HB292

FVEU5DC-1

By Representatives McClammy, Paschal, Gray, Hollis, Lawrence, Chestnut

RFD: Education Policy

First Read: 06-Mar-24

SYNOPSIS:

Under existing law, the children of active duty military personnel who are pending transfer to this state are permitted to enroll remotely in public K-12 schools prior to residency in this state.

This bill would provide for the remote enrollment of special needs children of active duty military personnel, would provide for the transfer of certain records, and would provide for comparable services.

This bill would also require informed parental consent before the reevaluation of the transferring student.

A BILL

TO BE ENTITLED

AN ACT

To amend Section 16-28-60, relating to the remote enrollment of children of active duty military personnel in public K-12 schools; to include the remote enrollment of special needs children of active duty military personnel; to provide for the transfer of records relating to the child; and to require informed parental consent prior to the reevaluation

of the special needs student.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 16-28-60 of the Code of Alabama 1975, is amended to read as follows:

"§16-28-60

(a) A student who is not a domiciliary of the state shall be permitted to register to enroll in a public K-12 school by remote means, including electronic means, prior to commencement of the student's residency in this state if all of the following apply:

(1) A parent or legal guardian is on active military duty and is transferred or pending transfer to a military installation or reservation in this state.

(2) Upon request by the local board of education, a parent or legal guardian provides a copy of the official military order transferring to a military installation or reservation located in this state.

(3) A parent or legal guardian completes and submits the board of education's required enrollment forms and documentation, except that proof of residency shall not be required until the student physically transfers to this state, at which time the student shall be required to provide proof of residency prior to commencing attendance.

(b) If the enrolling student is transferring with a Section 504 plan, an individualized family service plan, or an individualized education plan, the local board of education shall take the necessary steps including, but not limited to, the transfer of records and any prior evaluations, the

performance of reevaluations, if necessary, and meetings to ensure that comparable services are in place when the child arrives in this state. If a reevaluation is deemed necessary, the reevaluation shall occur within 30 calendar days after the date of arrival, subject to the informed parental consent of the parent or legal guardian as provided by rule of the State Board of Education.

~~(b)~~ (c) The local board of education shall make available to a student who registers to enroll pursuant to this section the same opportunities for school assignment ~~and~~, selection of courses, special education services, and sporting activities as those offered to resident students."

Section 2. This act shall become effective on July 1, 2024.