

1 HB360  
2 166339-1  
3 By Representative McClammy  
4 RFD: Education Policy  
5 First Read: 31-MAR-15

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8 SYNOPSIS: Under existing law, a child must be six  
9 years of age by September 1 or the date on which  
10 school begins in order to be admitted to first  
11 grade.

12 This bill would change to December 31 the  
13 date by which a child must turn six years of age to  
14 be admitted to first grade for that school year.

15  
16 A BILL  
17 TO BE ENTITLED  
18 AN ACT

19  
20 Relating to admission to schools; to amend Section  
21 16-28-4, Code of Alabama 1975; to provide that a child must  
22 will be six years of age on or before December 31 to be  
23 admitted to first grade for that school year.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 16-28-4, Code of Alabama 1975, is  
26 amended to read as follows:

27 "§16-28-4.

1           "(a) A child who ~~is~~ will be six years of age on or  
2 before ~~September 1 or the date on which school begins in the~~  
3 ~~enrolling district~~ December 31 shall be entitled to admission  
4 to the public elementary schools at the opening of such  
5 schools for that school year or as soon as practicable  
6 thereafter. A child who ~~is~~ will be under six years of age on  
7 ~~September 1 or the date on which school begins in the~~  
8 ~~enrolling district~~ December 31 shall not be entitled to  
9 admission to the first grade in the public elementary schools  
10 during that school year; except, that an underage child who  
11 transfers from the first grade of a school in another state  
12 may be admitted to school upon approval of the board of  
13 education in authority, and an underage child who has moved  
14 into this state having completed or graduated from a mandated  
15 kindergarten program in another state shall be entitled to  
16 admission to the public elementary schools regardless of age.  
17 A child who becomes six years of age on or before February 1  
18 may, on approval of the board of education in authority, be  
19 admitted at the beginning of the second semester of that  
20 school year to schools in school systems having semiannual  
21 promotions of pupils.

22           "(b) A child who ~~is~~ will be five years of age on or  
23 before ~~September 1 or the date on which school begins in the~~  
24 ~~enrolling district~~ December 31 shall be entitled to admission  
25 to the local public school kindergartens at the opening of  
26 such schools for that school year or as soon as practicable  
27 thereafter; a child who ~~is~~ will be under five years of age on

1 ~~September 1 or the date on which school begins in the~~  
2 ~~enrolling district~~ December 31 shall not be entitled to  
3 admission to such schools during that school year; except  
4 that, an underage child who transfers from the public school  
5 kindergarten in another state may be admitted to local public  
6 kindergarten on the prior approval of the local board of  
7 education on a space available basis. The aforementioned  
8 underage children transferring from the public school  
9 kindergartens of another state, upon successful completion of  
10 the kindergarten in the local public schools, will then be  
11 allowed admission to the first grade of the local public  
12 schools.

13 ~~"(c) Students who were four years of age on or~~  
14 ~~before October 1, 1989, and are enrolled in a public, private~~  
15 ~~or church four-year-old program or kindergarten during the~~  
16 ~~1989-90 school year will be allowed to enroll in a~~  
17 ~~five-year-old public kindergarten, applicable only for the~~  
18 ~~1990-91 school year and to enroll in grade one of a public~~  
19 ~~school, applicable only for 1991-92 school year. Students who~~  
20 ~~are already enrolled in a public, private or church~~  
21 ~~kindergarten will be allowed to enroll in grade one of a~~  
22 ~~public school, applicable only for the 1990-91 school year.~~

23 ~~"(d) (c)~~ No public school system shall lose any  
24 teacher unit as a result of this section. The State Board of  
25 Education is authorized to adopt policies for local boards of  
26 education for the implementation of this section."

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