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3 HOUSE EDUCATION POLICY COMMITTEE SUBSTITUTE FOR HB245
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8 SYNOPSIS: This bill would require, at a minimum, each
9 local board of education to adopt a policy for
10 providing a virtual school option for eligible
11 students in grades nine to 12, inclusive.
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13 A BILL
14 TO BE ENTITLED
15 AN ACT
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17 Relating to public K-12 education; to require, at a
18 minimum, each local board of education to adopt a policy for
19 providing a virtual school option for eligible students in
20 grades nine to 12, inclusive.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. (a) Before the 2016-2017 school year,
23 each local board of education shall adopt a policy providing,
24 at a minimum, a virtual education option for eligible students
25 in grades nine to 12, inclusive, beginning with that school
26 year.

1 Any virtual school operating in this state that
2 provides educational services to public school students shall
3 comply with this act.

4 (b) The policy adopted by the local board of
5 education pursuant to this act shall govern the virtual school
6 program offered by the local board of education. The policy
7 shall offer students in grades nine to 12, inclusive, an
8 online pathway for earning a high school diploma and, at a
9 minimum, shall include all of the following:

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

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

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

15 (4) Attendance requirements, if any.

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

19 Section 2. (a) A full-time student enrolled in a
20 virtual program shall be enrolled and counted in the average
21 daily membership of the local school, participate in state
22 testing and accountability requirements through the local
23 school system, and, upon satisfying the graduation
24 requirements of the local board of education, receive a
25 diploma from the local school system.

26 (b) Any provision of this act to the contrary
27 notwithstanding, a student enrolled in a virtual school

1 program offered by his or her local school system shall be
2 treated as if he or she is attending his or her local school
3 in the attendance zone in which he or she resides for purposes
4 of participating in extracurricular activities and shall be
5 subject to the same requirements, including Alabama High
6 School Athletic Association rules, imposed on a traditional
7 public school student enrolled in the traditional public
8 school.

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

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

1 (d) A local board of education is not subject to
2 online course restrictions imposed by the State Department of
3 Education.

4 (e) Any online course delivery that is not supported
5 by the State Department of Education shall be accredited by an
6 institution recognized pursuant to administrative rule adopted
7 by the department.

8 (f) Coursework offered through a virtual program
9 shall contain the required content as identified in the
10 applicable Alabama course of study.

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

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

1 (1) Four members, with two appointed by the Chair of
2 the Senate Education and Youth Affairs Committee and two
3 appointed by the Chair of the House of Representatives
4 Education Policy Committee.

5 (2) Two members, with one appointed by the Chair of
6 the Senate Finance and Taxation Education Committee and one
7 appointed by the Chair of the House of Representatives Ways
8 and Means Education Committee.

9 (3) Two members appointed by the Governor.

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

12 (5) One representative from each of the following:
13 The Alabama Association of School Boards, the School
14 Superintendents of Alabama, the Council for Leaders in Alabama
15 Schools, the Alabama Educational Technology Association, and
16 the Office of Educational Technology of the State Department
17 of Education.

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

21 (c) At the organizational meeting of the committee,
22 the members shall select a chair and a vice chair. The chair
23 of the committee may create advisory subcommittees and appoint
24 members thereto, which may include members of the committee,
25 representatives from governmental agencies, and members of the
26 public with interest and expertise in the objectives of the
27 committee.

1 (d) The committee shall thereafter meet at the call
2 of the chair or any majority of the members thereof; provided,
3 that the committee shall meet at least once each four months.
4 The committee may meet, act, and conduct its business at any
5 place within this state during the sessions of the Legislature
6 or any recess thereof and in the interim period between
7 sessions. Each legislative member of the committee or any
8 subcommittee, if created, shall be entitled to his or her
9 legislative compensation, per diem, and travel as provided in
10 Amendment 871 of the Constitution of Alabama of 1901.

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

15 Section 5. All laws or parts of laws which conflict
16 with this act are repealed.

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