

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 03/16/09

SPONSOR Lopez LAST UPDATED _____ HB _____

SHORT TITLE School District Three Session Calendars SB 637

ANALYST Hanika-Ortiz

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY09 | FY10 | FY11 | 3 Year Total Cost | Recurring or Non-Rec | Fund Affected |
|--------------|------|----------------------|----------------------|----------------------|-------------------------|------------------|
| Total | | \$0.1 significant | \$0.1 significant | | Recurring | General Fund |

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Office of the Attorney General (AG)
 Department of Finance and Administration (DFA)
 Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Bill 637 seeks to amend two sections of the Public School Code (22.1.1. NMSA 1978), specifically:

- Section 22-2-8.1. NMSA 1978 LENTGH OF SCHOOL DAY-- MINIMUM, and
- Section 22-8-9. BUDGETS--MINIMUM REQUIREMENTS

SB 637 provides that a school district with ten thousand or more students establish three sessions per calendar year for school attendance, with each session separated by a break of a minimum of five school days, unless the school district already operates on a year-round calendar.

SB 637 further provides that a budget for a school district with ten thousand or more students shall not be approved unless it establishes a school year consisting of three sessions separated by a break of a minimum of five school days, and a minimum number of instructional hours established by PED.

SB 637 also makes additional technical changes to align statute with changes in governance.

FISCAL IMPLICATIONS

PED notes that without more details, an accurate assessment of the fiscal implications is difficult. For example, the proposal does not state whether teachers and staff are to be paid for the additional ten days of break added to the calendar or if they will be unpaid during that time. The two-day breaks of five-days each could be utilized for training, professional development, collaboration activities or improving existing programs. If teachers and other staff (such as custodial) are to be paid during the break, the additional costs to the districts would be considerable.

SIGNIFICANT ISSUES

The purpose of the act is to create an opportunity for certain public schools or school districts to operate beyond a nine month period in any one calendar year in order to achieve optimum and maximum use of school facilities and personnel.

PED reports that districts have flexibility in constructing the school calendar which permits them to make allowances for holidays or other special events such as feast days. Requiring school calendars to conform to a three session system with five-day breaks in-between will greatly reduce local flexibility.

PED further reports that additional variability in school calendars may create conflicts in scheduling academic or athletic events. Students transferring from one district to another could encounter difficulties in receiving appropriate credits for coursework or in taking state standardized tests.

PERFORMANCE IMPLICATIONS

School districts could potentially be out-of-synch with standard data reporting and assessment dates (e.g. 40th/80th/120th enrollment, budget audits, NMSBA student assessments, etc.) established by the PED.

The Public School Code, The Variable School Calendar Act (Article 22 NMSA 1978), currently allows public schools or school districts to exercise this option. The act defines "variable school calendar" as a calendar for school or school district operations extending over a ten, eleven or twelve-month period or portions thereof in excess of nine months, which permits pupil attendance on a staggered schedule.

ADMINISTRATIVE IMPLICATIONS

The bill would apply to districts with 10,000 or more enrolled students. Those districts are: Albuquerque, Farmington, Gadsden, Gallup, Las Cruces, Rio Rancho, and Santa Fe.

The bill requires PED to develop criteria for establishing a variable school calendar that includes a requirement that the local school board demonstrate substantial community support for the variable school calendar.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to:

- HB 442; which increases the school year to 210 instructional days for a regular school year and 168 days for a variable school year.
- HB 691; which requires school districts and charter schools to have 180 full instructional days for the regular school year and 151 days for the variable school year and would define the school year in terms of the number of instructional days rather than hourly equivalents.
- SB 134; which proposes that no adjustment after the school year begins can lengthen a school day in increments of less than one-half hour per day.
- SJM 36; which proposes to study the potential impact of changing the school calendar on student achievement, teacher professional development.

OTHER SUBSTANTIVE ISSUES

DFA provided the following:

SB 637 poses some additional issues to consider, among those are:

- Summer programs such as youth camps could be impacted,
- Student summer employment will be virtually impossible,
- Many schools are older and may not have air conditioning, and
- Band and other extracurricular programs could be hurt because of problems scheduling out of school practices and competitions.

Generally, a year-round calendar means that schools will continue to operate on a 180 day system but spread the days out differently with shorter breaks in-between each session. The most popular example of year round education is the 45-15 plan. This has students attending school 45 days and then getting three weeks (15 days) off. The normal breaks (holiday, spring) are still built into this calendar. Many others ways exist to organize the calendar, including the 60-20 and the 90-30 plans, with the respective days in class versus out of class.

The other facet of year-round calendar implementation is the track. Single-track year round education involves an entire school using the same calendar and getting the same holidays off. Multiple-track year round education has groups of students attending school at different times with different vacations. Multi-tracking usually occurs because it is a way for school districts to save money. Year round education is a very complex topic with many variables that must be considered, not the least of which is the motivation behind a school district's decision to implement one approach or the other.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

School districts with ten thousand or more students will continue scheduling school year calendars in compliance with Section 22-2-8.1 NMSA 1978.

AHO/svb