

1 HB191  
2 155897-4  
3 By Representative Rich  
4 RFD: Education Policy  
5 First Read: 14-JAN-14

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ENGROSSED

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 16-28-3, Code of Alabama 1975, relating to school attendance; to require any child who withdraws from a public school to enroll in and attend an accredited online school to be counted as a transfer student; and to require grade placement testing for any student who later returns to a public school.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This bill does not and should not be interpreted to create on-line schools. However, if a student chooses to attend an accredited, state authorized on-line school, that student's former school should not be penalized by the student being classified as a dropout.

Section 2. Section 16-28-3, Code of Alabama 1975, is amended to read as follows:

"§16-28-3.

Every (a) Except as otherwise provided in subsection (b), every child between the ages of six and 17 years shall be required to attend a public school, private school, church school, or be instructed by a competent private tutor for the entire length of the school term in every

1 scholastic year except that, prior to attaining his or her  
2 16th birthday every child attending a church school as defined  
3 in Section 16-28-1 is exempt from the requirements of this  
4 section, provided such child complies with enrollment and  
5 reporting procedure specified in Section 16-28-7. Admission to  
6 public school shall be on an individual basis on the  
7 application of the parents, legal custodian, or guardian of  
8 the child to the local board of education at the beginning of  
9 each school year, under such rules and regulations as the  
10 board may prescribe. The parent, legal custodian, or guardian  
11 of a child who is six years of age, may opt out of enrolling  
12 their child in school at the age of six years by notifying the  
13 local school board of education, in writing, that the child  
14 will not be enrolled in school until he or she is seven years  
15 of age.

16 "(b) If a child withdraws from a public school, upon  
17 verification of enrollment in an a Southern Association of  
18 Colleges and Schools or any entity with accreditation status  
19 as determined by one of the agencies identified on the United  
20 States Department of Education's list of Recognized National  
21 and Regional Accrediting Agencies or their affiliates  
22 accredited and recognized online school which has been  
23 authorized by the Alabama State Department of Education to  
24 provide instruction in lieu of in-person instruction, the  
25 child shall be counted as a transfer student.

1                   "(c) If a child returns to a public school, semester  
2 exams shall be given to the child to determine grade  
3 placement."

4                   Section 3. This act shall become effective on the  
5 first day of the third month following its passage and  
6 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Education Policy  
..... . . . . 14-JAN-14

Read for the second time and placed  
on the calendar 1 amendment ..... . . . . 22-JAN-14

Read for the third time and passed  
as amended..... . . . . 13-FEB-14

Yeas 98, Nays 0, Abstains 0

Jeff Woodard  
Clerk