



## ALABAMA UPDATE

# What are My Homeschooling Options?

Dear HSLDA Members:

A common question we hear from Alabama homeschoolers is "do I need a cover school?"

If "cover school" is used to refer to enrollment in a church school, the simple answer is "no." But this does not mean no reporting requirements apply. To homeschool legally in Alabama, all parents must comply with the state reporting requirements for the homeschooling option they choose. There are two choices for parents who are not certified teachers: (1) enroll in a church school or (2) report instruction in a home-based private school.

You can view HSLDA's updated step-by-step guidance on the reporting requirements for each option online (<https://hslida.org/content/hs101/AL.aspx>)

To clarify, there is no separate homeschooling option where parents do not have to report enrollment information to their local school district. Alabama statutes specifically apply enrollment reporting requirements to homeschooling entities.

Parents have been legally homeschooling their children in Alabama through enrollment in church schools since the definition of a church school was amended to include "home programs" in 1982. Prior to 2014, this was the only homeschooling option for parents who were not certified teachers. Church schools became known colloquially as "cover schools" because of the legal covering they provided to homeschools, though that terminology is not found in Alabama law.

In 2014, the Alabama Legislature modified the definition of a private school to include "home programs," just as it had for church schools in 1982. It also clarified that parents have the right to select the type of school for their children's education, whether "religious or nonreligious." Thus, parents can now legally homeschool their children without enrolling in a church school so long as they follow the reporting requirements for the home-based private school option.

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The Alabama State Department of Education does not license or regulate nonpublic schools (including home programs), but local reporting requirements are still enforced by local officials in accordance with Alabama law.

As recently as the 2017-2018 school year, HSLDA represented an Alabama homeschooling family who was criminally prosecuted for truancy after relying on advice from a friend that no reporting was required. The homeschool program was deemed out of compliance with Alabama law by local officials due to the lack of enrollment reporting. After the family followed HSLDA's guidance, the prosecution dropped charges against the family. The local prosecutor made it crystal clear, however, that the family would face ongoing prosecution should they fail to comply with the reporting requirements for home-based private schools. (<https://hsllda.org/content/hs/state/al/20180220-mom-of-3-charged-with-truancy.aspx>)

Additionally, failure to follow reporting requirements can easily lead to roadblocks down the road when your student considers future opportunities such as employment, college admission, military enlistment, or participation in various extracurricular activities.

If you have questions about homeschooling in Alabama, please give us a call. We're here to help make your homeschooling journey a success!



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**If you or someone you know is not a member of HSLDA, will you consider taking a moment today to join or recommend us?**



*Making homeschooling possible*

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