

HB331 ENROLLED



1 HB331

2 TEUL999-2

3 By Representatives Woods, Colvin, Brinyark, Shaw, Rigsby,

4 Kirkland, Pettus, Wadsworth, Whorton, Paramore, Hammett,

5 Robertson, Reynolds, Hulsey, Yarbrough, Underwood, Kiel,

6 Stubbs, Shedd, DuBose, Bolton, Starnes, Baker

7 RFD: Education Policy

8 First Read: 19-Mar-24



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1 Enrolled, An Act,

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3 Relating to public K-12 education and the school report
4 card; to amend Section 16-6C-2, Code of Alabama 1975, to
5 exclude the academic achievement of any student who transfers
6 into a public school from a nonpublic school from being
7 considered in assigning the annual grade to a school or school
8 district for the first three years of enrollment of the
9 transferring student.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 16-6C-2, Code of Alabama 1975, is
12 amended to read as follows:

13 "§16-6C-2

14 (a) In addition to any other labels or designations
15 assigned to public schools and public school districts
16 pursuant to a federal, state, school, district, or other
17 assessment or accountability system, the State Superintendent
18 of Education, consistent with this chapter, shall develop a
19 school grading system reflective of school and district
20 performance. The grading system shall utilize the traditional
21 A, B, C, D, or F framework.

22 (1) Schools receiving a grade of "A" are making
23 excellent progress.

24 (2) Schools receiving a grade of "B" are making above
25 average progress.

26 (3) Schools receiving a grade of "C" are making
27 satisfactory progress.

28 (4) Schools receiving a grade of "D" are making less



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29 than satisfactory progress.

30 (5) Schools receiving a grade of "F" are failing to
31 make adequate progress.

32 (b) In developing this school grading system, the State
33 Superintendent of Education shall seek input from parents,
34 teachers, school administrators, existing State Department of
35 Education advisory groups or task forces, and other education
36 stakeholders on how the system can properly reflect not only
37 the overall academic proficiency of each public school but
38 also the academic improvements made by each public school,
39 along with other key performance indicators that give a total
40 profile of the school or the school system, or both.

41 (c) The State Superintendent of Education shall
42 prescribe the design and content of the school grading system
43 by not later than December 31, 2012. It is the intent of the
44 Legislature that the system be in place by no later than the
45 2013-2014 school year. The system may not be utilized by the
46 State Superintendent of Education or the State Department of
47 Education until sufficient rules have been adopted by the
48 State Board of Education pursuant to the Alabama
49 Administrative Procedure Act.

50 (d) Using an easy to understand grading scale, the
51 school grading system shall describe achievement in the state,
52 each district, and each school. Additionally, the State
53 Superintendent of Education shall not be precluded from also
54 assigning grades to school feeder patterns or grades that
55 reflect the fiscal health and fiscal efficiency of a school or
56 school system.



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57 (e) The State Superintendent of Education shall make
58 these grades available to the general public and shall post
59 these grades on the website of the State Department of
60 Education as soon as the grades are available. Additionally,
61 appropriate grade information shall be delivered to the parent
62 or guardian of each public school student at least once
63 annually in the same manner that student report cards are
64 currently delivered.

65 (f) (1) Using state-authorized assessments and other key
66 performance indicators that give a total profile of the school
67 or the school system, or both, a school's grade, at a minimum,
68 shall be based on a combination of student achievement scores,
69 achievement gap, college and career readiness, learning gains,
70 and other indicators as determined by the State Superintendent
71 of Education to impact student learning and success.

72 (2) a. Commencing with the 2021-2022 school year, the
73 academic achievement of each student identified as an English
74 language learner, who has not shown proficiency on ACCESS for
75 EL, or other state-approved ~~state-approved~~ English proficiency
76 assessment, may not be considered in assigning an academic
77 achievement grade to a school or school system for the first
78 five years of enrollment of the student. The educational
79 progress of each of these students shall continue to be
80 measured in the academic growth category and the progress in
81 English language proficiency category, and, at the end of the
82 five-year period for the student, his or her proficiency shall
83 again be considered in assigning an academic achievement grade
84 to a school or school system on the state A-F school grading



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85 system.

86 b. Commencing with the 2024-2025 school year, the
87 academic achievement of each student identified as a transfer
88 student from a nonpublic school may not be considered in
89 assigning an academic achievement grade to a school or school
90 system for the first three years of enrollment of the transfer
91 student. The educational progress of each of these transfer
92 students shall continue to be measured in the academic growth
93 category, and, beginning with the fourth year of enrollment of
94 the transfer student, his or her academic achievement shall be
95 considered in assigning an academic achievement grade to a
96 school or school system on the state A-F school grading
97 system.

98 (3) The State Superintendent of Education may not amend
99 the state Every Student Succeeds Act option for including test
100 scores of English language learners enrolled in United States
101 schools. The option provides as follows: For the first year of
102 enrollment, the test scores shall be reported, but the results
103 on both the reading/language arts and math tests shall be
104 excluded from the federal accountability system; for the
105 second year of enrollment, a measure of student growth on both
106 tests shall be included in the federal accountability system;
107 and for the third year of enrollment, proficiency on both
108 tests shall be included in the federal accountability system.
109 Additionally, the option requires English language learners
110 who have successfully left the English language learner
111 subgroup by attaining English proficiency to be included in
112 that subgroup for accountability purposes for four years.



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113 (g) The A-F school grading system shall be consistently
114 applied so that grades of one school or system may be compared
115 to the grades of any other school or system."

116 Section 2. This act shall become effective on October
117 1, 2024.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 30-Apr-24.

John Treadwell
Clerk

Senate

08-May-24

Passed