



STATE OF ALABAMA
DEPARTMENT OF EDUCATION



Thomas R. Bice
State Superintendent of Education

July 17, 2014

MEMORANDUM

TO: City and County Superintendents
FROM: Thomas R. Bice *TRB*
State Superintendent of Education
RE: Act No. 2014-245

Act No. 2014-245, passed during the 2014 legislative session, removes the authority for "...the Alabama Department of Education, the State Board of Education, or the State Superintendent of Education to license or regulate any private, nonpublic, or church school offering instruction in grades K-12, or any combination thereof". On July 8, 2014, the State Board of Education voted to approve the repeal of the existing rules regulating nonpublic schools.

Although Act No. 2014-245 does little to change the local board of education's responsibility for the mandatory school-age students not enrolled in the public schools, we are providing revised forms to assist in performing the statutory requirements for nonpublic school students.

Enclosed are a summary of the changes relating to nonpublic schools in Act No. 2014-245 and the existing requirements under the school attendance laws for the reporting requirements for nonpublic school students.

If you have questions about the reporting requirements for nonpublic school students, contact Ms. Chris Wilson by calling (334) 353-2154 or via the e-mail address cwilson@alsde.edu.

TRB/DWH/CBC
Enclosures
FY14-3059

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Act No. 2014-245 stipulates that each nonpublic school, including private, church, parochial, and religious schools, offering educational instruction in grades K-12, as well as home-schooling entities, shall comply with:

- Chapter 28, Title 16, Code of Alabama 1975, relating to school attendance;
- Chapter 22A, Title 16, Code of Alabama 1975, the Alabama Child Protection Act of 1999;
- Chapter 7, Title 38, Code of Alabama 1975, relating to criminal history background checks on persons responsible for children, the elderly, and the disabled.

All private schools or institutions of any kind having a school in connection therewith, except church schools as defined in Section 16-28-1, shall register annually on or before **October 10** with the Department of Education and shall report on uniform blanks furnished by the Department of Education, giving such statistics as relate to the number of pupils, the number of instructors, enrollment, attendance, course of study, length of term, cost of tuition, funds, value of property, and the general condition of the school. (Ala. Code §16-1-11 as revised by Act No. 2014-245.)

Note: Online private school registration forms will be available from August 1 through October 10 annually on the ALSDE website at <http://www.alsde.edu>.

Ala. Code §16-28-7

1. At the end of the fifth (5th) day from opening of the public school, each private school and each private tutor (but not church school) shall report to the superintendent of the district in which the student resides, the names and addresses of all children of mandatory age that are enrolled.
2. Provide a weekly report to the local superintendent with the names and addresses of all enrolled students that were absent without being excused (or whose absence was not satisfactorily explained by the parent or legal guardian).
3. Provide a weekly report to the local superintendent with the names and addresses of all newly enrolled students of mandatory age.
4. The enrollment and attendance of a child in a church school shall be filed with the superintendent of the district in which the student resides.
5. The form shall be countersigned by the administrator of the church school and returned to the public school superintendent by the parent or guardian.
6. Should the student cease to be enrolled at the church school, the parent or legal guardian shall notify the local public school superintendent that the child is no longer in attendance at a church school.