

Rep. Rous, Straf. 7
April 30, 2008
2008-1614h
04/01

Draft Amendment to SB 337-FN

Amend the title of the bill by replacing it with the following:

AN ACT relative to home education of children, adding legislative members to the home education advisory council, and establishing a commission to examine New Hampshire's home education statutes

Amend the bill by replacing all after the enacting clause with:

1 Home Education; Notification. Amend RSA 193-A:5 to read as follows:

193-A:5 Notification and Other Procedural Requirements. A parent may provide home education to a child or children at home, subject to the following requirements:

I. *(a)* Any parent commencing a home education program for a child, for a child who withdraws from a public school, or for a child who moves into a district shall notify the commissioner of education, resident district superintendent, or principal of a nonpublic school of such within ~~[30]~~ *five business days of commencing the program.*

(b) A parent planning to continue a home education program shall notify the commissioner of education, resident district superintendent, or principal of a non-public school by the first school day according to the school calendar in the child's resident district.

II. Notification made by the parent pursuant to paragraph I shall include a list of the names, addresses, and birth dates of all children who are participating in the home education program.

III. Written notice of termination of a home education program shall be filed by the parent with the commissioner of education, and, in addition, the resident district superintendent or nonpublic school principal within 15 days of said termination.

IV. Subject to the provisions of RSA 193-A:7, the commissioner of education, resident district superintendent, or nonpublic school principal shall acknowledge receipt of notification within 14 days of such receipt.

V. (a) Prior to the initial year of a home education program, or as provided in subparagraph VI(b), a parent shall provide to the department of education, resident district superintendent, or principal of a non-public school, information which summarizes a plan of supervised instruction pursuant to RSA 193-A:4 at the time notification is made pursuant to subparagraph I(a), or within 30 days of such notification; or

(b) Prior to the initial year of a home education program, or as provided in subparagraph VI(b), a parent shall meet with the commissioner of the department of education, resident district superintendent, or principal of a nonpublic school to discuss a plan of supervised instruction and age-appropriate expectations and resources pursuant to RSA 193-A:4, at the time notification is made pursuant to subparagraph I(a), or within 30 days of the notification.

VI. (a) A parent currently providing a home education program shall be exempt from the provisions of subparagraph I(b), provided that each child participating in such parent's home education program meets or exceeds the annual

educational evaluation criteria set forth in RSA 193-A:6, II. This exemption shall apply to the school year immediately following the school year in which the annual education evaluation results are available.

VII. A parent shall be afforded as much flexibility as possible in the implementation of a home education program under this chapter.

VIII. The commissioner of the department of education, resident district superintendent, or principal of a non-public school shall have no role in the approval or rejection of any plan, or other information provided by a parent who is implementing a home education program.

2 Home Education; Notification. Amend RSA 193-A:5, I to read as follows:

193-A:10 Home Education Advisory Council. –

I. There is established the home education advisory council [~~comprising 12 members~~] *which shall consist of the following members:*

(a) Two members of the house of representatives from the house education committee, appointed by the speaker of the house of representatives.

(b) One member of the senate from the senate education committee, appointed by the president of the senate.

*(c) The following [~~members of the council~~] individuals who shall be appointed by the commissioner of **the department of** education from persons named as follows:*

~~[(a)]~~ *(1) Six members nominated by home educator associations organized within New Hampshire.*

~~[(b)]~~ *(2) Two members nominated by the **commissioner of the** department of education, **or designee.***

~~[(e)]~~ (3) One member nominated by the New Hampshire School Administrators Association.

~~[(d)]~~ (4) One member nominated by the New Hampshire School Boards Association.

~~[(e)]~~ (5) One member nominated by the New Hampshire School Principals Association.

~~[(f)]~~ (6) One member nominated by the nonpublic school advisory council established by the *state* board of education pursuant to RSA 21-N:9, II(f).

II. The duties of the council and the terms of office of ~~[its]~~ *the* members ***appointed under subparagraph I(c)*** shall be prescribed in accordance with rules proposed by the commissioner of education and adopted by the state board of education pursuant to RSA 541-A. ***Legislative members of the council shall serve a term which is coterminous with their elected office.***

III. The chair of the council shall be elected by the council members from the home educator membership on the council ***appointed under subparagraph I(c)***. All vacancies on the council shall be filled in the same manner as that of the original appointment.

IV. Legislative members of the council shall receive mileage at the legislative rate when attending to the duties of the council.

3 Commission Established. There is established a commission to examine New Hampshire's home education statutes.

4 Membership and Compensation.

I. The members of the commission shall be as follows:

(a) Two members of the house of representatives from the house education committee, appointed by the speaker of the house of representatives.

(b) One member of the senate from the senate education committee, appointed by the president of the senate.

(c) One member from the New Hampshire School Administrators Association, appointed by the association.

(d) One member from the home education advisory council established under RSA 193-A:10, appointed by the chair of the council.

(e) One member from the New Hampshire School Boards Association, appointed by the association.

(f) One member from the New Hampshire Homeschooling Coalition, appointed by the coalition.

(g) One member from the Christian Home Educators Association of new Hampshire, appointed by the association.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

5 Duties. The commission shall examine New Hampshire's home education statutes.

6. Chairperson; Quorum. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members shall constitute a quorum.

7 Report. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2008.

8. Effective Date. This act shall take effect July 1, 2008