

State of New Mexico

Michelle Lujan Grisham
Governor

March 22, 2025

HOUSE EXECUTIVE MESSAGE NO. 9

REC'D IN SEC. OF STATE
2025 MAR 22 AM 8:51

The Honorable Javier Martínez, Speaker of the House and
Members of the House of Representatives
State Capitol Building
Santa Fe, New Mexico 87501

Honorable Speaker Martínez and Members of the House:

I have decided to veto HOUSE BILL 65, with emergency clause (“HB 65”), which would have added a new provision to NMSA 1978, § 22-2-8.1 (2023), providing that local school boards and charter school governing bodies “shall determine the total number of instructional days per year and the number of instructional days per week that students shall be in school programs.”

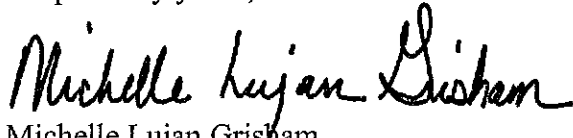
One of our greatest responsibilities is to ensure that our children receive a high-quality education. This is especially so in light of *Yazzie/Martinez v. State of New Mexico*, No. D-101-CV-2014-00793 (1st Jud. Dist. Ct.), which found that the public education system under my predecessor’s administration was utterly failing to provide a sufficient and uniform system of education to all New Mexican children, as guaranteed by Article XII, Section 1 of the New Mexico Constitution. To address this pernicious problem, my administration has worked with the Legislature to, *inter alia*, raise teacher pay to the highest in the region to attract and retain the highest quality educators, substantially increase funding for public education, and increase the number of instructional hours required for our public schools.

But this is not enough. Recently, there has been a troubling trend of school districts and charter schools condensing the required instructional hours into fewer days—some as few as 148 days. While this may provide administrative convenience and reduced costs, the consequences for our students are deeply concerning. Fewer instructional days mean longer school days, leading to diminished student engagement and retention. Learning is a cumulative process that benefits from regular reinforcement and the daily rhythm of instruction. Spreading instructional hours over more days allows students to absorb material more effectively, supports consistent teacher-student interaction, fosters a stable learning environment, and reduces summer learning loss. Moreover, reducing the number of instructional days can disproportionately affect students from disadvantaged backgrounds, who rely on schools not only for education but also for access to resources such as meals, counseling, and a safe environment. Every school day represents an opportunity to nurture these students’ growth, well-being, and future success.

We cannot afford to shortchange our students by allowing for shortcuts in the academic calendar. Their education is our investment in the future, and it demands the time and attention that only a robust and consistent school year can provide. Accordingly, the Public Education Department promulgated a rule setting a minimum of 180 instructional days to provide students with the structure and consistency that come with a full academic calendar. *See* 6.10.5 NMAC.¹ By mandating a minimum of 180 instructional days, we affirm our belief that education is a priority and that every child deserves the benefit of a full school year. HB 65—which allows school districts and charter schools to continue to elevate administrative convenience and costs over proper education—runs directly contrary to these priorities.

Because of these issues, and pursuant to my authority under Article IV, Section 22 of the New Mexico Constitution, I have vetoed HOUSE BILL 65, with emergency clause, enacted by the Fifty-Seventh Legislature, First Session, 2025.

Respectfully yours,


Michelle Lujan Grisham
Governor

RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: 8:50 a.m. p.m.
Date: 3/22 2025


Secretary of State

Time: 9:13 a.m. p.m.
Date: March 22, 2025

By 
Chief Clerk of the House

¹ I understand a district court judge has held that this rule is unenforceable in this respect because it concluded it conflicts with Section 22-2-8.1. *See* Order, *N.M. Sch. Superintendents Ass'n v. N.M. Pub. Educ. Dep't*, D-905-CV-2024-00167 (9th Jud. Dist. Ct., Feb. 3, 2025). I am, however, confident this decision will be overturned on appeal.