

1 HB479
2 157728-1
3 By Representative Fincher
4 RFD: Education Policy
5 First Read: 13-FEB-14

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8 SYNOPSIS: This bill would establish the Virtual Public
9 Schools Act.

10 This bill would provide parents, guardians,
11 and the State Board of Education with an
12 alternative choice for offering educational
13 resources to students via the Internet in a virtual
14 or remote setting.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT

19
20 Relating to public K-12 education; to establish the
21 Virtual Public Schools Act; to provide for the establishment
22 of a virtual public schools by the State Board of Education;
23 to provide for the responsibilities and duties of virtual
24 public schools; to provide for the annual evaluation of each
25 virtual public school; and to require the State Department of
26 Education to promulgate rules to implement the act.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. This act shall be known and may be cited
2 as the Virtual Public Schools Act.

3 Section 2. The purpose of this act is to provide
4 parents, guardians, and the State Board of Education with an
5 alternative choice for offering additional educational
6 resources in an effort to improve academic achievement.

7 Section 3. For the purposes of this act, a virtual
8 school is a public school in which the school uses technology
9 in order to deliver a significant portion of instruction to
10 its students via the Internet in a virtual or remote setting.

11 Section 4. A virtual school may be established by
12 the State Board of Education according to rules promulgated by
13 the State Department of Education. A virtual school shall be a
14 public school and shall be provided resources as any other
15 public school in the state. Nothing in this act shall require
16 the appropriation of locally assessed and collected revenue
17 earmarked for local education purposes to be appropriated to
18 virtual schools unless specifically authorized by the local
19 board of education.

20 Section 5. A virtual school shall provide each
21 student enrolled in the school with all of the following:

22 (1) Access to a sequential curriculum that meets or
23 exceeds the curriculum standards adopted by the State Board of
24 Education. The sequential curriculum shall have an interactive
25 program with significant online components.

26 (2) The same number of instructional days, or the
27 hourly equivalent thereof, for learning opportunities per

1 academic year that is required under Section 16-13-231, Code
2 of Alabama 1975, for public school students. A student, at his
3 or her own pace, may demonstrate mastery or completion of a
4 course or subject area and be given credit for the course or
5 subject area.

6 (3) Regular assessment in language arts, math,
7 science, and social studies.

8 Section 6. For each family with a student enrolled,
9 the virtual school shall do all of the following:

10 (1) Provide instructional materials.

11 (2) Ensure materials and access to necessary
12 technology such as computer, printer, and Internet connection
13 used for school work or, at minimum, through a physical
14 computer lab that is available to the student through
15 regularly scheduled times.

16 Section 7. A virtual school may not provide
17 assistance to students or families to purchase instructional
18 programs or materials. Nothing in this section shall prohibit
19 a virtual school from reimbursing families for costs
20 associated with their Internet connection for use in the
21 virtual school program.

22 Section 8. Each teacher employed at a virtual school
23 shall be qualified to teach in this state under existing law.

24 Section 9. Nothing in this act shall preclude the
25 use of computer-based and Internet-based instruction for
26 students in a virtual or remote setting.

1 Section 10. A virtual school shall maintain an
2 administrative office within the state. This office shall be
3 considered the principal place of business for the virtual
4 school.

5 Section 11. Any student who is eligible for
6 enrollment in a public school in this state may enroll in a
7 virtual school as either a full-time virtual school student or
8 as a part-time virtual school student taking some of his or
9 her courses through the virtual school. A local board of
10 education may charge tuition to any person not enrolled in a
11 public school within the local board of education district for
12 attendance in a local board of education established virtual
13 school.

14 Section 12. A virtual school shall be evaluated
15 annually by State Board of Education based on all of the
16 following criteria:

17 (1) The extent to which the school demonstrates
18 increases in student achievement according to the goals of its
19 authorizing contract and state academic standards.

20 (2) The accountability and viability of the virtual
21 school, as demonstrated by its academic, fiscal, and
22 operational performance.

23 Section 13. The State Board of Education may
24 contract for services with nonprofit and for-profit entities
25 in the operation and management of the virtual school.

26 Section 14. The State Department of Education shall
27 promulgate rules to effectuate the purposes of this act. All

1 such rules shall be promulgated in accordance with the Alabama
2 Administrative Procedure Act, Chapter 22, Title 41, Code of
3 Alabama 1975.

4 Section 15. 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.