

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SB 272

51st Legislature, 1st Session, 2013

Tracking Number: .196155.1

Short Title: Increase Minimum School Instructional Hours

Sponsor(s): Senators Joseph Cervantes and John M. Sapien

Analyst: Mark Murphy and Travis Dulany

Date: February 11, 2014

Bill Summary:

SB 272 amends the *Public School Code* to increase the minimum instructional hours in a school year according to grade level.

Among its provisions, the bill:

- increases current minimum instructional hours requirements to:
 - 500 hours (from 450 hours) for students attending half-day kindergarten programs;
 - 1,100 hours (from 990 hours) for students attending full-day kindergarten programs;
 - 1,100 hours (from 990 hours) for students in grades 1 through 6; and
 - 1,200 hours (from 1080 hours) for students in grades 7-12;
- requires, for a school that follows a regular school year calendar, that the school year consist of a minimum of 200 instructional days in four 10-week quarters evenly spaced in a calendar year that provide the minimum instructional hours specified above;
- requires, for a school that follows a variable school calendar, that the Public Education Department (PED) approve the requested length and number of instructional days in a school year that provides the minimum instructional hours noted above in four quarters evenly spaced in a calendar year;
- adds that professional development programs provided by the school district count toward the calculation of the minimum instructional hours in a school year;
- specifies that days or hours when no instruction is given due to weather, in-service training, teacher planning and preparation, or other events will not count toward the minimum instructional hour calculation, unless otherwise specified;
- clarifies that local school boards or governing bodies of a charter school may increase the number of minimum instructional hours;
- deletes the provisions allowing the Secretary of Public Education to waive the minimum length of school days in those school districts where such minimums would create undue hardships;
- clarifies that instructional time that occurs when breakfast is served or consumed pursuant to the state or federal program counts toward the minimum instructional hours calculation;
- appropriates \$261.1 million to provide for 20 additional instructional days; and
- specifies that the provisions in SB 272 take effect on July 1, 2014.

Fiscal Impact:

\$261.1 million is appropriated from the General Fund to the State Equalization Guarantee (SEG, commonly referred to as the Public School Funding Formula) to provide for 20 additional instructional days at a daily cost of \$13.05 million. Any unexpended or unencumbered balance remaining at the end of FY 15 shall revert to the General Fund.

Fiscal Issues:

According to the Fiscal Impact Report from the Legislative Finance Committee, SB 272 appears to provide funding at \$15.4 million per additional day for approximately 17 additional instructional days.

According to the PED bill analysis, the appropriation contained in SB 272 appears to provide sufficient funding for the additional days at a rate of approximately \$13.1 million per day.

Substantive Issues:

In New Mexico, the K-3 Plus program already extends the school year by 25 instructional days for grades K-3 in certain schools, and it has demonstrated improvement in student outcomes.

- During the 2012 interim, the Legislative Education Study Committee (LESC) heard a report from the Start Smart K-3 Plus Project at Utah State University, providing some findings from a five-year longitudinal study that examined the effect of the program on student achievement and the cost-benefit aspects of the program, with half of the students randomly assigned to an intervention group and half randomly assigned to a control group.
- With a caveat that some of the data were preliminary, the evaluator testified that strong and statistically significant outcomes from the Start Smart K-3 Plus program were found in reading, writing, basic math, and expressive vocabulary. In terms of kindergarten readiness, participants in the intervention group received higher percentile ranks than those in the control group.
- These results are similar to those reported in December 2011, when the LESL heard testimony from two of the leaders the Start Smart K-3 Plus Project, who indicated that the program was increasing student achievement in reading, math, and writing and that it had the potential of reducing the need for and cost of remediation in later grades.
- Legislation enacted during the 2012 legislative session converted the K-3 Plus program from a pilot project to an established program in PED. The provisions of that legislation stated that “the six-year K-3 Plus pilot project has demonstrated that increased time in kindergarten and the early grades narrows the achievement gap between disadvantaged students and other students and increases cognitive skills and leads to higher test scores for all participants.”

Committee Referrals:

SCC/SEC/SFC

Related Bills:

HB 47 *School Truancy Identification & Penalties*

*HB 208 *K-3 Plus Unit Value Reimbursement*