HB639

139566-1

By Representative Black

RFD: Ways and Means Education

First Read: 03-APR-12
SYNOPSIS: This bill is the Jobs and Education Reform Act of 2012.

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

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

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

This bill would also provide a mechanism to improve career and technical education programs thereby improving the workforce in the state.
A BILL

TO BE ENTITLED

AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

§16-6C-1.

This chapter shall be known and may be cited as the Jobs and Education Reform Act of 2012.
§16-6C-2.

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

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

(2) COMMISSION. The Jobs and Educational Reform Commission created by this chapter.

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

(4) ELECTRONIC CONTINUOUS IMPROVEMENT PLAN. Plans for improvement developed for priority schools.

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

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

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

(8) PUBLIC EDUCATION. Kindergarten through the twelfth grade.
(9) SCHOOL IMPROVEMENT SPECIALISTS. Persons designated by the state superintendent with expertise in improving performance in priority schools and providing technical assistance to accomplish improved performance.

(10) STATE BOARD. The State Board of Education.

(11) STATE SUPERINTENDENT. The State Superintendent of Education.

§16-6C-3.

The Legislature finds that a true need exists within the state for improving schools identified as priority schools by certain educational accountability measures. In furtherance of this goal, the Legislature strongly endorses the State Department of Education initiative, Rewards and Interventions Plan, and the Alabama Accountability System. It is the intent of the Legislature to promote and support this initiative, and the Legislature recognizes that this initiative should be implemented and funded in legislation. It is further the intent of the Legislature that the elements of this initiative are supported and that every effort is made to utilize appropriations provided herein and otherwise recommended for each of these areas. It shall be incumbent upon and the responsibility of each local educational agency, local superintendent of education, principal, and teacher to support the implementation of the program.

§16-6C-4.

The initiative for improving education shall be implemented subject to sufficient appropriations as provided
for herein or as provided for in any other appropriation
legislation for public education in the state. The program
shall include, but not be limited to, all of the following:

(1) The establishment of the Jobs and Education
Reform Commission.

(2) The development of a comprehensive plan for
improving priority schools.

§16-6C-5.

(a) There is created the Jobs and Education Reform
Commission. The commission shall be composed of the Governor,
the state superintendent, the President of the Alabama
Parent-Teacher Association, the Executive Director of the
Alabama Education Association, the Executive Director of the
School Superintendents of Alabama, the President of the
Alabama Education Association, the Executive Director of the
Alabama Council of School Administrators and Supervisors, the
Chancellor of Postsecondary Education, one member who shall be
a business person appointed by the Governor upon the
recommendation of Manufacture Alabama, one member of the
Senate appointed by the Senate President Pro Tempore, one
member of the House of Representatives appointed by the
Speaker of the House of Representatives, and three members
appointed by the state superintendent as hereinafter provided.
The membership of the commission shall be inclusive and
reflect the racial, gender, geographic, urban/rural, and
economic diversity of the state. The appointing authority
shall appoint the designated members within 90 days after the
passage of this chapter. Members by virtue of their positions shall serve on the commission as long as they serve in their respective positions. Appointed members shall serve at the pleasure of the appointing authority. Vacancies shall be filled in the same manner as the original appointments were made.

§16-6C-6.

(a) The state superintendent shall designate one member of the commission as the chair. The chair shall call the meetings of the commission.

(b) The commission may hold meetings as the commission deems necessary. The commission shall adopt rules for its organization in the conduct of its business. A majority of the members of the commission shall constitute a quorum for the conduct of the business of the commission.

(c) Members of the commission shall receive the same per diem and travel expenses allowed by law for state officers and employees while engaged in the performance of their duties.

(d) The commission may employ staff as necessary to assist the commission in performing the duties required by this chapter. The number of employees, their compensation, and the other expenditures of the commission shall be within the limits and in compliance with the appropriation made therefore by the Legislature and within budgets that shall be approved from time to time by the commission.

§16-6C-7.
(a) The commission may study all levels of public education and shall monitor the incorporation of educational reform legislation into existing school programs. Existing school programs recognized statewide and nationwide for making a significant impact on student achievement include all of the following:

2. The Alabama Reading Initiative (ARI).
3. The National Board for Professional Teaching Standards (NBPTS).
4. Career and Technical Education.
5. Alabama Connecting Classrooms, Educators, and Students Statewide (ACCESS).
7. Technology in Motion (TiM).
8. Advanced placement (AP) courses.
9. FIRST CHOICE.

