

1st GRADE ENROLLMENT DATE

ACT #2016-297

1 HB168  
2 171106-2  
3 By Representatives Warren, Drummond, McClammy, Lee, Moore (B)  
4 and Coleman  
5 RFD: Education Policy  
6 First Read: 09-FEB-16



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ENROLLED, An Act,

To amend Section 16-28-4, Code of Alabama 1975, relating to enrolling for school; to allow a child who is six years of age on or before December 31 to enroll in first grade in the enrolling school district.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 16-28-4 of the Code of Alabama 1975, is amended to read as follows:

"§16-28-4.

"(a) A child who is six years of age on or before ~~September~~ December 31 or the date on which school begins in the enrolling district shall be entitled to admission to the first grade in the public elementary schools at the opening of such schools for that school year or as soon as practicable thereafter. A child who is under six years of age on ~~September~~ December 31 or the date on which school begins in the enrolling district shall not be entitled to admission to the first grade in the public elementary schools during that school year; except, that an underage child who transfers from the first grade of a school in another state may be admitted to school upon approval of the board of education in authority, and an underage child who has moved into this state having completed or graduated from a mandated kindergarten program in another state shall be entitled to admission to the

1 public elementary schools regardless of age. A child who  
2 becomes six years of age on or before February 1 may, on  
3 approval of the local board of education ~~in authority~~, be  
4 admitted at the beginning of the second semester of that  
5 school year to schools in school systems having semiannual  
6 promotions of pupils.

7           "(b) A child who is five years of age on or before  
8 September 1 or the date on which school begins in the  
9 enrolling district shall be entitled to admission to the local  
10 public school kindergartens at the opening of such schools for  
11 that school year or as soon as practicable thereafter; a child  
12 who is under five years of age on September 1 or the date on  
13 which school begins in the enrolling district shall not be  
14 entitled to admission to such schools during that school year;  
15 except that, an underage child who transfers from the public  
16 school kindergarten in another state may be admitted to local  
17 public kindergarten on the prior approval of the local board  
18 of education on a space available basis. The aforementioned  
19 underage children transferring from the public school  
20 kindergartens of another state, upon successful completion of  
21 the kindergarten in the local public schools, will then be  
22 allowed admission to the first grade of the local public  
23 schools.

24           "~~(c) Students who were four years of age on or~~  
25 ~~before October 1, 1989, and are enrolled in a public, private~~

1 ~~or church four-year old program or kindergarten during the~~  
2 ~~1989-90 school year will be allowed to enroll in a~~  
3 ~~five-year old public kindergarten, applicable only for the~~  
4 ~~1990-91 school year and to enroll in grade one of a public~~  
5 ~~school, applicable only for 1991-92 school year. Students who~~  
6 ~~are already enrolled in a public, private or church~~  
7 ~~kindergarten will be allowed to enroll in grade one of a~~  
8 ~~public school, applicable only for the 1990-91 school year.~~

9           "~~(d)~~(c) No public school system shall lose any  
10 teacher unit as a result of this section. The State Board of  
11 Education is authorized to adopt policies for local boards of  
12 education for the implementation of this section."

13           Section 2. This act shall become effective  
14 immediately following its passage and approval by the  
15 Governor, or its otherwise becoming law.

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*[Handwritten Signature]*

Speaker of the House of Representatives

*[Handwritten Signature: Kay Ivey]*

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 22-MAR-16.

Jeff Woodard  
Clerk

Senate

28-APR-16

Passed

**APPROVED**

5-10-2016

**TIME**

3:30 PM

*[Handwritten Signature: Robert Bentley]*  
**GOVERNOR**

Alabama Secretary Of State

Act Num....: 2016-297  
Bill Num...: H-168

Recv'd 05/10/16 04:45pmSLF

DATE: 4/9/16 2016  
RD 1 RFD E.P.

**REPORT OF STANDING COMMITTEE**

This bill having been referred by the House to its standing committee on Education Policy was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed, w/amend(s) w/sub this 24 day of Feb, 20 16.  
\_\_\_\_\_, Chairperson

DATE: 8-24 2016  
RF RD 2 CAL

DATE: \_\_\_\_\_ 20\_\_\_\_  
RE-REFERRED  RE-COMMITTED

Committee \_\_\_\_\_

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 168  
YEAS 94 NAYS 5  
JEFF WOODARD,  
Clerk

FURTHER HOUSE ACTION (OVER)

DATE: 3/23/16 2016  
RD 1 RFD 20

This Bill was referred to the Standing Committee of the Senate on Education and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amd(s) w/sub w/eng sub by a vote of yeas 4 nays 0 abstain 0 this 13 day of April, 20 16.  
\_\_\_\_\_, Chairperson

DATE: 3/13 2016  
RF RD 2 CAL

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB \_\_\_\_\_  
YEAS \_\_\_\_\_ NAYS \_\_\_\_\_  
PATRICK HARRIS,  
Secretary

DATE: 4-28-16 RD 3 at length  
PASSED  PASSED AS AMENDED

YEAS 29 NAYS 3  
And was ordered returned forthwith to the House.  
PATRICK HARRIS,  
Secretary

DATE: \_\_\_\_\_ 20\_\_\_\_  
INDEFINITELY POSTPONED YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

DATE: \_\_\_\_\_ 20\_\_\_\_  
RECONSIDERED YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

FURTHER SENATE ACTION (OVER)

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