

## 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



## 4 SYNOPSIS:

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

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

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

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

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

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



## HB61 INTRODUCED

A BILL

TO BE ENTITLED

AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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



## HB61 INTRODUCED

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

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

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

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

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

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

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

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

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



## HB61 INTRODUCED

"§16-6J-2

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

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

(2) DEPARTMENT. The Alabama Department of Revenue.

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

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

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

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

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



## HB61 INTRODUCED

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

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

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

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

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

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

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



## HB61 INTRODUCED

following categories:

- a. Tuition and fees at a participating school.
- b. Textbooks.
- c. Fees for after-school or summer education programs provided by a participating school.
- d. Private tutoring.
- e. Curricula or instructional materials.
- f. Tuition and fees for nonpublic online learning programs.
- g. Educational software and applications.
- h. Fees for standardized and nationally recognized assessments, including college admissions tests and advanced placement examinations and related preparatory courses.
- i. Education services for students with disabilities from a licensed or accredited practitioner or education service provider.
- j. Contracted services provided by a public school district including specific classroom instruction.
- k. Any course fees or other costs assessed to a student participating in a career and technical education program pursuant to Section 1 of this act.

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

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

Section 3. This act shall become effective on October



## HB61 INTRODUCED

169 1, 2025.