

1 HB128
2 146579-1
3 By Representative Rich
4 RFD: Education Policy
5 First Read: 05-FEB-13

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, a student who enrolls in
9 an online school is considered a non-graduate or
10 dropout for purposes of determining high school
11 graduation rates.

12 This bill would prohibit any child who
13 withdraws from a public school, church school, or
14 private school to enroll in and attend an
15 accredited online school from being considered a
16 dropout or non-graduate for the purpose of
17 determining graduation rates.

18
19 A BILL
20 TO BE ENTITLED
21 AN ACT
22

23 To amend Section 16-28-3, Code of Alabama 1975, as
24 amended by Act 2012-295, 2012 Regular Session, relating to
25 school attendance; to prohibit any child who withdraws from a
26 public school, church school, or private school to enroll in
27 and attend an accredited online school from being considered a

1 dropout or non-graduate for the purpose of determining
2 graduation rates.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 16-28-3 of the Code of Alabama
5 1975, is amended to read as follows:

6 "§16-28-3.

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

26 "(b) A child who withdraws from a public school,
27 church school, or private school to enroll in and attend an

1 accredited online school may not be considered a dropout or
2 non-graduate for the purpose of determining graduation rates."

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