HB128
146579-2
By Representative Rich
RFD: Education Policy
First Read: 05-FEB-13
A BILL
TO BE ENTITLED
AN ACT

To amend Section 16-28-3, Code of Alabama 1975, as amended by Act 2012-295, 2012 Regular Session, relating to school attendance; to require any child who withdraws from a public school to enroll in and attend an accredited online school to be counted as a transfer student; and to require grade placement testing for any student who later returns to a public school.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 16-28-3 of the Code of Alabama 1975, is amended to read as follows:

"§16-28-3.

"(a) Except as otherwise provided in subsection (b), every child between the ages of six and 17 years shall be required to attend a public school, private school, church school, or be instructed by a competent private tutor for the entire length of the school term in every scholastic year except that, prior to attaining his or her 16th birthday every child attending a church school as defined in Section 16-28-1 is exempt from the requirements of this section, provided such child complies with enrollment and reporting procedure
specified in Section 16-28-7. Admission to public school shall be on an individual basis on the application of the parents, legal custodian, or guardian of the child to the local board of education at the beginning of each school year, under such rules and regulations as the board may prescribe. The parent, legal custodian, or guardian of a child who is six years of age, may opt out of enrolling their child in school at the age of six years by notifying the local school board of education, in writing, that the child will not be enrolled in school until he or she is seven years of age.

"(b) A child who withdraws from a public school, church school, or private school to enroll in and attend an accredited online school may not be considered a dropout or non-graduate for the purpose of determining graduation rates."

"(b) If a child withdraws from a public school, upon verification of enrollment in an accredited and recognized online school, the child shall be counted as a transfer student.

"(c) If a child returns to a public school, semester exams shall be given to the child to determine grade placement."

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

Read for the first time and referred to the House of Representatives committee on Education Policy

........................................... 05-FEB-13

Read for the second time and placed on the calendar 1 amendment ...... 07-MAR-13

Read for the third time and passed as amended.......................... 02-APR-13

Yeas 87, Nays 6, Abstains 0

Jeff Woodard
Clerk