
School Laws

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Accessing Alabama Laws

- The Alabama Legislature
 - <https://alison.legislature.state.al.us>
 - Home
 - Alabama Constitution and Administrative Code
 - Alabama Constitution
 - Code of Alabama
 - Administrative Code
-

Code of Alabama

- Search – if the specific law is unknown.

 - View – if you know what you're looking for.
 - Title 16 EDUCATION
 - Chapter 28 SCHOOL ATTENDANCE
 - Section 16-28-7 Report of enrollment.

 - Note the Legislative Act number is at the end of each section. This specific section shows Act 2014-245
-

NONPROFIT ENTITIES CODE.

[Title 11](#) COUNTIES AND MUNICIPAL CORPORATIONS.

[Title 12](#) COURTS.

[Title 13A](#) CRIMINAL CODE.

[Title 14](#) CRIMINAL CORRECTIONAL AND DETENTION FACILITIES.

[Title 15](#) CRIMINAL PROCEDURE.

[Title 16](#) EDUCATION.

[Title 17](#) ELECTIONS.

[Title 18](#) EMINENT DOMAIN.

[Title 19](#) FIDUCIARIES AND TRUSTS.

[Title 20](#) FOOD, DRUGS AND COSMETICS.

[Title 21](#) HANDICAPPED PERSONS.

[Title 22](#) HEALTH, MENTAL HEALTH, AND ENVIRONMENTAL CONTROL.

[Title 23](#) HIGHWAYS, ROADS, BRIDGES AND FERRIES.

[Title 24](#) HOUSING.

[Title 25](#) INDUSTRIAL RELATIONS AND LABOR.

[Title 26](#) INFANTS AND INCOMPETENTS.

[Title 27](#) JUDICIAL ADMINISTRATION.

[Chapter 26C](#) ALABAMA EDUCATION FOUNDATION.

[Chapter 26D](#) ALABAMA SCHOOL OF CYBER TECHNOLOGY AND ENGINEERING.

[Chapter 27](#) TRANSPORTATION OF PUPILS.

[Chapter 27A](#) ALABAMA SCHOOL BUS SAFETY ACT.

[Chapter 28](#) SCHOOL ATTENDANCE.

[Chapter 28A](#) SCHOOL DISCIPLINE.

[Chapter 28B](#) STUDENT HARASSMENT PREVENTION ACT.

[Chapter 29](#) MENTAL AND PHYSICAL EXAMINATIONS OF SCHOOL CHILDREN.

[Chapter 30](#) IMMUNIZATION OF SCHOOL CHILDREN.

[Chapter 30A](#) ALABAMA SAFE AT SCHOOLS ACT.

[Chapter 30B](#) Alex Hoover Palliative and End of Life Care Act.

[Chapter 30C](#) Seizure Safe School Act.

[Chapter 31](#) AMERICAN LEGION SCHOLARSHIPS.

[Chapter 32](#) STONEWALL JACKSON MEMORIAL FUND.

[Chapter 33](#) EDUCATIONAL BENEFITS FOR DEPENDENTS OF BLIND PARENTS.

[Chapter 33A](#) ALABAMA STUDENT GRANT PROGRAM.

[Chapter 33B](#) ALABAMA GUARANTEED STUDENT LOAN PROGRAM.

[Chapter 33C](#) WALLACE-FOLSOM PREPAID COLLEGE TUITION TRUST FUND.

[Chapter 34](#) ILLITERACY.

[Chapter 35](#) STATE COURSES OF STUDY COMMITTEE.

NONPROFIT ENTITIES CODE.

[Title 11](#) COUNTIES AND MUNICIPAL CORPORATIONS.

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[Title 24](#) HOUSING.

[Title 25](#) INDUSTRIAL RELATIONS AND LABOR.

[Title 26](#) INFANTS AND INCOMPETENTS.

• Article 1 General Provisions.

