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FISCAL IMPACT REPORT

ORIGINAL DATE 3/1/17

SPONSOR HSIVC LAST UPDATED _____ HB 270/HSIVCS

SHORT TITLE Home School Student Activity Participation SB _____

ANALYST Fernandez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		See Fiscal Implications				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

New Mexico Activities Association (NMAA)

SUMMARY

Synopsis of Bill

The House State Government, Indian & Veterans Affairs Committee Substitute to House Bill 270 amends the public school code to create “home school teams”, requires PED to post the home school registration form on their website, adds a new section to the existing Home School Requirements to allow a home school team to participate in academic activities otherwise regulated by an association pursuant to Section 22-2-2 NMSA 1978 and adds a section establishing requirements for participation.

FISCAL IMPLICATIONS

This bill does not contain an appropriation. According to PED, this bill does not appear to create any major fiscal implications. The department indicates that NMAA charges fees that support the administration of the association and participation in association activities.

SIGNIFICANT ISSUES

A “home school team” is defined as a group of home school students organized to participate in a specific academic activity determined by an association or organization pursuant to Section 22-2-2 NMSA 1978.

A “home school administrator” is a person designated by the home school team who shall be qualified to provide instruction according to Subsection A of the bill.

A home school parent or other legal guardian of a school-age person may organize a team of home school students to participate in academic activities regulated by an association pursuant to Section 22-2-2 NMSA 1978. A home school team shall:

- Be entitled to regular or affiliate membership in the association;
- Be eligible for a separate membership in the association if the association promulgates rules to allow for consolidation of team memberships; and
- Designate a home school administrator to be responsible to the association for all matters pertinent to interscholastic academic activities of the home school team as provided in the rules of the association.

The association is required to promulgate rules regarding home school team participation in academic activities with certain provisions noted in the bill.

PED indicates that this bill will allow more students to participate in academic activities and allows NMAA to create special rules and provisions for home school teams. Also, according to PED, the organization would likely need to create new provisions to account for the unique nature of a home-school team. By allowing them to create these provisions, the NMAA can properly account for and govern home school teams.

NMAA provides the following:

The only concern of the New Mexico Activities Association office relative to the passage of this bill would be that it would potentially cause the “playing field” to no longer be level in terms of participation in activities. For example, a home school team may have students whose curriculum is solely based on Science Olympiad information. A non-home school student does not have a curriculum geared toward just a particular activity. They must meet all of the PED curriculum standards. As an Association, we try to provide a level playing field for all participants and this bill could possibly derail that mission.

ADMINISTRATIVE IMPLICATIONS

According to PED, this bill may require the NMAA to engage in additional rulemaking and may require additional administrative burdens related to granting and administering membership and scheduling team competitions. However, the administrative burdens of these activities appear to be fully funded by membership dues.

TECHNICAL ISSUES

PED provides the following information:

This bill allows the NMAA to promulgate such rules as required regarding home school team participation in academic activities. This language may still allow the NMAA to limit the number of activities home school teams and students may participate in. The language may also allow the NMAA to continue to limit the home school teams’ and students’ ability to compete for state awards.