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

ENROLLED, An Act,

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

(1) The scope and delivery of virtual options.
(2) Student eligibility criteria for initial and continuing participation in the virtual program.

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

(4) Attendance requirements, if any.

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

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

(b) Any provision of this act to the contrary notwithstanding, a student enrolled in a virtual school program offered by his or her local school system shall be treated as if he or she is attending his or her local school in the attendance zone in which they reside for purposes of participating in extracurricular activities and shall be subject to the same requirements, including Alabama High School Athletic Association rules, imposed on a traditional public school student enrolled in the traditional public school.
In addition, if local board of education policy permits inter-system transfer for all students, a student enrolled under this policy shall be treated as if he or she is attending his or her school of record for the purposes of participating in extracurricular activities and shall be subject to the same requirements, including Alabama High School Athletic Association rules, imposed on a traditional public school student enrolled in the traditional public school.

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

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

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

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

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

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

(1) Four members, with two appointed by the Chair of the Senate Education and Youth Affairs Committee and two appointed by the Chair of the House of Representatives Education Policy Committee.
(2) Two members, with one appointed by the Chair of
the Senate Finance and Taxation Education Committee and one
appointed by the Chair of the House of Representatives Ways
and Means Education Committee.

(3) Two members appointed by the Governor.

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

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

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

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

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

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

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

Section 6. 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.
Kay Ivey
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

APPROVED 4-28-15
TIME 1:50PM

Robert Bentley
GOVERNOR

Alabama Secretary Of State
Act Num....: 2015-09
Bill Num....: S-72
Recv'd 04/28/15 02:15pmSLF
I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 74.

yeas 29, nays 1, abstain 0

PATRICK HARRIS, Secretary

This bill having been referred by the House to its standing committee on education policy was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be passed w/amend(s) w/sub.

This 8th day of April, 2015

Chairperson

CONFERENCE COMMITTEE

Senate Conferees

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 74.

YEAS 74, NAYS 17

JEFF WOODARD, Clerk