

1 SB443
2 145058-1
3 By Senators Whatley, Ward, Allen, Bedford, Scofield, Blackwell
4 and Brewbaker
5 RFD: Education
6 First Read: 16-APR-13

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8 SYNOPSIS: Under existing law, the core curriculum for
9 courses of study in public schools does not include
10 a course in the ethical use of electronic
11 communication devices.

12 This bill would require each public school
13 high school student, phased in beginning with
14 students entering the ninth grade in the 2013-2014
15 scholastic year, to complete a course in
16 information technology ethics before graduation
17 from high school.

18 Amendment 621 of the Constitution of Alabama
19 of 1901, now appearing as Section 111.05 of the
20 Official Recompilation of the Constitution of
21 Alabama of 1901, as amended, prohibits a general
22 law whose purpose or effect would be to require a
23 new or increased expenditure of local funds from
24 becoming effective with regard to a local
25 governmental entity without enactment by a 2/3 vote
26 unless: it comes within one of a number of
27 specified exceptions; it is approved by the

1 affected entity; or the Legislature appropriates
2 funds, or provides a local source of revenue, to
3 the entity for the purpose.

4 The purpose or effect of this bill would be
5 to require a new or increased expenditure of local
6 funds within the meaning of the amendment. However,
7 the bill does not require approval of a local
8 governmental entity or enactment by a 2/3 vote to
9 become effective because it comes within one of the
10 specified exceptions contained in the amendment.

11
12 A BILL
13 TO BE ENTITLED
14 AN ACT
15

16 To amend Section 16-6B-2, Code of Alabama 1975,
17 relating to courses of study in public schools; to require
18 each public school high school student to complete a course in
19 information technology ethics before graduation from high
20 school; to provide that the course be phased in beginning with
21 students entering the ninth grade in the 2013-2014 scholastic
22 year; and in connection therewith would have as its purpose or
23 effect the requirement of a new or increased expenditure of
24 local funds within the meaning of Amendment 621 of the
25 Constitution of Alabama of 1901, now appearing as Section
26 111.05 of the Official Recompilation of the Constitution of
27 Alabama of 1901, as amended.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 16-6B-2 of the Code of Alabama
3 1975, is amended to read as follows:

4 "§16-6B-2.

5 "Every Alabama student shall be given instruction in
6 grades kindergarten through twelve to prepare him or her to
7 enter the world of work and/or to complete course work at the
8 postsecondary level. In addition to a comprehensive core
9 curriculum of academics, each local board of education shall
10 offer a program of vocational/technical education.

11 "(a) The following words and phrases used in this
12 section shall, in the absence of a clear implication
13 otherwise, be given the following respective interpretations:

14 "(1) REQUIRED COURSES. Courses which are required to
15 be taken by every student enrolled in public schools in the
16 State of Alabama.

17 "(2) ELECTIVE COURSES. Courses which are neither
18 mandatory nor required to be taken by any student enrolled in
19 public schools in the State of Alabama.

20 "(b) The Legislature finds that students must become
21 more literate in the basic skills needed to earn a living or
22 to continue their education. The Legislature further finds
23 that the English language is a common bond that holds our
24 society together. It is necessary that the State Board of
25 Education adopt curriculum policies to ensure that Alabama
26 students have a command of the spoken and written English
27 language. The Legislature further finds that in Alabama

1 schools, students earning a standard high school diploma are
2 only required to earn two credits of mathematics after they
3 enter the ninth grade prior to graduation. The Legislature
4 further finds that special attention must be given to the
5 Alabama courses of study. The State Board of Education shall
6 establish a rigorous and meaningful core curriculum including,
7 but not limited to, all of the following courses for grades
8 nine through twelve in public schools to be phased in
9 beginning with students entering ninth grade in the 1996-97
10 scholastic year:

11 "(1) Four years (equivalent of four credit units) of
12 English.

13 "(2) Four years (equivalent of four credit units) of
14 mathematics, including but not limited to material designed to
15 ensure that no high school student fails to learn basic
16 mathematical skills and computer literacy.

17 "(3) Four years (equivalent of four credit units) of
18 science.

19 "(4) Four years (equivalent of four credit units) of
20 social studies with an emphasis on history, music history,
21 fine arts history, geography, economics, and political
22 science. History courses shall include material on the history
23 of the United States and the Constitution of the United
24 States. The Legislature further requires that the curriculum
25 content of American history shall include the teaching of
26 important historical documents including the Constitution of
27 the United States, The Declaration of Independence, The

1 Emancipation Proclamation, The Federalist Papers, and other
2 such documents important to the history and heritage of the
3 United States.

4 "(c) It is the intent of the Legislature that credit
5 for required basic core academic courses may be earned in
6 conjunction with vocational courses and/or programs. It is the
7 intent of the Legislature that local boards of education offer
8 and schedule students into vocational programs.