- [Section 16-28-1](#) Definitions.
- [Section 16-28-2](#) Purposes of article.
- [Section 16-28-2.1](#) Adoption of standards for mandatory attendance policy; parents held accountable.
- [Section 16-28-2.2](#) Establishment of program by local boards to inform parents of educational requirements.
- [Section 16-28-3](#) Ages of children required to attend school; exemption for church school students.
- [Section 16-28-3.1](#) Guidelines and procedures for withdrawal from school; dropout prevention.
- [Section 16-28-4](#) Minimum age at which child may enter.
- [Section 16-28-5](#) Private tutor.
- [Section 16-28-6](#) Children exempt from attending public school.
- [Section 16-28-7](#) Report of enrollment.
- [Section 16-28-8](#) Reports required must be furnished.
- [Section 16-28-9](#) List of children who should attend school - Required.
- [Section 16-28-10](#) List of children who should attend school - How lists prepared.
- [Section 16-28-11](#) Enrollment report and list of potential students compared.
- [Section 16-28-12](#) Person in loco parentis responsible for child's school attendance and behavior policy, contents, annual distribution, receipt to be documented; school officials required to report nonattendance vigorously to enforce provisions.
- [Section 16-28-13](#) Burden of proof on person in loco parentis.
- [Section 16-28-14](#) Habitual truant.
- [Section 16-28-15](#) Absence must be explained.
- [Section 16-28-16](#) Cases of nonenrollment and nonattendance; withdrawal of enrollment.
- [Section 16-28-17](#) When child may be taken into custody.
- [Section 16-28-18](#) Record kept by attendance officer.
- [Section 16-28-19](#) Attendance districts.
- [Section 16-28-20](#) Compensation of attendance officers.
- [Section 16-28-21](#) Juvenile court jurisdiction.
- [Section 16-28-22](#) Prosecutions.
- [Section 16-28-23](#) Attendance register and rules and regulations as evidence.
- [Section 16-28-24](#) Church schools may waive exemptions specified in this article.

• Article 2 Conditioning of Driving Privileges upon School Attendance.

- [Section 16-28-40](#) License applicant under 19 to provide documentation of school enrollment.
- [Section 16-28-41](#) Written guidelines to be provided.
- [Section 16-28-42](#) Adoption of regulations.
- [Section 16-28-43](#) Article not to deny rights of exceptional children.

Code of Alabama (cont.)

- Using the Search tool looks at the entire Code of Alabama not just the Laws of Alabama Relating to Education – Title 16.
 - Instead, try searching through the descriptions of the sections at the beginning of the Title 16 Chapters.
-

Code of Alabama

- Students First (16-24C-1 to 14)
 - Employee Leave Laws (16-1-18.1; 16-8-26)
 - Catastrophic Sick Leave (16-22-9)
 - Sick Leave Bank (16-22-9)
 - Competitive Bid Law (16-13B)
 - Exceptions (16-13B-2)
 - Emergency Action (16-13B-3)
-

Code of Alabama

- Public Works Law (Title 39)
 - School Property (16-8-12; 16-8-40; 16-11-11to14)
 - Real Property Acquisition (9-15-100)
-

Acts of Alabama

- Sometimes a state law is referred to by its Act number. To locate an Act:
 - ❑ Go to the Alabama Secretary of State web site – <http://sos.alabama.gov>
 - ❑ Records
 - ❑ Legislative Acts
 - ❑ Search by
 - Act Number
 - Bill Number
 - Description
 - Subject
-

Ethics Law

- Alabama Ethics Commission Website
 - www.ethics.alabama.gov
 - Advisory Opinions
 - Complaints
 - Statement of Economic Interest
 - Laws & Rules
 - FAQ
-

State Board of Education

- The Board conducts investigations regarding the educational needs of Alabama and adopts rules for proper implementation.
 - The State Superintendent of Education enforces the state education laws and state board rules.
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State Board of Education

- The rules adopted by the Board as an Alabama Administrative Code Rule have the effect of state law.

