

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 238

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Catherine J. Cullen and Joshua N. Hernandez
and Alan T. Martinez and Linda M. Trujillo
and E. Diane Torres-Velásquez

AN ACT

RELATING TO PUBLIC SCHOOLS; ALLOWING UP TO SIXTY INSTRUCTIONAL
HOURS PER SCHOOL YEAR TO BE USED FOR PROFESSIONAL WORK HOURS
FOR MIDDLE AND HIGH SCHOOL GRADES.

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 2023, Chapter 19,
Section 1 and by Laws 2023, Chapter 84, Section 22) is amended
to read:

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

A. Except as otherwise provided in this section,
students shall be in school programs, exclusive of lunch, for a
minimum of one thousand one hundred forty instructional hours
per year, except half-day kindergarten, which shall have five
hundred fifty instructional hours per year.

.229804.1

underscoring material = new
~~[bracketed material] = delete~~

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

4 (1) a school program set forth in Sections
5 22-13-1 and 22-13-1.1 NMSA 1978;

6 (2) enrichment programs that focus on problem
7 solving and cognitive skills development;

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

10 (4) research- or evidence-based social,
11 emotional or academic interventions; and

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

15 C. Up to sixty instructional hours per school year
16 for elementary, ~~[grades and thirty instructional hours for]~~
17 middle and high school grades may be used for professional work
18 hours, which may be embedded during the course of a normal
19 school day. A "professional work hour" means time during which
20 a teacher participates in professional work aligned to
21 challenging academic content and performance standards,
22 including:

23 (1) home visiting or parent-teacher
24 conferences;

25 (2) educator training or professional

.229804.1

1 development; and

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

4 D. Nothing in this section precludes a local school
5 board from setting a school year or the length of school days
6 in excess of the minimum requirements established by Subsection
7 A of this section.

8 E. The secretary may waive the minimum length of
9 school days in those school districts where such minimums would
10 create undue hardships as defined by the department as long as
11 the school year is adjusted to ensure that students in those
12 school districts receive the same total instructional time as
13 other students in the state.

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

19 G. Every general election and regular local
20 election shall be a school holiday for students and staff at
21 each public school in this state."