

1 SB428
2 159562-1
3 By Senators Ross and Brewbaker
4 RFD: Education
5 First Read: 04-MAR-14

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8 SYNOPSIS: This bill would establish the Virtual Public
9 Schools Act.

10 This bill would provide parents, guardians,
11 and the State Department of Education with an
12 alternative choice for offering educational
13 resources through ACCESS Distance Learning to
14 students via the Internet in a virtual setting.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT

19
20 Relating to public K-12 education; to establish the
21 Virtual Public Schools Act; to provide for the establishment
22 of virtual public schools by the State Board of Education; to
23 provide for the responsibilities and duties of virtual public
24 schools; to provide for the annual evaluation of each virtual
25 public school; and to require the State Board of Education to
26 promulgate rules to implement the act.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. This act shall be known and may be cited
2 as the Virtual Public Schools Act.

3 Section 2. The purpose of this act is to provide
4 parents, guardians, and the State Department of Education with
5 an alternative choice for offering additional educational
6 resources in an effort to improve academic achievement.

7 Section 3. For the purposes of this act, a virtual
8 school is a public school in which the school uses technology
9 in order to deliver a significant portion of instruction to
10 its students via the Internet in a virtual setting.

11 Section 4. A virtual school may be established by
12 the State Department of Education according to rules
13 promulgated by the State Board of Education. A virtual school
14 is a public K-12 school that is associated with a local board
15 of education and shall be provided resources as any other
16 public school in the state. Nothing in this act shall require
17 the appropriation of locally assessed and collected revenue
18 earmarked for local education purposes to be appropriated to
19 virtual schools unless specifically authorized by the local
20 board of education.

21 Section 5. A virtual school shall provide each
22 student enrolled in the school with all of the following:

23 (1) Access to a curriculum that meets or exceeds the
24 curriculum standards adopted by the State Board of Education.

25 (2) The same number of instructional days, or the
26 hourly equivalent thereof, for learning opportunities per
27 academic year that is required under Section 16-13-231, Code

1 of Alabama 1975, for public school students. A student, at his
2 or her own pace, may demonstrate mastery or completion of a
3 course or subject area and be given credit for the course or
4 subject area.

5 (3) Regular assessment in language arts, math,
6 science, and social studies.

7 Section 6. For each family with a student enrolled,
8 the virtual school shall do all of the following:

9 (1) Provide instructional materials.

10 (2) Ensure materials and access to necessary
11 technology such as computer, printer, and Internet connection
12 used for school work or, at minimum, through a physical
13 computer lab that is available to the student through
14 regularly scheduled times.

15 Section 7. A virtual school may not provide
16 assistance to students or families to purchase instructional
17 programs or materials.

18 Section 8. Each teacher employed at a virtual school
19 shall be certified and highly qualified to teach in this state
20 under existing law.

21 Section 9. Nothing in this act shall preclude the
22 use of computer-based and Internet-based instruction for
23 students in a virtual setting.

24 Section 10. Any student who is eligible for
25 enrollment in a public school in this state may enroll in a
26 virtual school as either a full-time virtual school student or
27 as a part-time virtual school student taking some of his or

1 her courses through the virtual school. A student who enrolls
2 in a virtual school shall remain enrolled with his or her
3 local school system, earn credits through that local school
4 system, and receive his or her diploma through that local
5 school system. A student who enrolls in a virtual school may
6 also continue to participate in extracurricular activities
7 through his or her local school system. A local board of
8 education may charge tuition to any person not enrolled in a
9 public school within the local board of education district for
10 attendance in a local board of education established virtual
11 school.

12 Section 11. A virtual school shall be held to the
13 same standards as all other schools under the jurisdiction of
14 the local board of education and the accountability and
15 viability of the virtual school, as demonstrated by its
16 academic, fiscal, and operational performance, shall be
17 annually reviewed by the State Department of Education.

18 Section 12. The State Department of Education may
19 contract with nonprofit and for-profit entities for management
20 services provided by the virtual school.

21 Section 13. The State Board of Education shall
22 promulgate rules to effectuate the purposes of this act. All
23 such rules shall be promulgated in accordance with the Alabama
24 Administrative Procedure Act, Chapter 22, Title 41, Code of
25 Alabama 1975.

1 Section 14. 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.