THE ALABAMA LEGISLATURE

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Alabama Administrative Code



Select a title from the list

290 – Alabama State Board of Education

STATE BOARD OF EDUCATION

- [CHAPTER 290-1-1 ORGANIZATION AND RULES OF PROCEDURE](#)
- [CHAPTER 290-010-030 ANNUAL REPORTS BY LOCAL BOARDS OF EDUCATION \(REPEALED 10/24/97\)](#)
- [CHAPTER 290-010-031 ANNUAL REPORTS BY LOCAL BOARDS OF EDUCATION \(REPEALED 10/24/97\)](#)
- [CHAPTER 290-030-040 REGULATORY SERVICES](#)
- [CHAPTER 290-040-040 AUDITS AND MANAGEMENT SERVICES](#)
- [CHAPTER 290-070-010 DIVISION OF REHABILITATION SERVICES](#)
- [CHAPTER 290-070-020 DIVISION OF REHABILITATION SERVICES](#)
- [CHAPTER 290-070-030 DIVISION OF REHABILITATION SERVICES](#)
- [CHAPTER 290-070-040 DIVISION OF REHABILITATION SERVICES](#)
- [CHAPTER 290-070-050 DIVISION OF REHABILITATION SERVICES EARLY INTERVENTION SERVICES SECTION](#)
- [CHAPTER 290-080-010 SPECIAL PROGRAMS I](#)
- [CHAPTER 290-080-020 SPECIAL PROGRAMS I](#)
- [CHAPTER 290-080-030 SPECIAL PROGRAMS I](#)
- [CHAPTER 290-080-040 SPECIAL PROGRAMS I](#)
- [CHAPTER 290-080-050 SPECIAL PROGRAMS I](#)
- [CHAPTER 290-080-060 SPECIAL PROGRAMS I](#)
- [CHAPTER 290-080-070 SPECIAL PROGRAMS I](#)
- [CHAPTER 290-080-080 SPECIAL PROGRAMS I](#)
- [CHAPTER 290-080-092 CATASTROPHIC TRUST FUND FOR SPECIAL EDUCATION](#)
- [CHAPTER 290-090-010 SPECIAL PROGRAMS II \(REPEALED 10/24/97\)](#)
- [CHAPTER 290-090-020 SPECIAL PROGRAMS II](#)
- [CHAPTER 290-1-2 REVIEW BY THE STATE SUPERINTENDENT OF EDUCATION OF ACTIONS BY COUNTY AND CITY BOARDS OF EDUCATION](#)
- [CHAPTER 290-1-4 PLANS BY LOCAL BOARDS OF EDUCATION](#)
- [CHAPTER 290-1-5 LOCAL SCHOOL BOARD GOVERNANCE](#)
- [CHAPTER 290-2-1 APPORTIONMENT OF FUNDS](#)
- [CHAPTER 290-2-2 SCHOOL FACILITIES](#)
- [CHAPTER 290-2-3 ALABAMA TEXTBOOK PROGRAM](#)
- [CHAPTER 290-2-4 TRANSPORTATION](#)

290-080-92 Catastrophic Trust Fund for Special Education

- **Purpose** – The Catastrophic Trust Fund for Special Education shall be administered by the ALSDE for the purpose of assisting LEAs in providing special education and related services to children & youth with disabilities in catastrophic cases.
 - Forms Used
 - Application for Grant
 - Review & Approval Process
 - Length of Grant
 - Notification
 - Reimbursement to Grantee
 - Maintenance of Records
-

290-1-4 Plans by Local Boards of Education

- Capital Improvement
 - Transportation
 - Professional Development
 - Technology
 - Special Education
 - At-Risk
 - Career/Technical Education
 - Federal Education Programs
 - Other
 - 16-13-231; 16-13-234
-

290-1-5 Local School Board Governance

- Established by the School Board Governance Improvement Act (#2012-221).
 - Purpose – Enhance the effectiveness of public education governance in Alabama:
 - ❑ Training requirements, stewardship standards, & accountability measures
 - ❑ Minimum qualifications
 - ❑ Code of Conduct
 - ❑ 16-3-11
-

