

1 SB103
2 208907-1
3 By Senator Barfoot
4 RFD: Veterans and Military Affairs
5 First Read: 02-FEB-21
6 PFD: 01/28/2021

SYNOPSIS: Under existing law, the Alabama School Choice and Student Opportunity Act provides for the establishment of public charter schools in the state as part of the public education system of the state.

This bill would provide for the formation of charter schools on or near military installations with a focus on serving military dependents.

A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 16-6F-5 of the Code of Alabama
2 1975, is amended to read as follows:

3 "§16-6F-5.

4 "(a) Open enrollment.

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

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

10 "(3) A public charter school shall not limit
11 admission based on ethnicity, national origin, religion,
12 gender, income level, disability, proficiency in the English
13 language, or academic or athletic ability.

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

20 "(5) A public charter school shall enroll all
21 students who wish to attend the school, unless the number of
22 students exceeds the capacity of the facility identified for
23 the public charter school.

24 "(6) If facility capacity is insufficient to enroll
25 all students who wish to attend a start-up public charter
26 school, the school shall select students through a random
27 selection process. The school shall first enroll students who

1 reside within the school system in which the public charter
2 school is located. If the number of local students wanting to
3 enroll exceeds the facility's capacity, then the school shall
4 conduct a random selection process to enroll students who
5 reside in the local school system. If the school has
6 additional capacity after admitting students from the local
7 school system, then the school shall admit any students
8 without regard to their residency by a random selection
9 process. The selection shall take place in a public meeting,
10 called by the governing body of the public charter school, and
11 following all posting and notice requirements prescribed by
12 the Alabama Open Meetings Act.

13 "(7) Any non-charter public school converting
14 partially or entirely to a public charter school shall adopt
15 and maintain a policy giving enrollment preference to students
16 who reside within the former attendance area of that public
17 school.

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

23 "(8) A public charter school shall give enrollment
24 preference to students enrolled in the public charter school
25 the previous school year and to siblings of students already
26 enrolled in the public charter school.

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

6 "(10) This subsection does not preclude the
7 formation of a public charter school whose mission is focused
8 on serving special education students, students of the same
9 gender, students who pose such severe disciplinary problems
10 that they warrant a specific educational program, or students
11 who are at risk of academic failure. Notwithstanding the
12 stated mission of the public charter school, any student may
13 attend.

14 "(11) This subsection does not preclude the
15 formation of a public charter school, that is located on or
16 within one mile of a military installation, whose mission is
17 focused on serving students who are dependents of military
18 members or Department of Defense civilian employees that are
19 permanently assigned to that military installation. If the
20 number of dependent students wanting to enroll exceeds the
21 facility's capacity, then the school shall conduct a random
22 selection process to enroll those students. If the school has
23 additional capacity after admitting those dependent students
24 of parents assigned to the military installation, then the
25 school shall admit students first from the local school system
26 by a random selection process and then without regard to their
27 residency by a random selection process, as capacity permits.

1 The selection shall take place in a public meeting, called by
2 the governing body of the public charter school, and following
3 all posting and notice requirements prescribed by the Alabama
4 Open Meetings Act. Once the total number of students enrolled
5 in the school reaches 400, all additional admitted students
6 shall be dependents of military members or Department of
7 Defense civilian employees who are permanently assigned to
8 that military installation.

9 "(b) Credit transferability. If a student who was
10 previously enrolled in a public charter school enrolls in
11 another public school in Alabama, the student's new school
12 shall accept credits earned by the student in courses or
13 instructional programs at the public charter school in a
14 uniform and consistent manner and according to the same
15 criteria that are used to accept academic credits from other
16 public schools. Nothing in this chapter shall prevent local
17 school systems from administering placement tests for newly
18 enrolled students who were previously enrolled in a public
19 charter school.

20 "(c) Determination of student capacity of public
21 charter schools. The capacity of the public charter school
22 shall be determined annually by the governing board of the
23 public charter school in conjunction with the authorizer and
24 in consideration of the public charter school's ability to
25 facilitate the academic success of its students, to achieve
26 the other objectives specified in the charter contract, and to

1 ensure that its student enrollment does not exceed the
2 capacity of its facility or site.

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

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