

1 SENATE BILL 145

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

3 INTRODUCED BY

4 Gay G. Kernan

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8 FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

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10 AN ACT

11 RELATING TO PUBLIC SCHOOLS; CLARIFYING THE SCHOOL YEAR AND  
12 LENGTH OF SCHOOL DAY.

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

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

17 "22-2-8.1. SCHOOL YEAR--LENGTH OF SCHOOL DAY--  
18 MINIMUM.--

19 ~~[A. A school year consists of at least one hundred~~  
20 ~~eighty full instructional days for a regular school year~~  
21 ~~calendar, exclusive of any release time for in-service~~  
22 ~~training. A school year consists of at least one hundred fifty~~  
23 ~~full instructional days for a variable school year calendar,~~  
24 ~~exclusive of any release time for in-service training. Except~~  
25 ~~as provided in Subsection D of this section, days or parts of~~

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1 ~~days that are lost to weather, in-service training or other~~  
2 ~~events that are not school-directed programs shall be made up~~  
3 ~~so that students are given a full instructional school year.~~

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

7 (1) kindergarten, for half-day programs, two  
8 and one-half hours per day or four hundred fifty hours per year  
9 or, for full-day programs, five and one-half hours per day or  
10 nine hundred ninety hours per year;

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

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

15 ~~[G. The department shall provide for the length and~~  
16 ~~number of school days for variable school year calendars in~~  
17 ~~accordance with the Variable School Calendar Act.~~

18 D.] B. Up to thirty-three hours of the full-day  
19 kindergarten program may be used for home visits by the teacher  
20 or for parent-teacher conferences. Up to twenty-two hours of  
21 grades one through [~~six~~] five programs may be used for home  
22 visits by the teacher or for parent-teacher conferences. [~~Up~~  
23 ~~to twelve hours of grades seven through twelve programs may be~~  
24 ~~used to consult with parents to develop next step plans for~~  
25 ~~students and for parent-teacher conferences.~~

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underscoring material = new  
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~~E.]~~ C. Nothing in this section precludes a local school board from setting a school year or the length of school days in excess of the minimum requirements established by ~~[Subsections]~~ Subsection A ~~[and B]~~ of this section.

~~[F.]~~ D. The secretary may waive the minimum length ~~[or number]~~ of school days in those school districts where such minimums would create undue hardships as defined by the department as long as the school year is adjusted to ensure that students in those school districts receive the same total instructional time as other students in the state."