



MONTGOMERY
PUBLIC SCHOOLS

Montgomery Public Schools

Home School
Information & Forms



MONTGOMERY
PUBLIC SCHOOLS

HOME SCHOOLING IN ALABAMA
Code of Alabama 1975 § Title16

Dear Parent or Legal Guardian:

The information provided in this packet is to familiarize you with the church school enrollment procedures and to assist you in complying with the law. Please review the information and then complete the Church/Home School Enrollment Form in duplicate or triplicate as the need may dictate.

The Alabama State Legislature enacted a law concerning the enrollment and attendance of children in church/home schools. The term “church school” shall mean and only include schools that offer instruction in grades K-12, or any combination thereof, including preschool, through on-site or home programs, and are operated as a ministry of the local church, group of churches, denomination, and/association of churches which do not receive any state or federal funding. (*Code of Alabama 1975§ 16-28-1, Definitions*) A parent or guardian in Alabama has a constitutional right to choose the type of K-12 education that is best for his or her child, whether public or nonpublic, religious or nonreligious, and including home-based education. In addition, families who wish to home school may also request to “*umbrella*” under a church school or other school/agency or may select the Private Tutor option if the person giving instruction holds a teaching certificate, as required in the Code of Alabama 1975§ 16-28-5.

The law generally exempts nonpublic schools from the supervision of the state, but does include certain requirements concerning the enrollment and attendance of children in nonpublic schools. (*Code of Alabama 1975§ 16-28-3*) Specifically, the following requirements shall apply for the parents, guardians or other person in charge or control of a child who is enrolled in a church school.

1. The enrollment and attendance of a child in a church school shall be filed with the local public school superintendent on a form provided by the superintendent or his or her agent.
2. The enrollment form shall be countersigned by the administrator of the church school and returned to the public school superintendent or his or her agent by the parent, guardian, or other person in charge or control of the child.
3. The church school administrator, by prior consent of the parents, guardian, or other person in charge or control of the child at the time of enrollment, shall notify the local public school superintendent or his or her agent that said child no longer is in attendance at the church school.

Sincerely,

Sophia L. Johnson
Student Support Service Director





MONTGOMERY
PUBLIC SCHOOLS

Student Support Services Home School Enrollment Form

Student Name (Last, First)	Address City, State, Zip	Date of Birth	Grade

Parent/Guardian Printed Name: _____

Parent/Guardian Signature: _____

Date: _____ Contact Number: _____

Academic Year: _____

If your child returns to Montgomery Public Schools, he or she must take placement/subject specific tests to determine grade placement.

**Fax form to 334-269-3998 or mail:
Montgomery Public Schools
ATTN: Student Support Services
321 Early Street
Montgomery, AL 36104**

Montgomery Public Schools

CHURCH SCHOOL ENROLLMENT FORM

I. TO BE COMPLETED BY THE PARENT OR GUARDIAN

Student's Name _____ Home Phone _____

Home Address _____ Zip _____

Date of Birth _____ Age _____ Grade _____

Parent or Guardian Name _____ Home Phone _____

Home Address _____ Zip _____

CHURCH SCHOOL ENROLLMENT _____

School Address _____ Zip _____ School Phone _____

Signature of Parent or Guardian _____ **Date** _____

II. TO BE COMPLETED BY CHURCH/HOME SCHOOL ADMINISTRATOR

Church School Name _____ School Phone _____

School Address _____ Zip _____

Date of Enrollment _____ School Year 20____ - 20____

Signature of Administrator _____ **Date** _____

III. CONSENT FOR NOTIFICATION OF STUDENT WITHDRAWAL

I hereby give prior consent to the administrator of _____
Church/Home School to notify the public school superintendent should the above-
named student cease attendance at said school.

Signature of Parent or Guardian _____ **Date** _____



Montgomery Public Schools

PRIVATE TUTOR VERIFICATION FORM

School System _____ Name of Child's Previous School _____

Full Name of the Private Tutor _____

Alabama Professional Educator Certificate Number _____

Elementary (check one) YES NO
Certification

Secondary (check one) YES NO
Certification

Name, age, and grade of the student(s) who will receive instruction:

Name	Age	Grade
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Details of Instruction:

State the TIME of day the student(s) will receive instruction: From _____ To _____

On what days of the week (Check all that apply): Mon. ___ Tue. ___ Wed. ___ Thur. ___ Fri. ___

Student(s) will receive instruction how many days per year? _____

THE TUTOR MUST: (1) Keep a daily lesson plan. (2) Keep a register of attendance.

Should the child or children cease to receive instruction from the tutor, the parent must notify the local superintendent for placement in a public school.

PRINT Name of Parent or Legal Guardian

Signature of Parent or Guardian

Date

Assistant Superintendent

Date



HOMESCHOOLING IN ALABAMA The Code of Alabama 1975

General Information from the LAWS OF ALABAMA RELATING TO EDUCATION

Section 16-28-1, DEFINITIONS

(1) **PRIVATE SCHOOL** includes only such schools that are established, conducted, and supported by a nongovernmental entity or agency offering educational instruction in grades K-12, or any combination thereof, including preschool, through on-site or home programs.

(2) **CHURCH SCHOOL** includes only schools that offer instruction in grades K-12, or any combination thereof, including preschool, through on-site or home programs, and are operated as a ministry of a local church, group of churches, denomination, and/or association of churches which do not receive any state or federal funding.

