

HOUSE STATE GOVERNMENT, INDIAN AND VETERANS AFFAIRS
COMMITTEE SUBSTITUTE FOR
HOUSE BILL 270

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

AN ACT

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

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

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

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

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

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

.206718.2

underscored material = new
[bracketed material] = delete

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 ~~[C.]~~ (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 reasonable rules to allow for consolidation of team memberships
18 as the association may deem appropriate for administrative
19 purposes; and

20 (3) designate a home school administrator to
21 be responsible to the association for all matters pertinent to
22 interscholastic academic activities of the home school team as
23 provided in the rules of the association.

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

1 academic activities; provided that any such rules are necessary
2 for administrative purposes and impose only such financial or
3 administrative burdens on the home school team as are
4 reasonably necessary for participation in the particular
5 academic activity and that do not otherwise subject the home
6 school team to requirements more burdensome than those
7 applicable to public and private member schools.

8 D. For purposes of this section:

9 (1) "home school administrator" means a person
10 designated by the home school team who shall be qualified to
11 provide instruction according to Subsection A of this section;
12 and

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