(b) The commission shall also serve in an advisory capacity to the Governor and the Legislature in respect to all existing and future reform legislation and means of funding any related programs. One year after August 30, 2012, and each year thereafter, the commission shall make an annual report to the Governor and to the Legislature. Upon the request of either the Governor or the Legislature, additional reports may be made by the commission at any time. The commission shall be dissolved at the end of three years unless otherwise continued.
by joint resolution of the Legislature. It is the expressed intent of the Legislature that the commission not duplicate any responsibilities of the state board.

§16-6C-8.

In addition, but not limited to the powers and duties otherwise specified in this chapter, the commission shall study and make recommendations to the Governor and the Legislature concerning all of the following duties:

(1) Mechanisms for increasing financial support of public education.

(2) The state funding formula, including consideration of incentive plans to increase local support.

(3) Capital outlay needs of public education in the state.

(4) The development of summer programs for public school students.

(5) Reading, mathematics, science, and other critical needs areas.

(6) The funding of professional development to support teaching excellence.

§16-6C-9.

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

(b) Priority school strategy. The state board shall develop an assistance program for priority schools in need of assistance. A priority school in need of assistance shall mean any school which has a majority of its students scoring one or more grade levels below the prescribed norm on the state-adopted student assessments or any school designated as a priority school by the state superintendent. Local superintendents and local educational agencies shall be expected to make the effort and commit the resources necessary to improve the instructional programs for a school in need of assistance and shall be required to budget all funds earned by that school in the cost calculations of the Foundation Program in support of school improvement. Local superintendents and local educational agencies are encouraged to use assistance from the State Department of Education, colleges of education, accrediting agencies, and other sources.

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

(1) The faculty and staff of each priority school in need of assistance shall engage in a self-study to examine the problem of low achievement within that school and shall develop steps which may be taken to improve student achievement. Parents of students in those schools shall be consulted as part of this self-study.
(2) If, after one year, student achievement has not improved, the state superintendent shall designate a team of practicing professionals to visit the school, conduct a study, consult with parents of students in the school, analyze causes of poor student achievement, and make specific recommendations which shall become a part of a school improvement plan for the succeeding year.

(3) As a final step, when insufficient or no improvement as determined by the state board is evident from the implementation of subdivisions (1) and (2), the state superintendent shall intervene and place the priority school in the transformation model. This means, among other actions determined necessary by the state superintendent, the appointment of a person or persons to run the day-to-day operation of the school. In considering intervention, the state board shall consider factors that may have affected the ability of the school to reach the prescribed norm test score. Factors shall include graduation rates, dropout rates, attendance rates, special education enrollment, and any other data necessary to interpret student achievement properly in each school.

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

(1) The local educational agency and the local superintendent, with input from other administrators, teachers, staff, parents of students in the school, and the local community, shall engage in a self-study to examine the problem of low achievement within the system and to develop steps which may be taken to improve student achievement.

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

(3) If, after the implementation of the school improvement plan, student achievement has not sufficiently improved, relative to the performance of the previous year, the state board shall require the state superintendent to intervene and place the school or local educational agency, whichever the case may be, in the transformation model. This means, among other actions determined necessary by the state superintendent, the assumption of the direct management and day-to-day operation of the local school or local educational agency for such period of time as may be necessary for student
achievement to improve. In considering intervention, the state board shall consider factors that may have affected the prescribed norm test score. Factors shall include graduation rates, dropout rates, attendance rates, special education enrollment, and any other data necessary to interpret student achievement properly in each system.

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

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

§16-6C-10.

(a) Local superintendents of education shall prepare for the local educational agencies, annual budgets and financial statements, monthly financial reports, and other related documents for review and approval, as required by the State Department of Education and state law. Following the
analysis of the financial integrity of each local educational
agecy as provided in subsection (a) or subsection (b) of
Section 16-13A-2, if a local educational agency is determined
to have submitted fiscally unsound financial reports, the
State Department of Education shall provide assistance and
advice. If during the assistance the state superintendent
determines that the local educational agency is in an unsound
fiscal position, a person or persons shall be appointed by the
state superintendent to advise the day-to-day financial
operations of the local educational agency. If after a
reasonable period of time the state superintendent determines
that the local educational agency is still in an unsound
fiscal condition, a request shall be made to the state board
for the direct control of the fiscal operation of the local
educational agency. If the request is granted, the state
superintendent shall present to the state board a proposal for
the implementation of management controls necessary to restore
the local educational agency to a sound financial condition.
Upon approval by the state board, the state superintendent
shall appoint an individual to be chief financial officer to
manage the fiscal operation of the local educational agency,
until such time as the fiscal condition of the system is
restored. The chief financial officer shall perform his or her
duties in accordance with rules and regulations established by
the state board in concert with applicable state law. Any
person appointed by the state superintendent to serve as chief
financial officer to manage the fiscal operation of a local
educational agency shall be required to give bond with a
surety company authorized to do business in Alabama and shall
not be required to receive approval of the local
superintendent to expend monies.

