

1 HOUSE BILL 65  
2 57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

3 INTRODUCED BY  
4 Gail Armstrong and Rebecca Dow  
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10 AN ACT

11 RELATING TO PUBLIC SCHOOLS; CLARIFYING THAT LOCAL SCHOOL BOARDS  
12 AND GOVERNING BODIES OF CHARTER SCHOOLS SHALL DETERMINE THE  
13 TOTAL NUMBER OF INSTRUCTIONAL DAYS PER YEAR AND THE NUMBER OF  
14 INSTRUCTIONAL DAYS PER WEEK THAT STUDENTS ARE REQUIRED TO BE IN  
15 SCHOOL PROGRAMS; DECLARING AN EMERGENCY.  
16

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

18 SECTION 1. Section 22-2-8.1 NMSA 1978 (being Laws 1986,  
19 Chapter 33, Section 2, as amended by Laws 2023, Chapter 19,  
20 Section 1 and by Laws 2023, Chapter 84, Section 22) is amended  
21 to read:

22 "22-2-8.1. SCHOOL YEAR--LENGTH OF SCHOOL DAY--MINIMUM--  
23 LOCAL SCHOOL BOARD OR GOVERNING BODY OF A CHARTER SCHOOL  
24 AUTHORITY.--

25 A. Except as otherwise provided in this section,

.229119.1

underscoring material = new  
[bracketed material] = delete

1 students shall be in school programs, exclusive of lunch, for a  
2 minimum of one thousand one hundred forty instructional hours  
3 per year, except half-day kindergarten, which shall have five  
4 hundred fifty instructional hours per year; provided that the  
5 local school board of a school district or governing body of a  
6 charter school shall determine the total number of  
7 instructional days per year and the number of instructional  
8 days per week that students shall be in school programs.

9 B. An instructional hour is a period at school  
10 during which students receive instruction aligned to academic  
11 content and performance standards and includes:

12 (1) a school program set forth in Sections  
13 22-13-1 and 22-13-1.1 NMSA 1978;

14 (2) enrichment programs that focus on problem  
15 solving and cognitive skills development;

16 (3) content that provides technical knowledge,  
17 skills and competency-based applied learning;

18 (4) research- or evidence-based social,  
19 emotional or academic interventions; and

20 (5) instruction that occurs at the same time  
21 breakfast is served or consumed in accordance with the  
22 breakfast after the bell program or federal requirements.

23 C. Up to sixty instructional hours per school year  
24 for elementary grades and thirty instructional hours for middle  
25 and high school grades may be used for professional work hours,

1 which may be embedded during the course of a normal school day.

2 A "professional work hour" means time during which a teacher  
3 participates in professional work aligned to challenging  
4 academic content and performance standards, including:

5 (1) home visiting or parent-teacher  
6 conferences;

7 (2) educator training or professional  
8 development; and

9 (3) mentorship, coaching and collaboration  
10 between school employees.

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

15 E. The secretary may waive the minimum length of  
16 school days in those school districts where such minimums would  
17 create undue hardships as defined by the department as long as  
18 the school year is adjusted to ensure that students in those  
19 school districts receive the same total instructional time as  
20 other students in the state.

21 F. Notwithstanding any other provision of this  
22 section, provided that instruction occurs simultaneously, time  
23 when breakfast is served or consumed pursuant to a state or  
24 federal program shall be deemed to be time in a school-directed  
25 program and is part of the instructional day.

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