

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 129

50th Legislature, 2nd Session, 2012

Tracking Number: .188218.1

Short Title: Home School Student Program Unit Calculation

Sponsor(s): Representative James R.J. Strickler and Others

Analyst: Kathleen Forrer

Date: January 24, 2012

Bill Summary:

HB 129 amends the Public School Finance Act to include co-curricular and extracurricular activities sanctioned by the New Mexico Activities Association (NMAA) among the three activities in which a home school student may participate.

Current statute provides that a home school student is eligible to participate in up to three school district athletic activities at the public school in the attendance zone in which the student resides, based on NMAA guidelines.

The bill received Executive Message #44.

Fiscal Impact:

HB 129 does not contain an appropriation.

However, if more home school students participate in activities as a result of the change in definition, the number of units generated under the Public School Funding Formula would increase.

If no money is appropriated to cover the cost of the additional program units generated, unit value will decrease accordingly, but the actual fiscal impact is likely to be minimal. During the school year 2010-2011, only 2,300 home school student activities units were generated statewide. At the final unit value of \$3,572.34, the total statewide cost was \$8,216:

$$2,300 \times \$3,572.34 = \$8,216$$

Substantive Issues:

In 2007, the *Public School Finance Act* was amended to include a home school student activities factor of 0.1 in the Public School Funding Formula to compensate school districts for any costs associated with allowing home school students to participate in one NMAA-governed athletic activity.

In 2009, the statute was amended to allow home school student to participate in up to three NMAA-governed athletic events.

Background:

The Public School Code includes the following definitions:

- **“home school”** means the operation by the parent of a school-age person of a home study program of instruction that provides a basic academic educational program, including reading, language arts, mathematics, social studies, and science;
- **“private school”** means a school, **other than a home school**, that offers on-site programs of instruction and that is not under the control, supervision, or management of a local school board; and
- **“public school”** means that part of a school district that is a single attendance center in which instruction is offered by one or more teachers and is discernible as a building or group of buildings generally recognized as either an elementary, middle, junior high, or high school or any combination of those and **includes a charter school**.

New Mexico Activities Association

Formed in 1921 and incorporated in 1964, the NMAA is a voluntary, nonprofit organization of approximately 300 New Mexico public, private, and parochial junior/middle and senior high schools that pay membership dues on an annual basis. The NMAA has as its principal purpose the regulation, direction, administration, and supervision of all interscholastic activities in the state of New Mexico. Current statute requires that NMAA rules be approved by the Public Education Department.

NMAA governs the following athletic and other school district activities. Not every school district provides all of the activities listed.

Athletic Activities (by season)		
Fall	Winter	Spring
<ul style="list-style-type: none">• cross country• football• soccer• volleyball	<ul style="list-style-type: none">• basketball• spirit• swimming and diving• wrestling	<ul style="list-style-type: none">• baseball• golf• softball• tennis• track and field
Other Activities (alphabetical)		
<ul style="list-style-type: none">• Athletic Training Challenge• Bowling• Business Pros of America• Chess• Choir• Concert Band• DECA Marketing Education• Drama/One Act Play• English Expo	<ul style="list-style-type: none">• FCCLA (Family, Career and Community Leaders of America)• FFA Agriculture Education• HOSA (Health Occupations Student Association)• JROTC• Mock Trial• Rodeo	<ul style="list-style-type: none">• Scholastic Publications• Science Fair• Science Olympiad• Skills USA• Speech and Debate• Student Council• TSA (Technology Student Association)

Related Bills:

None known as of January 23, 2012.