



Alabama 'failing' list meant to 'humiliate' high poverty schools: Superintendent

Published: Apr. 14, 2023, 8:13 a.m.



Alabama State Superintendent Eric Mackey speaks to reporters.

By Jemma Stephenson and [Alabama Reflector](#)

The Alabama state superintendent said Thursday afternoon that state laws that label a set number of schools as “failing” were meant to humiliate struggling communities and push scholarships to private schools.

In remarks at an Alabama State Board of Education work session that followed comments from two Senate leaders, State Schools Superintendent Eric Mackey said that schools in high-poverty schools are showing “remarkable growth” and receiving “Cs” on the report card but remain on the failing list.

“And so, one thing they can do is just shift that language and do away with this bottom 6% that was designed to humiliate schools,” he said. “It was designed to humiliate schools and to cause frustration and problems in high poverty communities so it can be used as an excuse to fund scholarships.”

[More from Alabama Reflector](#)

The remarks amounted to some of the strongest public criticism Mackey has aired against the 2013 Alabama Accountability Act. Under the law, the bottom 6% of schools by test scores are defined as “failing schools,” regardless of their scores or any yearly progress.

Students zoned for failing schools are eligible for scholarships to attend other participating schools. Low-income students are also eligible for scholarships under the Act.

The legislation, shaped by former Senate President Pro Tem Del Marsh, R-Anniston, was modeled after a bill created by the American Legislative Exchange Council (ALEC), a conservative organization that creates model

legislation for state legislatures. Marsh was a proponent of charter schools and public money following students to those schools.

Critics of the Accountability Act have said that the “failing” label is stigmatizing and that calling the bottom 6% of schools “failing” does not necessarily reflect [work done in those schools](#) or the challenges they face.

Michael Sibley, communications director with the Alabama State Department of Education, has said previously that “failing” is not a term that the Department of Education uses.

Jefferson County Superintendent Walter B. Gonsoulin, Jr., whose district has several “failing schools,” [previously told the Reflector](#) that the “label can weigh negatively on your emotional state.”

Rep. A.J. McCampbell, D-Linden, [has sponsored a bill](#) that would redesignate failing schools as “lowest 6% schools.” The measure passed the House Education Policy Committee on Wednesday.

Mackey’s comments came after Senate President Pro Tempore Greg Reed, R-Jasper, and Senate Minority Leader Bobby Singleton, D-Greensboro, spoke to the board members about the test scores of students.

Singleton, whose district is in the rural Black Belt, said that he’s not happy that so many of the schools that end up on the “failing schools” list are schools with high rates of poverty.

“My children are smart,” he said.

He asked the board for more flexibility and professional development for those schools that struggle to stay off the list.

Reed said that he wanted to “echo” Singleton’s thoughts and hoped other lawmakers would watch how the Literacy Act and Numeracy Act played out over the next few years. The laws provide funding and coaching aimed at getting elementary and middle school students to perform at grade level. The Literacy Act requires third-grade students who do not read at a third-grade

level to be held back.

Reed said that he often has questions about the rate of school improvement and the “failing schools” list.

“I think the way we define that and what we do, report card, not a report card and all that some of that, though, it’s not really accurate in describing what’s really going on in some of these schools,” Reed said.

Mackey said after the lawmakers left that the Alabama Accountability Act had been “poorly written” and that he had spoken with legislators to do away with the “failing schools” list. The superintendent said he wanted to use state report cards to measure schools. Unlike the current list, the state report cards encompass factors beyond achievement, including improvement.

If you purchase a product or register for an account through a link on our site, we may receive compensation. By using this site, you consent to our [User Agreement](#) and agree that your clicks, interactions, and personal information may be collected, recorded, and/or stored by us and social media and other third-party partners in accordance with our [Privacy Policy](#).



About Us

About Alabama Media Group
Jobs at Alabama Media Group
Advertise with us
About AL.com
Frequently Asked Questions
Accessibility Statement
Contact Us
Online Store

Subscriptions

AL.com