



LFC Requester: Liu

**PUBLIC EDUCATION DEPARTMENT  
BILL ANALYSIS  
2025 REGULAR SESSION**

**SECTION I: GENERAL INFORMATION**

Check all that apply:

Original  Amendment   
Correction  Substitute

Date Prepared: 02/04 /25  
Bill No: HB238

**Agency Name and Code:** PED - 924

**Sponsor:** Cullen/Hernandez/Martinez

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**Short Title:** MIDDLE & HIGH SCHOOL  
PROFESSIONAL WORK HOURS

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**SECTION II: FISCAL IMPACT**

(Parenthesis ( ) Indicate Expenditure Decreases)

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	None	N/A	NFA

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
None	None	None	N/A	NFA

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	None	None	None	None	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: In FY24, \$202 million was added to the state equalization guarantee (SEG) through the General Appropriations Act. The SEG is a recurring funding source, which will include the \$202 million for FY26 unless the funding is removed.

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

Synopsis: House Bill 238 (HB238) would amend section [22-2-8.1 NMSA 1978](#) to allow up to 60 instructional hours per school year to be used for professional work hours in middle and high schools. Current statute permits up to 60 hours for elementary schools and up to 30 hours for middle and high schools. Professional work hours encompass activities such as home visits, parent-teacher conferences, educator training, professional development, mentorship, coaching, and collaboration among school employees. These hours can be integrated within the regular school day, before or after instructional hours with students.

The bill does not provide an effective date. Laws go into effect 90 days after the adjournment of the Legislature enacting them, unless a later date is specified. If enacted, this bill would become effective June 20, 2025.

### **FISCAL IMPLICATIONS**

The bill does not contain an appropriation; however, in FY24, \$202 million was added to the state equalization guarantee (SEG) through the General Appropriations Act to increase instructional time to 1,140 hours. The SEG is a recurring funding source, which will include the \$202 million for FY26 unless the funding is removed.

School districts and charter schools that choose to have more professional development time and less instructional time with students at the middle and high school levels will see a financial benefit from HB238 as it is less costly to provide professional development than it is to provide instructional time with students.

### **SIGNIFICANT ISSUES**

The provisions of HB238 have the potential to reduce instructional time by expanding the number of professional work hours that can be taken from the regular school day for middle and high school grades. Currently, up to 30 instructional hours per year can be allocated for professional development, collaboration, and other educator activities in these grade levels. HB238 doubles this allowance to 60 hours per school year.

Students in some middle and high schools would lose up to an additional 30 hours of direct instructional time annually, resulting in less time for students to engage with core academic content in subjects like math, science, and reading.

### **PERFORMANCE IMPLICATIONS**

[Reducing instructional time](#) in schools can have several detrimental effects on student achievement. Fewer classroom hours mean less time for direct instruction, practice, and mastery of essential academic skills. Instructional time is correlated with student performance in subjects like mathematics and reading, where consistent reinforcement and engagement are critical. A reduction in class time may lead to gaps in learning, lower retention of material, and decreased

preparedness for standardized assessments and future academic challenges. [An LESC report from 2022](#) found that students from disadvantaged backgrounds are more disproportionately affected by learning time reductions. The report advocated for additional student learning time. The need for additional learning time was also among the findings of the 1st Judicial District court in the consolidated Martinez-Yazzie lawsuit.

#### **ADMINISTRATIVE IMPLICATIONS**

HB238 would allow for local education agencies to adjust schedules to accommodate up to sixty hours of professional work within the academic year for middle schools and high schools.

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Relates to House Bill 65, Instructional Days in School Year, which also proposes to amend 22-2-8.1 NMSA 1978, to give the authority to determine the number of instructional days in a school year to local school boards and governing bodies of charter schools.

#### **TECHNICAL ISSUES**

None.

#### **OTHER SUBSTANTIVE ISSUES**

None.

#### **ALTERNATIVES**

None.

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

None.

#### **AMENDMENTS**

None.