

HB495 INTRODUCED



1 HB495
2 SLED488-1
3 By Representative Kiel
4 RFD: Education Policy
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SYNOPSIS:

Under existing law, public K-12 schools are annually assigned a grade based on school and district performance.

This bill would exclude the academic performance of students who transfer from a failing school from consideration when assigning a grade to a school or school district for the first three years of enrollment of the transferring student.

A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§16-6C-2



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29 (a) In addition to any other labels or designations
30 assigned to public schools and public school districts
31 pursuant to a federal, state, school, district, or other
32 assessment or accountability system, the State Superintendent
33 of Education, consistent with this chapter, shall develop a
34 school grading system reflective of school and district
35 performance. The grading system shall utilize the traditional
36 A, B, C, D, or F framework.

37 (1) Schools receiving a grade of "A" are making
38 excellent progress.

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

41 (3) Schools receiving a grade of "C" are making
42 satisfactory progress.

43 (4) Schools receiving a grade of "D" are making less
44 than satisfactory progress.

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

47 (b) In developing this school grading system, the State
48 Superintendent of Education shall seek input from parents,
49 teachers, school administrators, existing State Department of
50 Education advisory groups or task forces, and other education
51 stakeholders on how the system can properly reflect not only
52 the overall academic proficiency of each public school but
53 also the academic improvements made by each public school,
54 along with other key performance indicators that give a total
55 profile of the school or the school system, or both.

56 (c) The State Superintendent of Education shall



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57 prescribe the design and content of the school grading system
58 by not later than December 31, 2012. It is the intent of the
59 Legislature that the system be in place by no later than the
60 2013-2014 school year. The system may not be utilized by the
61 State Superintendent of Education or the State Department of
62 Education until sufficient rules have been adopted by the
63 State Board of Education pursuant to the Alabama
64 Administrative Procedure Act.

65 (d) Using an easy to understand grading scale, the
66 school grading system shall describe achievement in the state,
67 each district, and each school. Additionally, the State
68 Superintendent of Education shall not be precluded from also
69 assigning grades to school feeder patterns or grades that
70 reflect the fiscal health and fiscal efficiency of a school or
71 school system.

72 (e) The State Superintendent of Education shall make
73 these grades available to the general public and shall post
74 these grades on the website of the State Department of
75 Education as soon as the grades are available. Additionally,
76 appropriate grade information shall be delivered to the parent
77 or guardian of each public school student at least once
78 annually in the same manner that student report cards are
79 currently delivered.

80 (f) (1) Using state-authorized assessments and other key
81 performance indicators that give a total profile of the school
82 or the school system, or both, a school's grade, at a minimum,
83 shall be based on a combination of student achievement scores,
84 achievement gap, college and career readiness, learning gains,



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85 and other indicators as determined by the State Superintendent
86 of Education to impact student learning and success.

87 (2)a. Commencing with the 2021-2022 school year, the
88 academic achievement of each student identified as an English
89 language learner who has not shown proficiency on ACCESS for
90 EL, or other state-approved English proficiency assessment,
91 may not be considered in assigning an academic achievement
92 grade to a school or school system for the first five years of
93 enrollment of the student. The educational progress of each of
94 these students shall continue to be measured in the academic
95 growth category and the progress in English language
96 proficiency category, and, at the end of the five-year period
97 for the student, his or her proficiency shall again be
98 considered in assigning an academic achievement grade to a
99 school or school system on the state A-F school grading
100 system.

101 b. Commencing with the 2024-2025 school year, the
102 academic achievement of each student identified as a transfer
103 student from a nonpublic school may not be considered in
104 assigning an academic achievement grade to a school or school
105 system for the first three years of enrollment of the transfer
106 student. The educational progress of each of these transfer
107 students shall continue to be measured in the academic growth
108 category, and, beginning with the fourth year of enrollment of
109 the transfer student, his or her academic achievement shall be
110 considered in assigning an academic achievement grade to a
111 school or school system on the state A-F school grading
112 system.



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113 c. Commencing with the 2026-2027 school year, the
114 academic achievement of each student identified as a transfer
115 student from a failing school may not be considered in
116 assigning an academic achievement grade to a school or school
117 system for the first three years following enrollment of the
118 transfer student. The educational progress of each transfer
119 student shall continue to be measured in the academic growth
120 category, and, beginning with the fourth year of enrollment of
121 the transfer student, his or her academic achievement shall be
122 considered in assigning an academic achievement grade to a
123 school or school system on the state A-F school grading
124 system.

125 (3) The State Superintendent of Education may not amend
126 the state Every Student Succeeds Act option for including test
127 scores of English language learners enrolled in United States
128 schools. The option provides as follows: For the first year of
129 enrollment, the test scores shall be reported, but the results
130 on both the reading/language arts and math tests shall be
131 excluded from the federal accountability system; for the
132 second year of enrollment, a measure of student growth on both
133 tests shall be included in the federal accountability system;
134 and for the third year of enrollment, proficiency on both
135 tests shall be included in the federal accountability system.
136 Additionally, the option requires English language learners
137 who have successfully left the English language learner
138 subgroup by attaining English proficiency to be included in
139 that subgroup for accountability purposes for four years.

140 (g) The state A-F school grading system shall be



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141 consistently applied so that grades of one school or system
142 may be compared to the grades of any other school or system."

143 Section 2. This act shall become effective on June 1,
144 2026.