

1 HB245
2 165570-1
3 By Representatives Henry, Baker and Johnson (K)
4 RFD: Education Policy
5 First Read: 11-MAR-15

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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.

12
13 A BILL
14 TO BE ENTITLED
15 AN ACT

16
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 (b) The policy adopted by the local board of
2 education pursuant to this act shall govern the virtual school
3 program offered by the local board of education. The policy
4 shall offer students in grades nine to 12, inclusive, an
5 online pathway for earning a high school diploma and, at a
6 minimum, shall include all of the following:

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

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

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

12 (4) Attendance requirements, if any.

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

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

23 (b) Any provision of this act to the contrary
24 notwithstanding, a student participating in a virtual school
25 program offered by his or her local school system shall be
26 treated as if he or she is attending his or her zoned
27 traditional public school system for purposes of participating

1 in extracurricular activities and shall be subject to the same
2 requirements imposed on a traditional student enrolled in the
3 traditional school.

4 (c) A board of education shall be exempt from any
5 provision of general law, local law, or administrative rule
6 that applies to the traditional delivery of instruction
7 including, but not limited to, requirements relating to the
8 physical presence of a student, student monitoring and
9 security, staffing requirements, transportation obligations,
10 facility requirements, space and location requirements, time
11 requirements, and physical education requirements to the
12 extent any of the foregoing conflict with the delivery of the
13 virtual program.

14 (d) A local board of education is not subject to
15 online course restrictions imposed by the State Department of
16 Education.

17 (e) Any online course delivery that is not supported
18 by the State Department of Education shall be accredited by an
19 institution recognized pursuant to administrative rule adopted
20 by the department.

21 (f) Coursework offered through a virtual program
22 shall contain the required content as identified in the
23 applicable Alabama course of study.

24 Section 3. The State Department of Education shall
25 provide a repository of quality content and curriculum for
26 local boards of education providing virtual education. The
27 department shall continue to provide its virtual platform

1 Alabama Connecting Classrooms, Educators, and Students
2 Statewide (ACCESS), which shall be available to local school
3 systems at no local cost, and shall include, at a minimum,
4 required courses necessary for students in grades nine to 12,
5 inclusive, to graduate.

6 Section 4. (a) A legislative task force representing
7 local school superintendents, local school board members,
8 administrators, teachers, and technology practitioners is
9 established to review and make recommendations for realigning
10 the funding, structure, and curriculum of the ACCESS program
11 and to aid in the implementation of this act. The task force
12 shall consist of all of the following:

13 (1) Four members, with two appointed by the Chair of
14 the Senate Education and Youth Affairs Committee and two
15 appointed by the Chair of the House of Representatives
16 Education Policy Committee.

17 (2) Two members, with one appointed by the Chair of
18 the Senate Finance and Taxation Education Committee and one
19 appointed by the Chair of the House of Representatives Ways
20 and Means Education Committee.

21 (3) Two members appointed by the Governor.

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

24 (5) One representative from each of the following:
25 The Alabama Association of School Boards, the School
26 Superintendents of Alabama, the Council for Leaders in Alabama
27 Schools, the Alabama Educational Technology Association, and

1 the Office of Educational Technology of the State Department
2 of Education.

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

6 (c) At the organizational meeting of the committee,
7 the members shall select a chair and a vice chair. The chair
8 of the committee may create advisory subcommittees and appoint
9 members thereto, which may include members of the committee,
10 representatives from governmental agencies, and members of the
11 public with interest and expertise in the objectives of the
12 committee.

13 (d) The committee shall thereafter meet at the call
14 of the chair or any majority of the members thereof; provided,
15 that the committee shall meet at least once each four months.
16 The committee may meet, act, and conduct its business at any
17 place within this state during the sessions of the Legislature
18 or any recess thereof and in the interim period between
19 sessions. Each legislative member of the committee or any
20 subcommittee, if created, shall be entitled to his or her
21 legislative compensation, per diem, and travel as provided in
22 Amendment 871 of the Constitution of Alabama of 1901.

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

1 Section 5. 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.