(School Code 1927, §302; Code 1940, T. 52, §229; Acts 1982, No. 82-218, p.260§1.)

Section 16-28-3, AGES OF CHILDREN REQUIRED TO ATTEND SCHOOL (CHURCH SCHOOL STUDENTS EXEMPT FROM OPERATION OF THIS SECTION.)

Every child between the ages of six and seventeen years old shall be required to attend a public school, private school, church school, or be instructed by a competent private tutor for the entire length of the school term in every scholastic year except that every child attending a church school as defined in Section 16-28-1 is exempt from the requirement of this section, provided such child complies with enrollment and reporting procedure specified in Sections 16-28-7. Admission to public school shall be on an individual basis on the application of the parents, legal custodian or guardian of the child to the local board of education at the beginning of each school year, under such rules and regulations as the board may prescribe.

(School Code 1927, § 301, Code 1940, T. 52, § 297; Acts 1956; 2nd Ex. Sess., No.117, p. 446 §3; Acts 1982, No. 82-218, p. 260, §4)

SECTION 16-28-5, PRIVATE TUTOR

Instruction by a private tutor means and includes only instruction by a person who holds a certificate issued by the State Superintendent of Education and who offers instruction in the several branches of study required to be taught in the public schools of this state, for at least three hours a day for 140 days each calendar year, between the hours of 8:00 A. M. and 4:00 P. M., and who uses the English language in giving instruction. Such private tutor shall, prior to beginning the instruction of any child, file with the county superintendent of education, where his place of instruction is in territory under the control and supervision of the county board of education, or the city superintendent of schools, where his place of instruction is in territory under the control and supervision of a city board of education, a statement showing the child or children to be instructed, the subjects to be taught and the period of time such instruction is proposed to be given. Such tutor shall keep a register of work, showing daily the hours used for the instruction and the presence or absence of any child being instructed and shall make such reports as the State Board of Education may require.

(School Code 1927, § 303, Code 1940, T. 52. §300)



SECTION 16-28-7, REPORT OF ENROLLMENT

At the end of the fifth day from the opening of the public school, the principal teacher of each public school, private school, and each private tutor, but not church school, shall report on forms prescribed by the State Superintendent of Education to the county superintendent of education, in the event the school is operated in territory under the control and supervision of the county board of education or the city superintendent of schools, in the event the school is operated in territory under the control and supervision of a city board of education, the names and addresses of all children of mandatory school attendance age who have enrolled in such schools; and thereafter, throughout the compulsory attendance period, the principal teacher of each school and private tutor shall report at least weekly the names and addresses of all children of mandatory school attendance age who enroll in said school or who, having enrolled, were absent without being excused, or whose absence was not satisfactorily explained by the parent, guardian, or other person having control of the child. The enrollment and attendance of a child in a church school shall be filed with the local public school superintendent by the parent, guardian, or other person in charge or control of the child on a form provided by the superintendent or his or her agent which shall be countersigned by the administrator of the church school and returned to the public school superintendent by the parent. Should said child cease attendance at a church school, the parent, guardian, or other person in charge or control of the child shall by prior consent at the time of enrollment direct the church school to notify the local public school superintendent or his or her agent that said child is no longer in attendance at a church school. This section may not be interpreted or construed as authorizing the Department of Education, the State Board of Education, or the State Superintendent of Education to license or regulate any private, nonpublic, or church school offering instruction in grades K-12, or any combination thereof.

(School Code 1927, §309; Code 1940, T. 52. §Acts 1982, No. 82-218, p260, §5)

SECTION 16-28-16, CASES OF NONENROLLMENT AND NONATTENDANCE; WITHDRAWAL OR ENROLLMENT

(a) It shall be the duty of the county superintendent of education or the city superintendent of education as the case may be, to require the attendance officer to investigate all cases of nonenrollment and nonattendance. In all cases investigated where no valid reason for nonenrollment and nonattendance is found, the attendance officer shall give written notice to the parent, guardian, or other person having control of the child. In the event of the absence of the parent, guardian, or other person having control of the child from his or her usual place of residence, the attendance officer shall leave a copy of the notice with some person over 12 years of age residing at the usual place of residence, with instructions to hand the notice to the parent, guardian, or other person having control of the child, which notice shall require the attendance of the child at the school within three days from the date of the notice. In the event the investigation discloses that the nonenrollment or nonattendance was without valid excuse or good reason and intentional, the attendance officer shall be required to bring criminal prosecution against the parents, guardian, or other person having control of the child.

(School Code 1927, §314, Code 1940, T. 52, §311; Acts 99-705, 2nd SP. Sess., p. 222, §1; act 2001-344, p.446, §1.)



SECTION 16-1-11, PRIVATE SCHOOLS TO REGISTER AND REPORT; SECTION NOT APPLICABLE TO CHURCH SCHOOLS.

All private schools or institutions of any kind having a school in connection therewith, except church schools as defined in Section 16-28-1, shall register annually on or before October 10 with the Department of Education and shall report on uniform blanks, giving such statistics as relate to the number of pupils, the number of instructors, enrollment, attendance, course of study, length of term, cost of tuition, funds, value of property, and the general condition of the school. This section may not be interpreted or construed to authorize the Department of Education, the State Board of Education, or the State Superintendent of Education to license or regulate any private, nonpublic, or church school offering instruction in grades K-12, or any combination thereof.

(School Code 1927, §599; Code 1940, T. 52, §547; Acts 1982, No 82-218, p. 260. §2.)

