

1 SB72
2 164834-4
3 By Senator Brewbaker
4 RFD: Education and Youth Affairs
5 First Read: 03-MAR-15

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to public K-12 education; to require, at a
12 minimum, each local board of education to adopt a policy for
13 providing a virtual school option for eligible students in
14 grades nine to 12, inclusive.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. (a) Before the 2016-2017 school year,
17 each local board of education shall adopt a policy providing,
18 at a minimum, a virtual education option for eligible students
19 in grades nine to 12, inclusive, beginning with that school
20 year.

21 Any virtual school operating in this state that
22 provides educational services to public school students shall
23 comply with this act.

24 (b) The policy adopted by the local board of
25 education pursuant to this act shall govern the virtual school
26 program offered by the local board of education. The policy
27 shall offer students in grades nine to 12, inclusive, an

1 online pathway for earning a high school diploma and, at a
2 minimum, shall include all of the following:

3 (1) The scope and delivery of virtual options.

4 (2) Student eligibility criteria for initial and
5 continuing participation in the virtual program.

6 (3) Specific requirements for monitoring performance
7 and testing protocol consistent with this act.

8 (4) Attendance requirements, if any.

9 (c) A local board of education shall not be required
10 to utilize a state program or vendor for the provision of
11 virtual school options.

12 Section 2. (a) A full-time student enrolled in a
13 virtual program shall be enrolled and counted in the average
14 daily membership of the local school, participate in state
15 testing and accountability requirements through the local
16 school system, and, upon satisfying the graduation
17 requirements of the local board of education, receive a
18 diploma from the local school system.

19 (b) Any provision of this act to the contrary
20 notwithstanding, a student enrolled in a virtual school
21 program offered by his or her local school system shall be
22 treated as if he or she is attending his or her local school
23 in the attendance zone in which they reside for purposes of
24 participating in extracurricular activities and shall be
25 subject to the same requirements, including Alabama High
26 School Athletic Association rules, imposed on a traditional

1 public school student enrolled in the traditional public
2 school.

3 In addition, if local board of education policy
4 permits inter-system transfer for all students, a student
5 enrolled under this policy shall be treated as if he or she is
6 attending his or her school of record for the purposes of
7 participating in extracurricular activities and shall be
8 subject to the same requirements, including Alabama High
9 School Athletic Association rules, imposed on a traditional
10 public school student enrolled in the traditional public
11 school.

12 (c) A board of education shall be exempt from any
13 provision of general law, local law, or administrative rule
14 that applies to the traditional delivery of instruction
15 including, but not limited to, requirements relating to the
16 physical presence of a student, student monitoring and
17 security, staffing requirements, transportation obligations,
18 facility requirements, space and location requirements, time
19 requirements, and physical education requirements to the
20 extent any of the foregoing conflict with the delivery of the
21 virtual program.

22 (d) A local board of education is not subject to
23 online course restrictions imposed by the State Department of
24 Education.

25 (e) Any online course delivery that is not supported
26 by the State Department of Education shall be accredited by an

1 institution recognized pursuant to administrative rule adopted
2 by the department.

3 (f) Coursework offered through a virtual program
4 shall contain the required content as identified in the
5 applicable Alabama course of study.

6 Section 3. The State Department of Education shall
7 provide a repository of quality content and curriculum for
8 local boards of education providing virtual education. The
9 department shall continue to provide its virtual platform
10 Alabama Connecting Classrooms, Educators, and Students
11 Statewide (ACCESS), which shall be available to local school
12 systems at no local cost, and shall include, at a minimum,
13 required courses necessary for students in grades nine to 12,
14 inclusive, to graduate.

15 Section 4. (a) A legislative task force representing
16 local school superintendents, local school board members,
17 administrators, teachers, and technology practitioners is
18 established to review and make recommendations for realigning
19 the funding, structure, and curriculum of the ACCESS program
20 and to aid in the implementation of this act. The task force
21 shall consist of all of the following:

22 (1) Four members, with two appointed by the Chair of
23 the Senate Education and Youth Affairs Committee and two
24 appointed by the Chair of the House of Representatives
25 Education Policy Committee.

26 (2) Two members, with one appointed by the Chair of
27 the Senate Finance and Taxation Education Committee and one

1 appointed by the Chair of the House of Representatives Ways
2 and Means Education Committee.

3 (3) Two members appointed by the Governor.

4 (4) Two members appointed by the State
5 Superintendent of Education.

6 (5) One representative from each of the following:
7 The Alabama Association of School Boards, the School
8 Superintendents of Alabama, the Council for Leaders in Alabama
9 Schools, the Alabama Educational Technology Association, and
10 the Office of Educational Technology of the State Department
11 of Education.

12 (b) The membership of the task force shall be
13 inclusive and reflect the racial, gender, geographic,
14 urban/rural, and economic diversity of the state.

15 (c) At the organizational meeting of the committee,
16 the members shall select a chair and a vice chair. The chair
17 of the committee may create advisory subcommittees and appoint
18 members thereto, which may include members of the committee,
19 representatives from governmental agencies, and members of the
20 public with interest and expertise in the objectives of the
21 committee.

22 (d) The committee shall thereafter meet at the call
23 of the chair or any majority of the members thereof; provided,
24 that the committee shall meet at least once each four months.
25 The committee may meet, act, and conduct its business at any
26 place within this state during the sessions of the Legislature
27 or any recess thereof and in the interim period between

1 sessions. Each legislative member of the committee or any
2 subcommittee, if created, shall be entitled to his or her
3 legislative compensation, per diem, and travel as provided in
4 Amendment 871 of the Constitution of Alabama of 1901.

5 (e) The task force shall report its findings and
6 recommendations to the Legislature on or before the 2016
7 Regular Session, and then shall meet as needed to fulfill the
8 purposes of this act.

9 Section 5. All laws or parts of laws which conflict
10 with this act are repealed.

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

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Senate

Read for the first time and referred to the Senate
committee on Education & Youth Affairs..... 03-MAR-15

Read for the second time and placed on the calen-
dar 1 amendment..... 18-MAR-15

Read for the third time and passed as amended 31-MAR-15

Yeas 32
Nays 1

Patrick Harris
Secretary