13 administrative needs or compliance with requirements of the
14 United States Department of Education.

15 (2) Share any data compiled on students or teachers,
16 whether personally identifiable or aggregate, with any entity
17 outside the state, including any federal agency, except as
18 follows:

19 a. Student or teacher data may be shared with the
20 United States Department of Education only when:

21 1. Such data-sharing is required by the United
22 States Department of Education as a condition of receiving a
23 federal grant.

24 2. The United States Department of Education agrees
25 in writing to use the data only to evaluate the program or
26 programs funded by the grant.

1 3. The United States Department of Education agrees
2 in writing that the data will not be used for any research
3 beyond that related to evaluation of the program or programs
4 funded by the grant, unless a parent or guardian of any
5 student whose data are to be so used, or any teacher whose
6 data are to be so used, affirmatively consents in writing to
7 that use.

8 4. The United States Department of Education agrees
9 in writing to destroy the data upon completion of the
10 evaluation of the program or programs for which the data were
11 compiled.

12 5. The grant or program in connection with which the
13 data are required is one authorized by statute or by rule
14 properly promulgated under the Federal Administrative
15 Procedure Act.

16 b. If the United States Department of Education
17 requires, as a condition of making an educational grant to a
18 recipient in the state, that the recipient share student or
19 teacher data under circumstances that do not comply with
20 paragraph a. the recipient shall notify, in writing, the
21 parents or guardians of every student whose data are demanded
22 by the United States Department of Education,

23 1. That the recipient has been required to share the
24 student's or teacher's data with the United States Department
25 of Education;

26 2. That neither the recipient nor any other entity
27 within the state will have control over the use or sharing of

1 that student's or teacher's data by the United States
2 Department of Education; and

3 3. The contact information, including telephone
4 number and e-mail address, of the United States Department of
5 Education official who demands the data.

6 (d) Student or teacher data may be shared with any
7 testing consortium of which the state is a member only when:

8 (1) The data are transmitted in nonindividual record
9 format; and

10 (2) The data are limited to information directly
11 related to the testing, such as the student's grade level and
12 test scores.

13 Section 2. The State of Alabama shall retain sole
14 control over the development and revision of school standards.
15 Therefore, the Alabama State Board of Education may not enter
16 into any agreement or join any consortium or other association
17 that cedes any measure of control to entities outside the
18 state. Any statewide school standard may not be adopted or
19 implemented unless:

20 (1) A public hearing is held in each Congressional
21 District.

22 (2) The State Board of Education solicits input from
23 educators, content experts, parents, and other members of the
24 community during an open comment period of 90 days.

25 Section 3. The provisions of this act are severable.
26 If any part of this act is declared invalid or

1 unconstitutional, that declaration shall not affect the part
2 which remains.

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