290-1-5 Local School Board Governance

- 290-1-5-.04 Sanctioning Members of Local Board of Education
 - Fails to comply with the code of conduct or other statutory requirements
 - Neglect of duty or willful misconduct

 - No sanction of a member of a local BOE may be imposed based on the exercise of personal, political, or other rights protected by the US Constitution or state or federal statute.
-

290-2-1 Apportionment of Funds

- Annual adjustments to the apportionment of funds to reflect changes in the ETF Appropriations Act
 - ❑ Foundation Program
 - ❑ Transportation
 - ❑ Public School Funds
 - ❑ At-Risk Funds
-

290-2-2 School Facilities

- Approval of Construction (or Renovation)
 - Requirements for Public Schools
 - Requirements to be Classified as an Approved Center
 - minimum requirements for a school to be an approved school site;
 - School Site Requirements
 - minimum acreage requirements for school sites of different grade levels.
 - 16-3-12; 16-3-14; 16-4-14
-

290-2-5 Chief School Finance Officers

- Standards for CSFO
 - Duties and Responsibilities
 - Qualifications
 - Certification
 - Performance Standards
 - Requirements to Continue Certification
 - 16-3-13
-

290-2-5 CSFO

– Duties & Responsibilities

- The CSFO is responsible for a financial management system that ensures the proper accountability for funds administered by a local board of education and its schools.
 - The financial management system shall reflect the financial condition of the local board of education on a timely and accurate basis.
 - The local board of education shall provide the resources necessary for the CSFO to operate an effective financial management system.
-

290-2-5 CSFO

– Duties & Responsibilities

- Accounting in accordance with GAAP & Governmental Accounting Standards.
 - Payroll accounting in accordance with applicable laws & regulations.
 - Prepare financial reports annually & as requested
 - Adequate internal controls, including property & inventory
 - Cash Management
-

290-2-5 CSFO

– Duties & Responsibilities

- Individual local school accounting
- Contracting & Purchasing procedures
- Annual Budget and Amendments
- Financial Operations of CNP and other special programs according to state & federal requirements
- Carry out assigned responsibilities in accordance with federal, state, and local laws and with applicable rules and regulations
- Other duties as assigned

290-3-6 Charter Schools

- Establishment of Public Charter Schools
 - Definitions
 - Authorizer
 - Conversion Public Charter School
 - Governing Board
 - Start-up Public Charter School
 - Guidelines for Public Charter Schools
 - 16-4-7
-

290-4-1 Education Accountability

- Education Accountability (16-4-8; 16-6B-3 to 6)
 - Academic Assistance Program
 - Unsound Financial Condition
 - School Safety & Discipline
 - Educational Intervention (16-3-11)
 - Grading System for School Districts & Schools (16-3-11)
 - Flexibility for Students in Failing Schools (16-3-11)
 - Legislative School Performance Recognition Program (16-6C-3)
-

Attorney General Opinions

- Provide additional clarification of Alabama Law
 - www.alabamaag.gov
 - ❑ Opinions
 - ❑ Search using Key Phrases
-

Attorney General Opinions

- Bonuses (88-00264)
 - Raffle Opinion (89-00168)
 - Meals for School Meetings (97-0270)
 - Public Funds – Refreshments (2001-129)
 - Allowable Sick Leave (2014-020)
 - Disposal of School Property (2008-101;
2013-008)
-

Federal Laws

■ Department of Labor

- www.dol.gov

- Agencies - Wage & Hour Division

- Employee of Independent Contractor Classifications
- Family Medical Leave Act
- Wage & Hour Guidance

■ Code of Federal Regulations / EDGAR

- [Education Department General Administrative Regulations \(EDGAR\) and Other Applicable Grant Regulations](#)

- 2 CFR Part 200

QUESTIONS??
