

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill No:** HB 435

**49th Legislature, 1st Session, 2009**

**Short Title:** Attendance at State Fair as Instruction Day

**Sponsor(s):** Representative Sandra Jeff and Others

**Analyst:** James Ball

**Date:** February 12, 2009

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**Bill Summary:**

HB 435 amends the *Public School Code* to allow up to one instructional day each year for students to attend the New Mexico State Fair if an educational plan is in place pertaining to the viewing of educational exhibits at the fair and the plan has been reviewed and approved by the school principal or other school administrator in the school district.

**Fiscal Impact:**

HB 435 makes no appropriation.

**Issues:**

In its analysis of HB 435, the Public Education Department (PED) notes legislative concern that schools are not strictly adhering to the number of instructional days currently prescribed by law. This analysis adds that any instructional activity, including field trips, must be based on teaching to state standards. It has been the practice of some schools, however, simply to release their students for a “fair day” with no accountability for student attendance at the state fair or for their participation in any of the educational activities. HB 435 attempts to close this “holiday” and use viewing of fair exhibits as a learning activity.

**Technical Issues:**

HB 435 does not specify that, in order for the day of attendance at the state fair to count as an instructional day in a school district, students must attend the fair as part of an organized field trip sponsored by the district. Nothing in the bill would prohibit a district from approving a plan for the day and then simply dismissing the students to attend the fair on their own.

Current statute requires:

- a school year consisting of at least 180 full instructional days or the equivalent thereof, exclusive of any release time for in-service training; or
- a variable school year consisting of a minimum number of instructional hours established by PED.

**Background:**

According to PED, local school boards are already charged with setting policy governing extended class activities, such as field trips. Principals, as campus instructional leaders, are responsible for oversight of any instructional activity, whether on or off campus.

PED also states that members of student organizations, such as Future Farmers of America, often staff information booths at the fair and participate in other fair activities, such as exhibiting and judging livestock. These are considered co-curricular activities as they are based on state standards.

According to the Office of Education Accountability analysis of HB 435, the New Mexico State Fair sponsors “School Days” in partnership with school districts to allow schools to arrange visits for students. By completing and submitting a one-page application form, schools register to receive free admission for students and staff, with no parking fee. In a May 8, 2008 letter to New Mexico educators, Lieutenant Governor Diane Denish encouraged schools to participate in the School Days program. The letter states that in 2007, “18,000 students and teachers participated in the School Days program, giving it a grade of “A” in the School Days Teacher Survey. When asked if they would recommend the program to another teacher, 98 percent of those surveyed said they would.”

**Related Bills:**

HB 177 *School Educational Field Trips*

HB 440 *Native American School Visits to Legislature*

HB 442 *Increase Instructional School Year*