

HB254

By Representatives Barton, Long, Sessions and Henry

RFD Education Policy

Rd 1 12-FEB-13

SYNOPSIS: Under existing law, the State Board of Education is directed to establish a core curriculum for every student in grades kindergarten through twelve in the state's public schools.

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

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

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

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

A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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 (a) The adoption and funding of the Common Core State Standards Initiative are hereby repealed.

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

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

(c) Beginning with the remainder of the 2012-2013 fiscal year, the State Board of Education, the Department of Education, and any other state may not do the following:

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

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

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

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

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

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

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

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

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

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

2. That neither the recipient nor any other entity within the state will have control over the use or sharing of that student's or teacher's data by the United States Department of Education; and

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

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

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

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

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

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

(2) The State Board of Education solicits input from educators, content experts, parents, and other members of the community during an open comment period of one year.

(3) Joint open hearings are held before the Senate Education Policy Committee and the House of Representatives Education Policy Committee.

(4) The standard receives a majority vote of the Alabama Legislature.

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, that declaration shall not affect the part which remains.

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

Education

Board of Education, State

Education Department

Curriculum

Schools