

1 SB190
2 148244-1
3 By Senators Brewbaker, Ward, Scofield, Allen, Fielding,
4 Whatley, Pittman, Beason, Sanford, McGill, Glover, Holtzclaw,
5 Williams, Blackwell and Waggoner
6 RFD: Education
7 First Read: 12-FEB-13

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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.
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5 A BILL
6 TO BE ENTITLED
7 AN ACT
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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24 Common Core State Standards Initiative are hereby repealed.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 may not adopt, and
26 the Department of Education may not implement, the Common Core
27 State Standards developed by the Common Core State Standards

1 Initiative. Any actions taken to adopt or implement the Common
2 Core State Standards at the state or district level as of the
3 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 may not do the following:

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

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

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

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

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

26 3. The United States Department of Education agrees
27 in writing that the data will not be used for any research

1 beyond that related to evaluation of the program or programs
2 funded by the grant, unless a parent or guardian of any
3 student whose data are to be so used, or any teacher whose
4 data are to be so used, affirmatively consents in writing to
5 that use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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