

1 SB106
2 203790-3
3 By Senator Barfoot
4 RFD: Veterans and Military Affairs
5 First Read: 04-FEB-20

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To amend Section 16-6F-5, Code of Alabama 1975,
12 relating to the Alabama School Choice and Student Opportunity
13 Act; to authorize the formation of charter schools near
14 military installations with a focus on serving military
15 dependents.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 16-6F-5 of the Code of Alabama
18 1975, is amended to read as follows:

19 "§16-6F-5.

20 "(a) Open enrollment.

21 "(1) A public charter school shall be open to any
22 student residing in the state.

23 "(2) A school system shall not require any student
24 enrolled in the school system to attend a start-up public
25 charter school.

26 "(3) A public charter school shall not limit
27 admission based on ethnicity, national origin, religion,

1 gender, income level, disability, proficiency in the English
2 language, or academic or athletic ability.

3 "(4) A public charter school may limit admission to
4 students within a given age group or grade level and may be
5 organized around a special emphasis, theme, or concept as
6 stated in the school's charter application, but fluency or
7 competence in the theme may not be used as a standard for
8 enrollment.

9 "(5) A public charter school shall enroll all
10 students who wish to attend the school, unless the number of
11 students exceeds the capacity of the facility identified for
12 the public charter school.

13 "(6) If facility capacity is insufficient to enroll
14 all students who wish to attend a start-up public charter
15 school, the school shall select students through a random
16 selection process. The school shall first enroll students who
17 reside within the school system in which the public charter
18 school is located. If the number of local students wanting to
19 enroll exceeds the facility's capacity, then the school shall
20 conduct a random selection process to enroll students. If the
21 school has additional capacity after admitting students from
22 the local school system, then the school shall admit any
23 students without regard to their residency by a random
24 selection process. The selection shall take place in a public
25 meeting, called by the governing body of the public charter
26 school, and following all posting and notice requirements
27 prescribed by the Alabama Open Meetings Act.

1 "(7) Any non-charter public school converting
2 partially or entirely to a public charter school shall adopt
3 and maintain a policy giving enrollment preference to students
4 who reside within the former attendance area of that public
5 school.

6 "After all students who reside within the former
7 attendance area of that public school are enrolled, enrollment
8 shall first be opened to students residing within the local
9 school system and then outside the local school system, as set
10 forth in subdivision (6).

11 "(8) A public charter school shall give enrollment
12 preference to students enrolled in the public charter school
13 the previous school year and to siblings of students already
14 enrolled in the public charter school.

15 "(9) A public charter school may give enrollment
16 preference to children of a public charter school's founders,
17 governing board members, and full-time employees, so long as
18 they constitute no more than 10 percent of the school's total
19 student population.

20 "(10) This subsection does not preclude the
21 formation of a public charter school whose mission is focused
22 on serving special education students, students of the same
23 gender, students who pose such severe disciplinary problems
24 that they warrant a specific educational program, or students
25 who are at risk of academic failure. Notwithstanding the
26 stated mission of the public charter school, any student may
27 attend.

1 "(11) This subsection does not preclude the
2 formation of a public charter school, that is located on or
3 within one mile of a military installation, whose mission is
4 focused on serving students who are dependents of military
5 members or Department of Defense civilian employees that are
6 permanently assigned to that military installation. If the
7 number of dependent students wanting to enroll exceeds the
8 facility's capacity, then the school shall conduct a random
9 selection process to enroll those students. If the school has
10 additional capacity after admitting those dependent students
11 of parents assigned to the military installation, then the
12 school shall admit students first from the local school system
13 by a random selection process and then without regard to their
14 residency by a random selection process, as capacity permits.
15 The selection shall take place in a public meeting, called by
16 the governing body of the public charter school, and following
17 all posting and notice requirements prescribed by the Alabama
18 Open Meetings Act.

19 Once the total number of students enrolled in the
20 school reaches 400, all additional admitted students shall be
21 dependents of military members or Department of Defense
22 civilian employees who are permanently assigned to that
23 military installation.

24 "(b) Credit transferability. If a student who was
25 previously enrolled in a public charter school enrolls in
26 another public school in Alabama, the student's new school
27 shall accept credits earned by the student in courses or

1 instructional programs at the public charter school in a
2 uniform and consistent manner and according to the same
3 criteria that are used to accept academic credits from other
4 public schools. Nothing in this chapter shall prevent local
5 school systems from administering placement tests for newly
6 enrolled students who were previously enrolled in a public
7 charter school.

8 "(c) Determination of student capacity of public
9 charter schools. The capacity of the public charter school
10 shall be determined annually by the governing board of the
11 public charter school in conjunction with the authorizer and
12 in consideration of the public charter school's ability to
13 facilitate the academic success of its students, to achieve
14 the other objectives specified in the charter contract, and to
15 ensure that its student enrollment does not exceed the
16 capacity of its facility or site.

17 "(d) Student information. A public charter school
18 shall maintain records on all enrolled students utilizing the
19 state adopted Alabama Student Information System (ASIM)."

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

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Senate

Read for the first time and referred to the Senate
committee on Veterans and Military Affairs 04-FEB-20

Read for the second time and placed on the calen-
dar..... 06-FEB-20

Read for the third time and passed as amended 18-FEB-20

Yeas 26
Nays 3

Patrick Harris,
Secretary.