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

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

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

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

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

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

(2) The Chief Education Financial Officer shall
prepare reports on the financial integrity of local
educational agencies.
(3) The Chief Education Financial Officer shall assist local educational agencies that are experiencing deteriorating financial positions.

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

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

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

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

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

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

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

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

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

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

b. To restore the local educational agency to
financial stability.
c. To enforce compliance with statutory, regulatory, and other financial standards and requirements.

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

§16-6C-11.

(a) In addition to providing quality instruction in classrooms and fiscal soundness, all local educational agencies shall be accountable for compliance with statutes and rules regarding school safety and discipline. The State Department of Education shall send to all local educational agencies and all local superintendents of education, on or before August 1 of each year, a manual containing all acts of the Legislature and all rules promulgated by the state board that pertain to school safety and discipline. Within 30 days after receipt of this manual, each local educational agency shall provide to the state board a report, in the form prescribed by the State Department of Education, describing compliance by the local educational agency with the acts and rules. If a local educational agency is determined by the state board to have failed to comply in any material respect with the acts or rules, the State Department of Education shall provide assistance to obtain compliance. If, after one year, the state board determines that a local educational agency refuses or fails to come into compliance with the acts
and rules, the state superintendent shall intervene in and
assume the direct management and day-to-day operation of the
local educational agency for such period of time as the state
board deems necessary to bring the local educational agency
into compliance with the acts and rules.

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

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

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

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

      1. A local parent or professional or community
organization.
2. A majority of the employees of a school or local educational agency to the state superintendent with evidence that a request was first submitted to the school principal.

3. The local superintendent.

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

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

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

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

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

f. A person is killed or seriously injured at school or a school related activity as a result of a violent act.
§16-6C-12.

Management of a school or local educational agency occasioned by state intervention based on student achievement or financial instability shall continue until such time as either condition improves to an acceptable standard as determined by the state superintendent. The local educational agency may petition the state board for release from state intervention by showing acceptable improvement in achievement, acceptable improvement on financial stability, safety, and discipline, or for other just cause for such release. The state board, following a hearing, shall have final determination on the matter of release from state intervention.

§16-6C-13.

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

(1) A funding and expenditure report which shall include the amount of Foundation Program funds or career and technical education funds, or both, earned and all funds expended, and any other data deemed necessary by the local educational agency or the state board to inform the public about the financial status of each school.
(2) A student achievement report which shall include a comparison of the immediately previous school year with the previous five years regarding student performance on testing required by the state board, dropout rates, attendance rates, graduation rates, college attendance, and any other data deemed necessary by the local educational agency or the state board to inform the public about student achievement in each school.

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

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

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

§16-6C-14.
(a) Flexibility in elementary and secondary education is often necessary to increase the possibility of a successful outcome for students. The state superintendent shall recommend and the state board may approve, school by school or system by system as the case may be, waiver or variance requests relating to specifically identified state statutes, rules, regulations, policies, and procedures, or provisions of this title, upon the written request of a school or local educational agency. The goal for each waiver and variance shall be the improvement of student performance. The state board may not waive or approve variances for any federal, state, or local rule, regulation, court order, or statute relating to civil rights, insurance, retirement, the state salary schedule, the compensation of education employees, tenure and employment rights, state fiscal allocations and appropriations for education personnel, the protection of the physical health and safety of school students, employees, and visitors, conflicting interest transactions, the prevention of unlawful conduct, any law relating to unlawful conduct in or near a public school, or any reporting requirement.

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

(c) Local educational agencies may exercise
flexibility among line item expenditures, except a local
educational agency may not create a reduction of earned
teacher units, local educational agency support personnel, or
classroom supply funds.

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

"§16-37-3.
"The State Superintendent of Education shall
designate, by and with the advice and consent of the State
Board of Education, such assistants as may be necessary to
properly carry out the provisions of this chapter. The State
Superintendent of Education shall also carry into effect such
rules and regulations as the State Board of Education may
adopt and shall prepare such reports concerning the condition
of vocational career and technical education in the state as
the State Board of Education may require.

