

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

1 SB72

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4 ENROLLED, An Act,

5 Relating to public K-12 education; to require, at a
6 minimum, each local board of education to adopt a policy for
7 providing a virtual school option for eligible students in
8 grades nine to 12, inclusive.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

15 Any virtual school operating in this state that
16 provides educational services to public school students shall
17 comply with this act.

18 (b) The policy adopted by the local board of
19 education pursuant to this act shall govern the virtual school
20 program offered by the local board of education. The policy
21 shall offer students in grades nine to 12, inclusive, an
22 online pathway for earning a high school diploma and, at a
23 minimum, shall include all of the following:

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

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

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

5 (4) Attendance requirements, if any.

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

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

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

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

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

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

23 (e) Any online course delivery that is not supported
24 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.

1 (2) Two members, with one appointed by the Chair of
2 the Senate Finance and Taxation Education Committee and one
3 appointed by the Chair of the House of Representatives Ways
4 and Means Education Committee.

5 (3) Two members appointed by the Governor.

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

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

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

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

24 (d) The committee shall thereafter meet at the call
25 of the chair or any majority of the members thereof; provided,

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

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

13 Section 5. All laws or parts of laws which conflict
14 with this act are repealed.

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB72
Senate 31-MAR-15
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Passed: 23-APR-15

By: Senator Brewbaker