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HOUSE BILL 86

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Ray Begaye

AN ACT

RELATING TO LOCAL SCHOOL BOARDS; MAKING LOCAL SCHOOL BOARDS RESPONSIBLE FOR APPROVING OR DISAPPROVING THE EMPLOYMENT, TERMINATION OR DISCHARGE OF ALL SCHOOL EMPLOYEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-5-4 NMSA 1978 (being Laws 1967, Chapter 16, Section 28, as amended) is amended to read:

"22-5-4. LOCAL SCHOOL BOARDS--POWERS--DUTIES.--A local school board shall have the following powers or duties:

A. subject to the rules of the department, develop educational policies for the school district;

B. employ a local superintendent for the school district and fix the superintendent's salary;

C. subject to the provisions of law, approve or disapprove the employment, termination or discharge of all

underscoring material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 school employees and certified school personnel of the school
2 district upon a recommendation of employment, termination or
3 discharge by the superintendent of schools; provided that any
4 employment relationship shall continue until final decision of
5 the board. Any employment, termination or discharge without
6 the prior recommendation of the superintendent is void;

7 ~~[G.]~~ D. review and approve the annual school
8 district budget;

9 ~~[D.]~~ E. acquire, lease and dispose of property;

10 ~~[E.]~~ F. have the capacity to sue and be sued;

11 ~~[F.]~~ G. acquire property by eminent domain pursuant
12 to the procedures provided in the Eminent Domain Code;

13 ~~[G.]~~ H. issue general obligation bonds of the
14 school district;

15 ~~[H.]~~ I. provide for the repair of and maintain all
16 property belonging to the school district;

17 ~~[I.]~~ J. for good cause and upon order of the
18 district court, subpoena witnesses and documents in connection
19 with a hearing concerning any powers or duties of the local
20 school board;

21 ~~[J.]~~ K. except for expenditures for salaries,
22 contract for the expenditure of money according to the
23 provisions of the Procurement Code;

24 ~~[K.]~~ L. adopt rules pertaining to the
25 administration of all powers or duties of the local school

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1 board;

2 ~~[H.]~~ M. accept or reject any charitable gift,
3 grant, devise or bequest. The particular gift, grant, devise
4 or bequest accepted shall be considered an asset of the school
5 district or the public school to which it is given;

6 ~~[M.]~~ N. offer and, upon compliance with the
7 conditions of such offer, pay rewards for information leading
8 to the arrest and conviction or other appropriate disciplinary
9 disposition by the courts or juvenile authorities of offenders
10 in case of theft, defacement or destruction of school district
11 property. All such rewards shall be paid from school district
12 funds in accordance with rules promulgated by the department;
13 and

14 ~~[N.]~~ O. give prior approval for any educational
15 program in a public school in the school district that is to be
16 conducted, sponsored, carried on or caused to be carried on by
17 a private organization or agency."