

1 HOUSE BILL 270

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO PUBLIC SCHOOLS; AMENDING THE PUBLIC SCHOOL CODE TO
12 ALLOW HOME SCHOOL STUDENTS TO PARTICIPATE IN ACADEMIC
13 ACTIVITIES REGULATED BY AN ASSOCIATION AND TO ESTABLISH
14 REQUIREMENTS FOR SUCH PARTICIPATION.

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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 22-1-2.1 NMSA 1978 (being Laws 1985,
18 Chapter 21, Section 2, as amended) is amended to read:

19 "22-1-2.1. HOME SCHOOL--REQUIREMENTS--HOME SCHOOL
20 TEAMS.--

21 A. Any person operating or intending to operate a
22 home school shall:

23 [~~A.~~] (1) submit a home school registration
24 form made available by the department and posted on the
25 department's [~~web site~~] website to notify the department within

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1 thirty days of the establishment of the home school and to
2 notify the department on or before August 1 of each subsequent
3 year of operation of the home school;

4 ~~[B-]~~ (2) maintain records of student disease
5 immunization or a waiver of that requirement; and

6 ~~[G-]~~ (3) provide instruction by a person
7 possessing at least a high school diploma or its equivalent.

8 B. A home school parent, guardian or other person
9 having custody of a school-age person may organize a team
10 consisting of home school students to participate in academic
11 activities that are regulated by an association pursuant to
12 Section 22-2-2 NMSA 1978. A home school team shall:

13 (1) be entitled to regular or affiliate
14 membership in the association;

15 (2) be eligible for a separate membership in
16 the association; provided that the association may promulgate
17 rules to allow for consolidation of team memberships as the
18 association may deem appropriate; and

19 (3) designate a home school administrator who
20 shall have the same authority and responsibility as that of a
21 public school administrator or athletic director regarding the
22 activity.

23 C. The association shall promulgate such rules as
24 required regarding home school team participation in academic
25 activities.

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D. For purposes of this section:

(1) "home school administrator" means a person designated by the home school team who shall be qualified pursuant to the School Personnel Act to provide instruction in the activity and be actively engaged in such instruction; and

(2) "home school team" means a group of home school students organized to participate in a specific academic activity, as determined by an association or organization pursuant to Section 22-2-2 NMSA 1978."