

CHAPTER 131
HB 1663 - FINAL VERSION

15Mar2022... 1028h

2022 SESSION

22-2543
10/05

HOUSE BILL

1663

AN ACT

relative to requirements for home education students.

SPONSORS:

Rep. Layon, Rock. 6; Rep. Rice, Hills. 37; Rep. Moffett, Merr. 9; Rep. Nunez, Hills. 37;
Rep. A. Lekas, Hills. 37; Rep. Notter, Hills. 21; Rep. Cordelli, Carr. 4

COMMITTEE:

Education

ANALYSIS

The bill clarifies provisions for home education programs concerning notifications required for students moving to a new district, educational evaluations, and termination of home education.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to requirements for home education students.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 131:1 Access to Public School Programs by Nonpublic, Public Chartered Schools, or Home Educated
2 Pupils. Amend RSA 193:1-c, I to read as follows:

3 I. Nonpublic, public chartered school, or home educated pupils shall have access to curricular
4 courses and cocurricular programs offered by the school district in which the pupil resides. The local
5 school board [~~may~~] **shall** adopt a policy regulating participation in curricular courses and cocurricular
6 programs, provided that such policy shall not be more restrictive for non-public, public chartered school,
7 or home educated pupils than the policy governing the school district's resident pupils. In this section,
8 "cocurricular" shall include those activities which are designed to supplement and enrich regular academic
9 programs of study, provide opportunities for social development, and encourage participation in clubs,
10 athletics, performing groups, and service to school and community. For purposes of allowing access as
11 described in this section, a "home educated pupil" shall not include any pupil who has graduated from a
12 high school level program of home education, or its equivalent, or has attained the age of 21.

13 131:2 Home Education Defined. Amend RSA 193-A:4, I to read as follows:

14 I. Instruction shall be deemed home education if it consists of instruction in science,
15 mathematics, language, government, history, health, reading, writing, spelling, the history of the
16 constitutions of New Hampshire and the United States, and an exposure to and appreciation of art and
17 music. Home education shall be provided, **coordinated, or directed** by a parent for his **or her** own child[
18 ~~unless the provider is as otherwise agreed upon by the appropriate parties named in paragraph II~~].

19 131:3 Home Education Program; Notifications. Amend RSA 193-A:5, III to read as follows:

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

23 131:4 New Paragraph; Home Education; Notifications. Amend RSA 193-A:5 by inserting after
24 paragraph IV the following new paragraph:

25 V. Any parent who previously notified the resident district superintendent of a home education
26 program who moves from said district shall notify the original resident district superintendent that the child
27 has moved from the district and shall provide notification pursuant to paragraph I.

28 131:5 Home Education; Records; Educational Evaluation. Amend RSA 193-A:6 to read as follows:

29 193-A:6 Records; Evaluation.

30 I. The parent shall maintain a portfolio of records and materials relative to the home education
31 program. The portfolio shall consist of a log which designates by title the reading materials used, and also
32 samples of writings, worksheets, workbooks, or creative materials used or developed by the child. Such

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1 portfolio, *which at all times remains the property of the parent*, shall be preserved ~~[by the parent]~~ for 2
2 years from the date of the ending of the instruction.

3 II. The parent shall provide for an annual educational evaluation in which is documented the
4 child's demonstration of educational progress at a level commensurate with the child's age ~~[and]~~, ability,
5 *and/or disability*. The child shall be deemed to have successfully completed ~~[his]~~ *an* annual evaluation
6 upon meeting the requirements of any one of the following:

7 (a) A certified teacher or a teacher currently teaching in a nonpublic school who is selected
8 by the parent shall evaluate the child's educational progress upon review of the portfolio and discussion
9 with the parent or child;

10 (b) The child shall take any national student achievement test, administered by a person who
11 meets the qualifications established by the provider or publisher of the test~~[-Composite results at or~~
12 ~~above the fortieth percentile on such tests shall be deemed reasonable academic proficiency];~~

13 (c) The child shall take a state student assessment test used by the resident district~~[-~~
14 ~~Composite results at or above the fortieth percentile on such state test shall be deemed reasonable~~
15 ~~academic proficiency]; or~~

16 (d) The child shall be evaluated using any other valid measurement tool mutually agreed
17 upon by the parent and the commissioner of education, resident district superintendent, or nonpublic
18 school principal.

19 131:6 Effective Date.

20 I. Section 1 of this act shall take effect 90 days after its passage.

II. The remainder of this act shall take effect upon its passage.

Approved: June 02, 2022

Effective Date:

I. Section 1 effective August 31, 2022

II. Remainder effective June 2, 2022