



For Immediate Release:

For more information, contact:

Susie Ellison
Alabama Education Association
800.392.5839
susiee@alaedu.org

Alabama Supreme Court Hears Important Public School Funding Case

Montgomery, Alabama, March 3, 2021 – Oral arguments were held before the Alabama Supreme Court earlier today at the Heflin-Torbert Judicial Building in Barnett, et al. v. Jones, et al. This case concerns the Morgan County Commission seeking to invalidate a law passed by the Legislature in 2019, sponsored by Senator Arthur Orr (R-Decatur), which directed the commission to forward tax money collected under the Simplified Sellers Use Tax (SSUT), a.k.a. the online sales tax, to local schools and volunteer fire departments. The Alabama Education Association (AEA) filed a lawsuit, which was later joined by several local superintendents and school districts, against the commission after it refused to provide the money as required by law. A Montgomery County Circuit Judge upheld the tax, ordering the commissioners to pay the money as directed, but the commissioners have appealed.

Attorney Sam Heldman was one of the attorneys arguing on behalf of the AEA and its members. He said, “I am pleased with the hearing today and hopeful that the justices understood why this case is important.”

Senator Orr attended the oral argument along with several other Alabama legislators and state officials.

Hartselle Superintendent Dr. Danna “DeeDee” Jones is a plaintiff in this case. She said, “The students in Alabama deserve the best education possible. Senator Orr understood that and sponsored a bill that would improve education in my school district as well as the other school districts in Morgan County. Hopefully, the judges see this and will do the right thing for the students in Morgan County.”

AEA Executive Director Amy Marlowe added, “First, I would like to thank Senator Orr for sponsoring forward-thinking legislation that will benefit public education in his district. Today is a great day for Alabama students and Alabama schools. Students sitting in classrooms today and in the future should not be penalized by a funding structure that was developed in a time when online sales could have never been imagined. Students and classrooms should not suffer because our shopping habits have moved from brick-and-mortar stores to online sales. And make no mistake, even though this issue has been exacerbated by the pandemic, it was not caused by the pandemic: online sales are here to stay. We’re not asking for more funding; we’re asking for schools to be made whole and not penalized for a funding formula that is no longer relevant in the 21st Century.”

AEA Associate Executive Director Theron Stokes said, “This case involves a legal question as to whether the Alabama Legislature had the authority to pass a law which would provide income for the public school students in Morgan County. Education is the life blood of our state. Therefore, this case really concerns the life and death of public education. The bill passed by the Alabama Legislature will guarantee that revenue will be provided to the students in Morgan County. I hope that the Alabama Supreme Court will do what is right for the public school students in the State of Alabama.”