

# HB61 INTRODUCED



1 HB61  
2 12MF33L-1  
3 By Representative DuBose  
4 RFD: Ways and Means Education  
5 First Read: 04-Feb-25  
6 PFD: 07-Nov-24



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SYNOPSIS:

Under existing law, career and technical education programs are available to students at certain public schools.

Existing law does not authorize home school students to participate in any class or program offered by a public school.

This bill would authorize home school students to participate in career and technical education programs at public schools, except that full-time, stand-alone career and technical education schools may choose whether to opt in to home school student participation.

This bill would provide conditions that a home school student must meet in order to participate in a career and technical education program.

This bill would require the State Board of Education and each local board of education to adopt rules relating to the participation of home school students in career and technical education programs.

This bill would also amend the definition of "qualifying educational expenses" for purposes of the CHOOSE Act to include any course fees assessed to a student participating in a career and technical education program.



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A BILL

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TO BE ENTITLED

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AN ACT

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35           Relating to public K-12 education; to amend Section 2  
36 of Act 2024-21, 2024 Regular Session, now appearing as Section  
37 16-6J-2, Code of Alabama 1975; to authorize home school  
38 students to participate in certain career and technical  
39 education programs at K-12 public schools; to provide  
40 exemptions for full-time career and technical education  
41 schools; to require the State Board of Education and local  
42 boards of education to adopt rules; and to amend the  
43 definition of "qualifying educational expenses" for purposes  
44 of the CHOOSE Act to include certain fees relating to career  
45 and technical education programs.

46 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

47           Section 1. (a) For the purposes of this section, the  
48 following terms have the following meanings:

49           (1) CAREER AND TECHNICAL EDUCATION or CTE. An area of  
50 study that blends academic, occupational, and life skills  
51 leading to a credential, employment, or further education.

52           (2) HOME SCHOOL STUDENT. A student who is instructed by  
53 a private tutor pursuant to Section 16-28-5, Code of Alabama  
54 1975, or who is taught at home and is enrolled in a private  
55 school or a church school as defined in Section 16-28-1, Code  
56 of Alabama 1975.



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57 (3) STATE BOARD. The State Board of Education.

58 (b) Beginning with the 2026-2027 school year, a home  
59 school student may participate in any career and technical  
60 education program offered by a public school, provided that:

61 (1) The home school student enrolls as a nontraditional  
62 public school student; and

63 (2) The home school student pays any course fees in an  
64 amount equal to the fee charged to an enrolled public school  
65 student.

66 (c) In the event that a CTE program has limited  
67 enrollment capacity, a home school student who wishes to  
68 enroll in the CTE program shall be considered for enrollment  
69 after current public school students are enrolled.

70 (d) (1) The state board shall adopt rules to implement  
71 and administer this section.

72 (2) Each local board of education shall adopt a policy  
73 reflecting the requirements of this section and rules adopted  
74 by the state board.

75 (e) This act does not require any full-time,  
76 stand-alone career and technical education school to allow  
77 home school students to participate in its career and  
78 technical education programs. However, any full-time,  
79 stand-alone career and technical education school may choose  
80 to allow home school students to participate in its career and  
81 technical education programs pursuant to this section.

82 Section 2. Section 2 of Act 2024-21, 2024 Regular  
83 Session, now appearing as Section 16-6J-2, Code of Alabama  
84 1975, is amended to read as follows:



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85 "§16-6J-2

86 As used in this chapter, unless otherwise specified or  
87 unless the context requires otherwise, the following terms  
88 have the following meanings:

89 (1) ACADEMIC YEAR. The 12-month period beginning on  
90 July 1 and ending on the following June 30.

91 (2) DEPARTMENT. The Alabama Department of Revenue.

92 (3) EDUCATION SAVINGS ACCOUNT or ESA. An account in  
93 which funds are deposited by the department for the parent of  
94 a participating student to pay qualifying expenses to an  
95 education service provider.

96 (4) EDUCATION SERVICE PROVIDER. A school, including a  
97 participating school, organization, vendor, or individual  
98 other than the parent of the eligible student, approved by the  
99 department to provide educational goods and services,  
100 including goods and services designed for use by home\_school  
101 students, to eligible students.

102 (5) ELIGIBLE STUDENT. A child~~-aged~~ 5 to 19 years of age  
103 who resides in this state and who has not graduated high  
104 school or a child~~-aged~~ 5 to 21 years of age who resides in  
105 this state and qualifies for services under the Individuals  
106 with Disabilities Education Act (IDEA) of 1975 or Section 504  
107 of the Rehabilitation Act of 1973, 29 U.S.C. § 794. The term  
108 does not include:

109 a. A~~a~~ student receiving scholarship funds or a tax  
110 credit under the Alabama Accountability Act of 2013, Chapter  
111 6D;~~The term does not include~~

112 b. A~~a~~ child who is enrolled in a private school as



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113 defined in Section 16-28-1 that is not a participating  
114 school ~~;~~ ~~or~~ ~~The term does not include~~

115 c. A child who is not lawfully present in the United  
116 States.

117 (6) PARENT. A resident of this state who is the parent,  
118 guardian, custodian, or other individual with authority to act  
119 on behalf of an eligible student. The term does not include an  
120 individual who is not lawfully present in the United States.

121 (7) PARTICIPATING SCHOOL. A State of Alabama education  
122 service provider that is an accredited public K-12 school or  
123 an accredited private school, including a church, parochial,  
124 or religious school, which provides education to K-12 students  
125 and which is approved by the department. The school must be  
126 accredited ~~r~~ or be in the process of obtaining accreditation,  
127 as determined by the department, by one of the six regional  
128 accrediting agencies, ~~or~~ the National Council for Private  
129 School Accreditation, Cognia, the American Association of  
130 Christian Schools, the Alabama Christian Education  
131 Association, the Alabama Independent School Association, or  
132 one of their partner accrediting agencies.

133 (8) PARTICIPATING STUDENT. An eligible student who is  
134 approved by the department to participate in the program and  
135 receives services from an education service provider.

136 (9) PROGRAM. The Creating Hope and Opportunity for Our  
137 Students' Education (CHOOSE) Act Tax Credit program  
138 established by this chapter.

139 (10) QUALIFYING EDUCATIONAL EXPENSES. Expenses incurred  
140 by a parent of an eligible student in one or more of the



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141 following categories:

142 a. Tuition and fees at a participating school.

143 b. Textbooks.

144 c. Fees for after-school or summer education programs  
145 provided by a participating school.

146 d. Private tutoring.

147 e. Curricula or instructional materials.

148 f. Tuition and fees for nonpublic online learning  
149 programs.

150 g. Educational software and applications.

151 h. Fees for standardized and nationally recognized  
152 assessments, including college admissions tests and advanced  
153 placement examinations and related preparatory courses.

154 i. Education services for students with disabilities  
155 from a licensed or accredited practitioner or education  
156 service provider.

157 j. Contracted services provided by a public school  
158 district including specific classroom instruction.

159 k. Any course fees or other costs assessed to a student  
160 participating in a career and technical education program  
161 pursuant to Section 1 of this act.

162 (11) RESIDENT SCHOOL DISTRICT. The public school  
163 district in which an eligible student resides.

164 (12) SPECIAL-NEEDS STUDENT. A student who qualifies for  
165 services under the Individuals with Disabilities Education Act  
166 (IDEA) of 1975 or Section 504 of the Rehabilitation Act of  
167 1973, 29 U.S.C. § 794.

168 Section 3. This act shall become effective on October



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169 1, 2025.