

**SB211 INTRODUCED**



1 SB211  
2 VEH7VVL-1  
3 By Senators Chesteen, Smitherman, Hatcher, Jones, Butler,  
4 Allen, Givhan, Livingston, Melson, Sessions, Carnley, Bell,  
5 Kelley, Shelnut, Kitchens, Stutts, Elliott, Roberts, Barfoot,  
6 Waggoner, Gudger, Williams, Price, Orr, Stewart, Coleman,  
7 Coleman-Madison, Beasley  
8 RFD: Veterans and Military Affairs  
9 First Read: 06-Mar-24



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SYNOPSIS:

Under existing law, the children of active duty military personnel who are pending transfer to this state are permitted to enroll remotely in public K-12 schools prior to residency in this state.

This bill would provide for the remote enrollment of special needs children of active duty military personnel, would provide for the transfer of certain records, and would provide for comparable services.

This bill would also require informed parental consent before the reevaluation of the transferring student.

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 16-28-60, relating to the remote enrollment of children of active duty military personnel in public K-12 schools; to include the remote enrollment of special needs children of active duty military personnel; to provide for the transfer of records relating to the child; and to require informed parental consent prior to the reevaluation



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29 of the special needs student.

30 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

31 Section 1. Section 16-28-60 of the Code of Alabama  
32 1975, is amended to read as follows:

33 "§16-28-60

34 (a) A student who is not a domiciliary of the state  
35 shall be permitted to register to enroll in a public K-12  
36 school by remote means, including electronic means, prior to  
37 commencement of the student's residency in this state if all  
38 of the following apply:

39 (1) A parent or legal guardian is on active military  
40 duty and is transferred or pending transfer to a military  
41 installation or reservation in this state.

42 (2) Upon request by the local board of education, a  
43 parent or legal guardian provides a copy of the official  
44 military order transferring to a military installation or  
45 reservation located in this state.

46 (3) A parent or legal guardian completes and submits  
47 the board of education's required enrollment forms and  
48 documentation, except that proof of residency shall not be  
49 required until the student physically transfers to this state,  
50 at which time the student shall be required to provide proof  
51 of residency prior to commencing attendance.

52 (b) If the enrolling student is transferring with a  
53 Section 504 plan, an individualized family service plan, or an  
54 individualized education plan, the local board of education  
55 shall take the necessary steps including, but not limited to,  
56 the transfer of records and any prior evaluations, the



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57 performance of reevaluations, if necessary, and meetings to  
58 ensure that comparable services are in place when the child  
59 arrives in this state. If a reevaluation is deemed necessary,  
60 the reevaluation shall occur within 30 calendar days after the  
61 date of arrival, subject to the informed parental consent of  
62 the parent or legal guardian as provided by rule of the State  
63 Board of Education.

64 ~~(b)~~ (c) The local board of education shall make  
65 available to a student who registers to enroll pursuant to  
66 this section the same opportunities for school assignment ~~and,~~  
67 selection of courses, special education services, and sporting  
68 activities as those offered to resident students."

69 Section 2. This act shall become effective on July 1,  
70 2024.