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SENATE BILL 794

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Rod Adair

AN ACT

RELATING TO LOCAL SCHOOL BOARD AUTHORITY; PROHIBITING A LOCAL SCHOOL BOARD FROM DEFERRING, FORFEITING OR GRANTING PERSONNEL DECISIONS TO A NON-ELECTED ENTITY.

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

Section 1. A new section of the Public School Code is enacted to read:

" NEW MATERIAL LOCAL SCHOOL BOARDS-- PERSONNEL CONTRACTS. -- Decision-making authority, including personnel issues, shall be vested in the authority of persons who are subject to the voters. At no time shall elected officials, through contract agreements or other means, defer, forfeit or grant personnel decisions to a nonelected entity, including provisions of contracts that would automatically decide personnel issues and decisions on the basis of seniority.

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1 Personnel decisions shall be confined to supervisory authority
2 that begins with principals, their supervisors and resting
3 finally with the elected school board. This authority shall
4 not be infringed upon by a contract provision with a
5 bargaining unit. "

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