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HOUSE BILL 796

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

John A. Heaton

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOLS; EXTENDING THE SCHOOL YEAR; MAKING
AN APPROPRIATION.

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

Section 1. Section 22-2-8.1 NMSA 1978 (being Laws 1986,
Chapter 33, Section 2, as amended) is amended to read:

"22-2-8.1. LENGTH OF SCHOOL DAY--MINIMUM.--

A. Except as otherwise provided in this section,
regular students shall be in school-directed programs,
exclusive of lunch, for a minimum of the following:

(1) kindergarten, for half-day programs, two
and one-half hours per day or four hundred fifty hours per year
or, for full-day programs, five and one-half hours per day or
~~[nine hundred ninety]~~ one thousand seventeen and one-half hours
per year;

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1 (2) grades one through six, five and one-half
2 hours per day or [~~nine hundred ninety~~] one thousand seventeen
3 and one-half hours per year; and

4 (3) grades seven through twelve, six hours per
5 day or one thousand [~~eighty~~] one hundred ten hours per year.

6 B. Thirty-three hours of the full-day kindergarten
7 program may be used for home visits by the teacher or for
8 parent-teacher conferences. Twenty-two hours of grades one
9 through five programs may be used for home visits by the
10 teacher or for parent-teacher conferences.

11 C. Nothing in this section precludes a local school
12 board from setting length of school days in excess of the
13 minimum requirements established by Subsection A of this
14 section.

15 D. The [~~state superintendent~~] secretary may waive
16 the minimum length of school days in those districts where such
17 minimums would create undue hardships as defined by the [~~state~~
18 ~~board~~] department."

19 Section 2. Section 22-8-9 NMSA 1978 (being Laws 1967,
20 Chapter 16, Section 63, as amended) is amended to read:

21 "22-8-9. BUDGETS--MINIMUM REQUIREMENTS.--

22 A. A budget for a school district shall not be
23 approved by the department that does not provide for:

24 (1) a school year consisting of at least one
25 hundred [~~eighty~~] eighty-five full instructional days or the

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1 equivalent thereof, exclusive of any release time for in-
2 service training; or

3 (2) a variable school year consisting of a
4 minimum number of instructional hours established by the [~~state~~
5 ~~board~~] department; and

6 (3) a pupil-teacher ratio or class or teaching
7 load as provided in Section 22-10A-20 NMSA 1978.

8 B. The [~~state board~~] department shall, by rule,
9 establish the requirements for an instructional day, the
10 standards for an instructional hour and the standards for a
11 full-time teacher and for the equivalent thereof."

12 Section 3. APPROPRIATION.--Sixty-two million dollars
13 (\$62,000,000) is appropriated from the general fund to the
14 state equalization guarantee distribution of the public school
15 fund for expenditure in fiscal year 2008 to fund the cost of an
16 additional five full instructional days. Any unexpended or
17 unencumbered balance remaining at the end of fiscal year 2008
18 shall revert to the general fund.