

SB191 INTRODUCED



1 SB191
2 RBQZZNY-1
3 By Senator Givhan
4 RFD: Finance and Taxation Education
5 First Read: 21-Jan-26



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4 SYNOPSIS:

5 This bill would create the Home Schooling
6 Opportunities for Military Education (HOME) Act.

7 This bill would apply to parents who are active
8 duty members of the Armed Forces of the United States
9 or members of the National Guard or reserve components
10 of the Armed Forces of the United States, and are on
11 active duty orders that require a temporary or
12 permanent change of station.

13 This bill would require those military parents
14 to inform their local superintendent of education of
15 any intention to home school their dependent children
16 and to comply with state law relating to home
17 schooling.

18 This bill would allow dependents of those
19 military parents who are receiving home school
20 instruction to use public school facilities and
21 equipment on the same basis as regularly enrolled
22 students under certain circumstances.

23 This bill would require local school systems to
24 provide home school students with disabilities who are
25 dependents of those military parents and are residing
26 within the system access to special education services.

27 This bill would also require local school
28 systems to allow participation in interscholastic



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activities by home school students and other dependents
of those military parents residing within the system.

A BILL
TO BE ENTITLED
AN ACT

Relating to public K-12 education; to create the Home
Schooling Opportunities for Military Education (HOME) Act; to
define "covered military service"; to require active duty
military parents performing covered military service to
provide notice of an intention to home school dependent
children and to comply with state law relating to home
schooling; to allow home school students of active duty
military parents performing covered military service to use
public school facilities and equipment under certain
circumstances; to require local school systems to provide home
school students with disabilities of active duty military
parents performing covered military service access to special
education services; and to amend Section 16-1-52.1, Code of
Alabama 1975, to require local school systems to allow home
school and other students of active duty military parents
performing covered military service to participate in
interscholastic sports provided in the local school system.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as
the Home Schooling Opportunities for Military Education (HOME)



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Act.

Section 2. (a) For the purposes of this section, the following terms have the following meanings:

(1) BONA FIDE CHANGE IN DUTY STATION OR RESIDENCE. A required relocation pursuant to military orders, whether temporary or permanent, that necessitates that the service member obtain lodging outside the normal commuting area of the member's principal residence.

(2) COVERED MILITARY SERVICE. Active duty military service by a member of the Armed Forces of the United States, including a member of the reserve components or the Alabama National Guard, who is:

- a. Serving on active duty under federal authority; or
- b. Serving on active duty under state authority pursuant to an order of the Governor or other lawful state authority, when the service requires a bona fide change in duty station or residence.

(b) Any parent who is a member of the Armed Forces of the United States and performing covered military service who moves into a new school system and begins home instruction after the school year has begun, shall notify as soon as practicable the local superintendent of education of his or her intention to home school his or her dependent child and, within 30 days after providing notice, shall comply with all state requirements for home schooling. The local superintendent of education may require the parent to provide a copy of his or her permanent change of station orders to substantiate the move.



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(c) A student who is the dependent of a member of the Armed Forces of the United States performing covered military service and is home schooled may use public school facilities and equipment on the same basis as regularly enrolled students if all of the following conditions are satisfied:

(1) The use does not disrupt regular school activities.

(2) The use is approved by the school principal in accordance with local board of education policy.

(3) The use does not create any additional expense for the school.

(4) The use is directly related to the academic program of the student.

(5) The use of potentially hazardous areas including, but not limited to, shops, laboratories, and the gymnasium, is supervised by a designated employee of the school administrative staff.

(d) A local school system shall provide a genuine opportunity for home school students with disabilities, who are the dependents of a member of the Armed Forces of the United States performing covered military service, to access special education and related services from the school system within which they reside. This subsection shall not be construed as conferring the procedural protections and rights under Part B of the Individuals with Disabilities Education Act (IDEA) to those students and their parents or guardians. The State Board of Education shall adopt rules as necessary to implement this subsection.

Section 3. Section 16-1-52.1 of the Code of Alabama



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1975, is amended to read as follows:

"§16-1-52.1

(a) For the purposes of this section, the ~~term~~
~~"athletic association" means any~~ following terms have the
following meanings:

(1) ATHLETIC ASSOCIATION. Any athletic organization
operating in this state that has authority over its member
institutions' athletic programs, that receives public funds in
any form, and whose member institutions make use of public
facilities.

(2) BONA FIDE CHANGE IN DUTY STATION OR RESIDENCE. A
required relocation pursuant to military orders, whether
temporary or permanent, that necessitates the service member
to obtain lodging outside the normal commuting area of the
member's principal residence.

(3) COVERED MILITARY SERVICE. Active duty military
service by a member of the Armed Forces of the United States,
including a member of the reserve components or the Alabama
National Guard, who is:

a. Serving on active duty under federal authority; or
b. Serving on active duty under state authority
pursuant to an order of the Governor or other lawful state
authority, when the service requires a bona fide change in
duty station or residence.

(b) (1) No public K-12 school may deny a dependent child
of a full-time active duty military parent immediate
eligibility to participate in an interscholastic athletic
contest on the basis of the child enrolling in a new school



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due to the child and his or her parent making a bona fide move pursuant to permanent change of station orders received by the parent, regardless of the date upon which the child enrolls in the new school within the school attendance zone of the bona fide move.

(2) A public K-12 school and an athletic association may require a parent to provide his or her permanent change of station orders to substantiate a bona fide move that necessitates a child's enrollment in a new school.

(c) No local school system or athletic association may deny a high school equivalency student, a home school student, or a charter school student, whose parent is a member of the Armed Forces of the United States performing covered military service, and who does not have access to interscholastic activities, the opportunity to participate in all interscholastic activities available in the school system within which the student resides, if the student otherwise satisfies all other requirements of the local school system and athletic association, with the exception of class attendance requirements."

Section 4. This act shall become effective on July 1, 2026.