

1 SB297
2 211160-1
3 By Senator Chambliss
4 RFD: Education Policy
5 First Read: 03-MAR-21

SYNOPSIS: Under existing law, the Alabama School Choice and Student Opportunity Act provides for the establishment of public charter schools in the state.

This bill would specify that the physical location of a public charter school may be up to one mile outside of the attendance area of the public charter school provided that the physical location is within the corporate limits of a municipality that lies in two counties.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 16-6F-5, relating to the Alabama School Choice and Student Opportunity Act; to provide further for the physical location and attendance area of a public charter school that is within the corporate limits of a municipality that lies in two counties.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 16-6F-5 of the Code of Alabama
3 1975, is amended to read as follows:

4 "§16-6F-5.

5 "(a) Open enrollment.

6 "(1) A public charter school shall be open to any
7 student residing in the state.

8 "(2) A school system shall not require any student
9 enrolled in the school system to attend a start-up public
10 charter school.

11 "(3) A public charter school shall not limit
12 admission based on ethnicity, national origin, religion,
13 gender, income level, disability, proficiency in the English
14 language, or academic or athletic ability.

15 "(4) A public charter school may limit admission to
16 students within a given age group or grade level and may be
17 organized around a special emphasis, theme, or concept as
18 stated in the school's charter application, but fluency or
19 competence in the theme may not be used as a standard for
20 enrollment.

21 "(5) A public charter school shall enroll all
22 students who wish to attend the school, unless the number of
23 students exceeds the capacity of the facility identified for
24 the public charter school.

25 "(6) If facility capacity is insufficient to enroll
26 all students who wish to attend a start-up public charter
27 school, the school shall select students through a random

1 selection process. The school shall first enroll students who
2 reside within the school system in which the public charter
3 school is located. If the number of local students wanting to
4 enroll exceeds the facility's capacity, then the school shall
5 conduct a random selection process to enroll students who
6 reside in the local school system. If the school has
7 additional capacity after admitting students from the local
8 school system, then the school shall admit any students
9 without regard to their residency by a random selection
10 process. The selection shall take place in a public meeting,
11 called by the governing body of the public charter school, and
12 following all posting and notice requirements prescribed by
13 the Alabama Open Meetings Act.

14 "(7) Any non-charter public school converting
15 partially or entirely to a public charter school shall adopt
16 and maintain a policy giving enrollment preference to students
17 who reside within the former attendance area of that public
18 school. After all students who reside within the former
19 attendance area of that public school are enrolled, enrollment
20 shall first be opened to students residing within the local
21 school system and then outside the local school system, as set
22 forth in subdivision (6).

23 "(8) A public charter school shall give enrollment
24 preference to students enrolled in the public charter school
25 the previous school year and to siblings of students already
26 enrolled in the public charter school.

1 "(9) A public charter school may give enrollment
2 preference to children of a public charter school's founders,
3 governing board members, and full-time employees, so long as
4 they constitute no more than 10 percent of the school's total
5 student population.

6 "(10) This subsection does not preclude the
7 formation of a public charter school whose mission is focused
8 on serving special education students, students of the same
9 gender, students who pose such severe disciplinary problems
10 that they warrant a specific educational program, or students
11 who are at risk of academic failure. Notwithstanding the
12 stated mission of the public charter school, any student may
13 attend.

14 "(11) Any provision of law to the contrary
15 notwithstanding, the physical location of a public charter
16 school may be up to one mile outside of the attendance area of
17 the public charter school provided that the physical location
18 is within the corporate limits of a municipality that lies in
19 two counties.

20 "(b) Credit transferability. If a student who was
21 previously enrolled in a public charter school enrolls in
22 another public school in Alabama, the student's new school
23 shall accept credits earned by the student in courses or
24 instructional programs at the public charter school in a
25 uniform and consistent manner and according to the same
26 criteria that are used to accept academic credits from other
27 public schools. Nothing in this chapter shall prevent local

1 school systems from administering placement tests for newly
2 enrolled students who were previously enrolled in a public
3 charter school.

4 "(c) Determination of student capacity of public
5 charter schools. The capacity of the public charter school
6 shall be determined annually by the governing board of the
7 public charter school in conjunction with the authorizer and
8 in consideration of the public charter school's ability to
9 facilitate the academic success of its students, to achieve
10 the other objectives specified in the charter contract, and to
11 ensure that its student enrollment does not exceed the
12 capacity of its facility or site.

13 "(d) Student information. A public charter school
14 shall maintain records on all enrolled students utilizing the
15 state adopted Alabama Student Information System (ASIM)."

16 Section 2. This act shall become effective on the
17 first day of the third month following its passage and
18 approval by the Governor, or its otherwise becoming law.