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SENATE BILL 11

**54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

INTRODUCED BY

Michael Padilla

AN ACT

RELATING TO EDUCATION; CLARIFYING SCHOOL LUNCH RECESS PERIOD  
REQUIREMENTS.

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 by Laws 2011, Chapter 35,  
Section 1 and by Laws 2011, Chapter 154, Section 1) is amended  
to read:

"22-2-8.1. SCHOOL YEAR--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

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1 nine hundred ninety hours per year;

2 (2) grades one through six, five and one-half  
3 hours per day or nine hundred ninety hours per year; and

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

6 B. Up to thirty-three hours of the full-day  
7 kindergarten program may be used for home visits by the teacher  
8 or for parent-teacher conferences. Up to twenty-two hours of  
9 grades one through six programs may be used for home visits by  
10 the teacher or for parent-teacher conferences. Up to twelve  
11 hours of grades seven through twelve programs may be used to  
12 consult with parents to develop [~~next step~~] next-step plans for  
13 students and for parent-teacher conferences.

14 C. The last thirty minutes of the lunch recess  
15 period established by each school district and each charter  
16 school shall be used for the sole purpose of meal consumption.

17 [~~G-~~] D. Nothing in this section precludes a local  
18 school board from setting a school year or the length of school  
19 days in excess of the minimum requirements established by  
20 Subsection A of this section.

21 [~~D-~~] E. The secretary may waive the minimum length  
22 of school days in those school districts where such minimums  
23 would create undue hardships as defined by the department as  
24 long as the school year is adjusted to ensure that students in  
25 those school districts receive the same total instructional

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