9 "(d) It is the intent of the Legislature that, in
10 addition to the required courses, elective courses including,
11 but not limited to, foreign languages, fine arts, physical
12 education, wellness education, and vocational and technical
13 preparation be available to all students as determined by the
14 local board of education. For purposes of this section,
15 American Sign Language is a foreign language; a public school
16 may offer such a course; and a student who successfully
17 completes the course is entitled to receive credit for the
18 course toward satisfaction of a foreign language requirement,
19 pursuant to rules and regulations adopted by the Alabama State
20 Board of Education. Beginning with the 2005-2006 school year,
21 the preceding sentence shall apply to hearing-impaired
22 students; and beginning with the 2006-2007 school year, and
23 each school year thereafter, the preceding sentence shall
24 apply to all students. Nothing in this chapter shall be
25 construed to diminish the current requirements of the State
26 Board of Education with respect to health and physical

1 education instruction in grades K-12 or to reduce the effect
2 of Section 16-40-1 regarding health and physical education.

3 "(e) The State Board of Education shall adopt
4 necessary policies, procedures, rules, regulations, and
5 standards to require that:

6 "(1) The required courses set forth in this section
7 shall be taken by every student enrolled in grades nine
8 through twelve of public schools to be phased in beginning
9 with students entering the ninth grade in the 1996-97
10 scholastic year. The State Superintendent of Education after a
11 hearing in which he or she determines there exists just cause
12 may grant a one-time delay of one year for a school system
13 from implementation of any one of the required courses.

14 "(2) The required courses set forth in this section
15 shall be successfully passed by a student enrolled in grades
16 nine through twelve of public schools prior to such student's
17 graduation or receipt of a diploma, phased in beginning with
18 students entering the ninth grade in the 1996-97 scholastic
19 year. Students identified as eligible for special education
20 services as provided by federal and state law shall be
21 required to meet the provisions set forth in the individual
22 education plan prescribed to meet their individual needs as
23 required by law. The State Board of Education shall continue
24 to set graduation requirements; however, such graduation
25 requirements shall not provide less in the way of requirements
26 in the areas of English, math, science, and social studies as
27 provided in this chapter.

1 "(3) In addition to the required courses, a number
2 of elective courses shall be successfully passed by a student
3 enrolled in grades nine through twelve of public schools prior
4 to such student's graduation or receipt of a diploma, phased
5 in beginning with students entering the ninth grade in the
6 1996-97 scholastic year. The State Board of Education shall
7 determine the number and classification of units of credit
8 required for high school graduation.

9 "(f) The State Board of Education, on the
10 recommendation of the State Superintendent of Education, shall
11 prescribe the minimum contents of courses of study for all
12 public elementary and high schools in the state. In every
13 elementary school there shall be taught at least reading
14 including phonics, spelling, handwriting, arithmetic, oral and
15 written English, geography, history of the United States and
16 Alabama, elementary science, hygiene and sanitation, physical
17 education, the arts, including musical and visual arts,
18 environmental protection, and such other studies as may be
19 prescribed by the local board of education. Moreover, the
20 State Board of Education shall require the following courses
21 for grades one through eight in all public schools to be
22 phased in beginning with students entering grades one through
23 eight in the 1995-96 scholastic year: English, social studies,
24 mathematics, and science shall be taught each year in grades
25 one through eight. English shall include, but not be limited
26 to, material designed to develop language arts, such as
27 reading, writing, speaking, and listening skills. Social

1 studies shall emphasize geography and history of the United
2 States and Alabama.

3 "(g) The State Board of Education shall adopt
4 necessary policies, procedures, rules, regulations, and/or
5 standards to require college and university departments of
6 education to review their existing educational programs for
7 all prospective teachers in order to ensure that they are
8 properly prepared to teach the courses required by law.

9 "(h) The State Board of Education and all local
10 boards shall develop and implement within ninety (90) days of
11 July 7, 1995, a comprehensive character education program for
12 all grades to consist of not less than ten minutes instruction
13 per day focusing upon the students' development of the
14 following character traits: Courage, patriotism, citizenship,
15 honesty, fairness, respect for others, kindness, cooperation,
16 self-respect, self-control, courtesy, compassion, tolerance,
17 diligence, generosity, punctuality, cleanliness, cheerfulness,
18 school pride, respect for the environment, patience,
19 creativity, sportsmanship, loyalty, and perseverance. Each
20 plan of instruction shall include the Pledge of Allegiance to
21 the American flag.

22 "(i) The State Board of Education shall adopt
23 necessary policies, procedures, rules, regulations, and/or
24 standards to ensure quality vocational/technical education
25 programs.

26 "(j) The State Board of Education and each local
27 board of education shall develop, within 90 days after the

1 effective date of the act adding this subsection, a
2 comprehensive course in information technology ethics. The
3 course shall be a required course that is successfully passed
4 by a student enrolled in high school before the student
5 graduates or receives a high school diploma, phased in
6 beginning with students entering the ninth grade in the
7 2013-2014 scholastic year. In the course, students shall study
8 the proper use of a wide range of telecommunication and data
9 storage devices, and the curriculum of the course shall focus
10 on such topics as moral judgments, issues of right and wrong,
11 and determining what behaviors are humane and inhumane in the
12 use of electronic communication devices including, but not
13 limited to, computers and cell phones."

14 Section 2. Although this bill would have as its
15 purpose or effect the requirement of a new or increased
16 expenditure of local funds, the bill is excluded from further
17 requirements and application under Amendment 621, now
18 appearing as Section 111.05 of the Official Recompilation of
19 the Constitution of Alabama of 1901, as amended, because the
20 bill requires expenditures only by a school board.

21 Section 3. This act shall become effective on the
22 first day of the third month following its passage and
23 approval by the Governor, or its otherwise becoming law.