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FISCAL IMPACT REPORT

ORIGINAL DATE 02/02/10

SPONSOR Kernan LAST UPDATED HB

SHORT TITLE Delay School Year and Day Length Changes SB 92

ANALYST Hoffmann

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to Senate Bill 87.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Bill 92 would amend the Laws of 2009, Chapter 276, Section 3 by changing the effective date of the legislation. The result would be to delay the enactment of amendments to NMSA 22-2-8.1 (School Year – Length of School Day – Minimum) until the 2011-2012 school year instead of the 2010-2011 school year as originally intended.

FISCAL IMPLICATIONS

Senate Bill 92 makes no appropriations.

The PED states that If SB 92 in enacted, school district and charter schools could continue to design their calendars by the hour (instead of the day), thus possibly saving money.

SIGNIFICANT ISSUES

According to the original LFC fiscal impact report on the original legislation notes the following reasons regarding the passage of HB 691 in the 2009 session:

“A review by LFC, PED, and LESC identified a number of school districts that take advantage of loopholes in statute to reduce the number of days students are actually in the classroom, causing a vast disparity in the number of instructional days districts provide. As a result, approximately 30 of the 67 districts on a five-day teaching schedule, provide less than the 180 days currently prescribed in law with one district providing as few as 160 instructional days. Of those districts on a four day schedule 16 of 22 provide less than 150 instructional days.”

If enacted, school districts could continue to vary in the number of school days children are in the classroom.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Senate Bill 87 proposes the same extension of the provisions of Laws 2009 Chapter 276, but adds language requiring the Secretary of PED to certify that sufficient funding has been provided through the state equalization guarantee distribution to provide 180 days of instruction without eliminating professional development days for licensed school employees.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The PED states that if Senate Bill 92 is not passed, the changes to NMSA 22-2-8.1 will come into effect for the 2010-2011 school year.

CH/mew