

1 SB355
2 210482-2
3 By Senator Whatley
4 RFD: Education Policy
5 First Read: 30-MAR-21

SYNOPSIS: Existing law provides for compulsory attendance in K-12 schools for children between the ages of six and 17 years, with exceptions.

This bill would compel attendance in schools for children from the ages of six through 18 years.

This bill would also raise the age at which a student may withdraw from public school from 18 to 19 years of age.

A BILL
TO BE ENTITLED
AN ACT

Relating to K-12 education; to amend Sections 16-11-16, 16-28-3, and 16-28-3.1, Code of Alabama 1975; to increase the maximum compulsory attendance age from 17 to 18 years; to make conforming changes relating to city boards of education; and to raise the age at which a student may withdraw from public school from 18 to 19 years.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Sections 16-11-16, 16-28-3, and
2 16-28-3.1, Code of Alabama 1975, are amended to read as
3 follows:

4 "§16-11-16.

5 "~~(a)~~ The city board of education shall have power to
6 establish and maintain a system of public schools including
7 kindergartens and playgrounds for the benefit of children who
8 are bona fide residents of and living within the corporate
9 limits of ~~such~~ the city. Children shall be admitted to those
10 public schools pursuant to Chapter 28 of this title.

11 "~~(b) Such children who are six years of age and less~~
12 ~~than 19 years of age on the date school opens shall be~~
13 ~~entitled to admission to the elementary, junior and senior~~
14 ~~high schools.~~

15 "~~(c) If a kindergarten is established and~~
16 ~~maintained, children from five to eight years of age may be~~
17 ~~admitted on such terms and conditions as the city board of~~
18 ~~education may prescribe.~~

19 "§16-28-3.

20 "(a) Except as otherwise provided in subsection (b),
21 every child ~~between~~ from the ages of six ~~and 17~~ through 18
22 years shall be required to attend a public school, private
23 school, church school, or be instructed by a competent private
24 tutor for the entire length of the school term in every
25 scholastic year except that, prior to attaining his or her
26 16th birthday, every child attending a church school as
27 defined in Section 16-28-1 is exempt from the requirements of

1 this section, ~~provided~~ if the child complies with enrollment
2 and reporting procedures specified in Section 16-28-7.
3 Admission to public school ~~shall be~~ is on an individual basis
4 on the application of the parents, legal custodian, or
5 guardian of the child to the local board of education at the
6 beginning of each school year, under the rules as the board
7 may prescribe; provided, a person who is under ~~19~~ 20 years of
8 age ~~and on track to graduate from public school~~ may not be
9 denied admission to public school solely on account of his or
10 her age. The parent, legal custodian, or guardian of a child
11 who is six years of age, ~~7~~ may opt out of enrolling his or her
12 child in school at the age of six years by notifying the local
13 school board of education, in writing, that the child will not
14 be enrolled in school until he or she is seven years of age.

15 "(b) (1) If a child withdraws from a public school,
16 upon verification of enrollment in a Southern Association of
17 Colleges and Schools or any entity with accreditation status
18 as determined by one of the agencies identified on the United
19 States Department of Education's list of Recognized National
20 and Regional Accrediting Agencies or their affiliates
21 accredited and recognized online school which has been
22 authorized by the Alabama State Department of Education to
23 provide instruction in lieu of in-person instruction, the
24 child shall be counted as a transfer student.

25 "(2) If a child returns to a public school, semester
26 exams shall be given to the child to determine grade
27 placement.

1 "(3) This subsection does not and should not be
2 interpreted to create online schools. However, if a student
3 chooses to attend an accredited, state authorized online
4 school, that student's former school should not be penalized
5 by the student being classified as a dropout.

6 "§16-28-3.1.

7 "(a) A child over the age of ~~17~~ 18 may withdraw from
8 public school prior to graduation if both of the following
9 circumstances exist:

10 "(1) Written consent is granted by the child's
11 parent or legal guardian.

12 "(2) An exit interview is conducted where the
13 student and the student's parent or legal guardian have been
14 advised that withdrawal from school shall likely reduce the
15 student's future earning potential and increase the student's
16 likelihood of being unemployed in the future. During the exit
17 interview, the student who is withdrawing from school shall be
18 given information that has been prepared and supplied by the
19 State Department of Education regarding the detrimental
20 impacts and effects of early withdrawal from school along with
21 any available training and employment opportunity programs,
22 ~~provided such~~ if this information is available.

23 "(b) The State Department of Education shall work
24 with local public school systems that have the lowest
25 four-year graduation rates. The department shall incorporate
26 specific dropout prevention strategies, target resources, and
27 gather data that will improve graduation rates and educational

1 outcomes in all grades in all public schools. The department
2 shall develop specific methods of targeted intervention or
3 identify appropriate existing methods for local public school
4 systems that have a four-year graduation rate less than the
5 percentage as determined by the State Board of Education.

6 These interventions may include the following:

7 "(1) Early intervention for students who fail
8 Algebra I, or any ninth grade reading or math class, and have
9 insufficient credits to be promoted.

10 "(2) Alternative education programs designed to
11 reengage dropouts including, but not limited to, dual
12 enrollment courses at the community college level.

13 "(3) Increased availability of advanced placement
14 courses.

15 "(4) Offering full course fee waivers for students
16 who are eligible for free or reduced lunches, when enrolled in
17 dual credit courses.

18 "(5) Flexible programs for older students who are
19 currently not enrolled.

20 "(6) Comprehensive coaching for middle school and
21 high school students who are below grade level in reading and
22 math or who are at risk due to poor attendance, behavior, or
23 safety issues including, but not limited to, harassment and
24 bullying.

25 "(7) Teacher advisories and other supports that are
26 designed to specifically address the needs of those students
27 who are most at risk of dropping out of school by providing

1 opportunities to build positive connections with peers and
2 teachers and providing assistance with course selection,
3 school performance, and completion of graduation requirements.
4 Students who are most at risk of dropping out of school
5 include, but are not limited to, those students who move
6 often, have poor attendance, or have multiple suspensions or
7 discipline issues.

8 "(8) Strategies that are specifically designed to
9 improve high school graduation rates for those teenagers who
10 are at the highest risk of dropping out, including, but not
11 limited to, students in the foster care system, pregnant
12 students, student parents, English as second language
13 students, and students with special educational needs.

14 "(c) The department, in addition to other
15 information and data, shall compile all of the following data
16 to ensure that the dropout prevention program, and local
17 versions of the program, are based upon evidence-based
18 research, are data-driven, and show continuous improvement in:

19 "(1) The total number of high school suspensions
20 related to truancy.

21 "(2) The total number of students enrolled in
22 alternative education programs.

23 "(3) The total number of students who have been
24 reenrolled in programs with flexible schedules or community
25 college programs.

26 "(4) The total number of students who have failed
27 Algebra I or ninth grade reading or math.

1 "(5) The total number of students who are repeating
2 the ninth grade.

3 "(6) The total number of students receiving remedial
4 assistance in the ninth grade.

5 "(d) The department shall prepare and submit to the
6 Legislature a written report that documents all of the
7 following:

8 "(1) The outcomes of the dropout prevention
9 strategies to date, at the local school system level.

10 "(2) Any planned modification of school system
11 dropout prevention strategies and activities, based on the
12 data compiled."

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