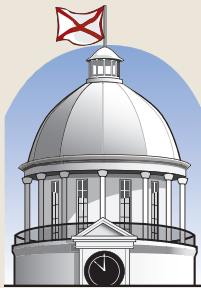


The Capital Breaks

February 5, 2010



Charter schools in other states have become a “lightning rod for litigation” because charter schools were suing for a share of local revenue going to existing public schools.

For contact information for your representative and direct email go to www.myaea.org

Danger of charter schools exposed at joint legislative hearing

State superintendents, members of boards of education, high school principals, and AEA made compelling arguments against a proposed charter school bill during a public hearing of a joint meeting of the House Education Appropriations Committee and the Senate Finance and Taxation Education Committee. The three-hour hearing on identical bills, Senate Bill 202 and House Bill 189, was held Wednesday, February 3.

While those who spoke in favor of establishing charter schools in Alabama spoke in terms of hope, choice, deregulation, and transformation, those opposing charter schools took a practical approach asking the committee how the state can fund yet another educational reform project while systems lack resources now to operate public schools.

Education associations that spoke in opposition of the charter school bills were AEA, the State Superintendents of Alabama (SSA), the Alabama Association of School Boards (AASB), and Council of Leaders for Alabama Schools (CLAS).

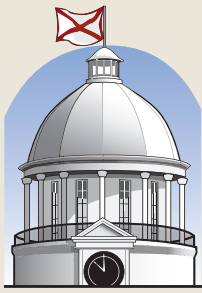
The two legislative committees are expected to vote on the bills Wednesday, Feb. 10.

What are the dangers of creating a dual charter school system in Alabama?

Here are facts revealed about the charter school bills during the meeting:

- Charter schools would be legal liabilities of local school systems.
- Local school systems would have no operational control over charter schools.
- The state could authorize a local charter school over the objections of a local board.
- Debts of charter schools are the ultimate responsibility of the local school system.
- Charter schools drain money from the existing public school system
- Other states contacted confirmed that, in every case, charter schools took money away from existing programs.
- Local school systems have no day-to-day control of a charter school
- Local boards could be sued for actions of the charter school.
- Only 75 percent of the charter employees have to be certified under the proposed charter bills.
- The bills do not require a charter to have a certified principal. A CEO, committee of teachers, or group of parents could run the school.

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HB 37 calls for immediate cancellation of the employment contract . . . of a non-probationary employee who is convicted of a felony or sex offense involving of a child.

Legislative action of education interest

TEACHING CERTIFICATE REVOKED FOR THOSE CONVICTED OF CLASS A FELONY (House Bill 37; Rep. Chad Fincher, R-Semmes)

AEA SUPPORTS HB 37

LAST ACTION: HB 37 received a favorable committee report from the House Education Committee and is now in committee in the Senate.

WHAT THE BILL DOES: HB 37 calls for immediate cancellation of the employment contract of a teacher on continuing service status, a principal, or a contract principal and the immediate termination of employment of a non-probationary employee who is convicted of a felony or sex offense involving of a child.

If the conviction resulting in the revocation of the teaching certificate or in termination of employment, is overturned on appeal, the teaching certificate or employment may be

reinstated by the State Superintendent of Education.

VACANCY POSTING REQUIRED FOR EDUCATION ADMINISTRATOR POSITIONS (House Bill 79; Rep. James Buskey, D-Mobile)

AEA SUPPORTS HB 79

LAST ACTION: HB 79 received a favorable report in the House Education Committee and is now in committee in the Senate

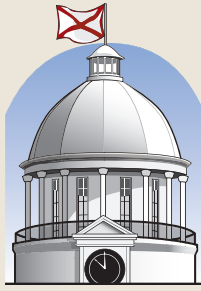
WHAT THE BILL DOES: HB 79 requires the posting of notices of vacancies in the positions of State Superintendent of Education, appointed city superintendent of education, Chancellor of Postsecondary Education, chief executive officer of any two-year school or college under the auspices of the State Board of Education.

The bill lists time frames for postings and specifics to be included in the vacancy announcement.

Dangers of charter school exposed a joint hearing

– Continued from page 1

- Charter schools in other states have become a “lightning rod for litigation” because charter schools are suing for a share of local revenue going to existing public schools.
- In North Carolina, home to 100 charter schools, two large class-action lawsuits have been filed to force local school systems to provide a large share of local funding to charter schools.
- Even funds dedicated to band boosters and athletic club boosters can be sued for charters to share funds.
- Charter bills allow private corporations to run charter schools
- AMSTI, Alabama’s Math, Science, and Technology serves only 40 percent of schools and funding charters would hurt that initiative.
- Charter schools are exclusive in that enrollment can be limited while public schools take every student that comes to the door.
- The charter bills would create a parallel school system dependent on chasing limited federal dollars that would spell the end of local control for schools.
- Charter bills require that the local school system pay 100 percent of funds obligated to a charter school guaranteeing charter schools will not be prorated even if public schools are under proration and suffering funding cuts.
- If deregulation of charter schools are the key to success, then remove all public schools from regulations.



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“It is time for the Riley people and his legislators to stop trying to demonize teachers and support professionals.”

– Paul Hubbert

Riley’s politicized and flawed code of ethics bites the dust

After almost a year of politics by Governor Bob Riley to force a disastrous Educator Code of Ethics into law that would have thrown the education profession into murky waters, the Alabama Legislature killed his plan.

The Alabama House voted to against Riley’s effort to keep the code alive by overriding Riley’s veto by 53 to 25. The House followed Senate action to stop Riley’s code the previous week 22-10.

What is remarkable is how weak the governor has become. As a “lame duck” in the final months of his term, Riley could only produce 25 members of the House to vote for his political scheme.

The previous week the Senate had taken the same action to stop the code from becoming law when only 10 senators voted with Riley for only 35 votes out of 140 members of the Legislature.

The governor’s political playbook called for the State Board of Education, now under his thumb, to force the Legislature to accept an ambiguous and unenforceable Educator Code of Ethics by refusing to consider a stronger code with clear language adopted by the Legislative Council last summer. Regardless of how bad Riley’s code of ethics was, he and the school board essentially made a political dare to the

Legislature to kill the code. The dare didn’t take.

Both houses rejected Riley’s political gamble, and with good reason. Riley’s political code, if it had become law, would have subjected Russian roulette-style disciplinary actions on the education profession leading all the way to decertification over a host of elusive and legally indefinable concepts.

Look in the upcoming issue of the *Alabama School Journal* to see which representatives AEA members should thank for ending Riley’s political ambition to harm the teaching profession. Take note also of the representatives who were determined to undermine the stability of the education profession by voting with Riley to put into law an ambiguous, vague, and legally unenforceable code of ethics.

“It is time for the Riley people and his legislators to stop trying to demonize teachers and support professionals,” said AEA’s Paul Hubbert. “Teachers and educational support professionals have the world on their shoulders, but all some of these politicians do is play political football with the lives of those who make our schools work.”