"§16-37-4.
"The State Board of Education shall have all
necessary authority to cooperate with the federal Department
of Health, Education and Welfare in the administration of the
act of Congress accepted in Section 16-37-1; to administer any
legislation pursuant thereto enacted by the State of Alabama
and to administer the funds provided by the federal government
and the State of Alabama, under the provisions of this
chapter, for the promotion of vocational career and technical
education in agricultural subjects, trade and industrial,
subjects and home-economics family and consumer sciences
subjects. It shall have full authority to formulate plans for
the promotion of vocational career and technical education in
such subjects as an essential and integral part of the public
school system of education in the State of Alabama and to
provide for the preparation of teachers of such subjects. It
shall have authority to fix the compensation of such officials
and assistants as may be necessary to administer the federal
act and this chapter for the State of Alabama, and to pay such
compensation and other necessary expenses of administration
from funds appropriated in this chapter. It shall have
authority to make studies and investigations relating to
vocational career and technical education in such subjects; to
promote and aid in the establishment by local communities of
schools, departments or classes giving training in such
subjects; to cooperate with local communities in the
maintenance of such schools, departments or classes; to
prescribe qualifications for the teachers, directors and
supervisors of such subjects, and to have full authority to
provide for the certification of such teachers, directors and
supervisors; to cooperate in the maintenance of classes
supported and controlled by the public for the preparation of
teachers, directors and supervisors of such subjects or to
maintain such classes under its own direction and control; to establish and determine by general regulations the qualifications to be possessed by persons engaged in the training of vocational career and technical teachers.

"§16-37-5."

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

"§16-37-6."

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

"§16-37-8."

"(a) In order to further develop the human and natural resources of this state and to correlate and make available information and training in local communities for instruction in such subjects as mechanics, home economics family and consumer sciences, industrial, livestock, poultry,
horticulture, farming and dairying, and to provide exhibits of an educational and cultural nature, and to provide for lectures, extension courses from the state universities and colleges or other sources, the various city or counties or cities and county boards of education are hereby authorized to create vocational career and technical education high schools.

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

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

"(d) The governing body of any such school shall be authorized to receive any gift or donation or any appropriation from any source, including federal, state, county or municipality, and to comply with the provisions of any federal or state law, rule or regulation in order to receive funds therefrom, and to contract or comply with any such law, rule or regulation in order to be entitled to receive any such funds.
"(e) No tuition shall be charged to resident pupils of the areas of the cooperating boards of education.

"(f) The agreement providing for the erection, maintenance and operation of any such vocational career and technical education high school shall provide for a staff, together with provisions for its appointment, removal and its powers, duties and authority; provided, that the same shall not conflict with the provisions hereof, or with the laws regulating the operation of public schools in the State of Alabama. The said agreement shall also provide for an advisory board, composed of one or more members of each cooperating board of education selected by that board, together with its powers and duties."

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

§16-37-8.1.

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

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

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

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

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

(5) Each local educational agency should provide
every student with choices that are academically rigorous and
aligned to opportunities in high demand, high skill, and high
wage career fields and to postsecondary career and technical
pathways leading to advanced credentials or degrees. The
support of partnerships among postsecondary and higher
education institutions, business-industry, and faith-based
organizations should be developed with K-12 education in order
to provide the multitude of choices needed in the provision of
a world class curriculum.
(6) The state board and the boards of trustees of the colleges and universities in the state should work together to ensure that academic courses that are embedded within career, technical, and agricultural education courses are given appropriate academic credit at the high school level and recognized at the postsecondary level.

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

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

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

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

(11) The public education system in the state should incorporate many different types of assessments and certificates into their programs so that the skill level of a student is assessed and that the assessment has meaning to the student for postsecondary and career success.

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

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

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

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

§16-37-8.2.

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

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

(1) Mandatory prekindergarten.

(2) Alternative or year round academic schedules.

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

(4) Required continuing education for parents.

(5) Flexible schedules for collaboration between
elementary and secondary teachers for the purposes of
curriculum development.
(6) Flexible schedules for collaboration between secondary, postsecondary, and higher education for the purposes of curriculum development.

§16-37-8.3.

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

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

a. The State Superintendent of Education.

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

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

1. Ten members from K-12.

2. Two members from postsecondary education.

3. Two members from higher education.

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

e. One member of the state board.

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

g. One member of the House of Representatives, appointed by the Speaker of the House of Representatives.
h. One member from the Senate, appointed by the Senate President Pro Tempore.

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

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

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

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

(f) In order to increase the graduation and retention rates, every student should be enrolled in a career
pathway developed in the 8th grade and should take at least two sequenced career and technical education courses in order to prepare for careers in the workforce.

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

§16-37-8.4.

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

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