

1 SENATE JOINT MEMORIAL 12

2 49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

3 INTRODUCED BY

4 Gay G. Kernan

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8 FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

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10 A JOINT MEMORIAL

11 REQUESTING THE OFFICE OF EDUCATION ACCOUNTABILITY TO STUDY  
12 VARIOUS SCHOOL CALENDARS USED OR ALLOWED IN NEW MEXICO AND  
13 THEIR EFFECTS ON STUDENT LEARNING AND ACHIEVEMENT, TEACHERS,  
14 SCHOOL OPERATIONS AND SCHOOL DISTRICT BUDGETARY NEEDS.

15  
16 WHEREAS, the Public School Code requires that each school  
17 district provide a minimum number of instructional days per  
18 school year, adjusted according to grade level; and

19 WHEREAS, the Public School Code provides an equivalence  
20 between the minimum number of instructional days and hours or  
21 authorizes the public education department to do so; and

22 WHEREAS, local school boards determine school policy in  
23 general, including school calendars; and

24 WHEREAS, school districts currently operate based on a  
25 variety of school calendar models, including calendars composed

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1 of four-day weeks as well as year-round or extended-year  
2 calendars; and

3 WHEREAS, the Variable School Calendar Act permits school  
4 districts to operate pursuant to extended-year school calendars  
5 but does not address all of the calendars used in practice; and

6 WHEREAS, in the past, to meet the instructional time  
7 requirements in law, some schools have added small increments  
8 of time to individual school days to compensate for time lost  
9 due to inclement weather, to allow early dismissal on one day  
10 of the week or to provide time for teacher professional  
11 development and other activities; and

12 WHEREAS, the public education department notes that it is  
13 questionable whether students receive the benefit of  
14 instructional hours with such incremental increases; and

15 WHEREAS, legislation was enacted in 2009 to require,  
16 effective school year 2010-2011, a school year to consist of  
17 one hundred eighty full instructional days for a regular school  
18 year and one hundred fifty full instructional days for a  
19 variable school year; and

20 WHEREAS, there are inconsistencies between this  
21 legislation and the Variable School Calendar Act;

22 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
23 STATE OF NEW MEXICO that the office of education  
24 accountability, in collaboration with the public education  
25 department; school districts and charter schools, including

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1 school boards and governing bodies; teacher and other school  
2 employee representatives; and parent representatives be  
3 requested to study current practices and issues related to  
4 school calendars and the length of a school day, including  
5 scheduling and making up time lost due to inclement weather or  
6 pandemic illness; scheduling teacher planning time and  
7 professional development activities; and the impact of various  
8 school calendar options and scheduling practices on teachers,  
9 on learning time and achievement of students, on school  
10 operations and on school district budgetary needs; and

11 BE IT FURTHER RESOLVED that the study examine the need, if  
12 any, to amend current law, including the Variable School  
13 Calendar Act, to reflect the full range of appropriate school  
14 district calendar options that encourage effective uses of and  
15 limit intrusions into instructional time; and

16 BE IT FURTHER RESOLVED that the office of education  
17 accountability report its findings and recommendations, if any,  
18 to the legislative education study committee before October 31,  
19 2010; and

20 BE IT FURTHER RESOLVED that copies of this memorial be  
21 transmitted to the director of the office of education  
22 accountability, the secretary of public education and the  
23 director of the legislative education study committee.