

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

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33 A BILL

34 TO BE ENTITLED

35 AN ACT

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

54 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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



57 Act.

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

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

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

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

74 (b) Any parent who is a member of the Armed Forces of
75 the United States and performing covered military service who
76 moves into a new school system and begins home instruction
77 after the school year has begun, shall notify as soon as
78 practicable the local superintendent of education of his or
79 her intention to home school his or her dependent child and,
80 within 30 days after providing notice, shall comply with all
81 state requirements for home schooling. The local
82 superintendent of education may require the parent to provide
83 a copy of his or her permanent change of station orders to
84 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



113 1975, is amended to read as follows:

114 "§16-1-52.1

115 (a) For the purposes of this section, the ~~term~~

116 ~~"athletic association"~~ means any following terms have the
117 following meanings:

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

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

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

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

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

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

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

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

161 Section 4. This act shall become effective on July 1,
162 2026.