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SENATE BILL 928

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Gerald P. Ortiz y Pino

AN ACT

RELATING TO PUBLIC SCHOOLS; PROVIDING THAT, UPON THE APPROVAL OF THE VOTERS, CERTAIN SCHOOL DISTRICTS MAY HAVE A LOCAL SCHOOL BOARD COMPOSED OF FOUR MEMBERS ELECTED FROM SINGLE-MEMBER DISTRICTS AND THREE MEMBERS APPOINTED BY THE MAYOR OF THE LARGEST MUNICIPALITY IN THE SCHOOL DISTRICT AND CONFIRMED BY THE CITY COUNCIL; PROVIDING FOR ELECTIONS; PROVIDING PROCEDURES FOR ELECTING AND APPOINTING BOARD MEMBERS.

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] APPOINTED AND ELECTED LOCAL SCHOOL BOARD-- ELECTION REQUIRED--PROCEDURE FOR IMPLEMENTATION.--

A. The local school board of a school district with a population of more than two hundred thousand shall, pursuant .165834.2

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1 to the School Election Law, hold a special school district  
2 election prior to June 30, 2008, in which the question shall be  
3 submitted to the qualified electors of the district of whether  
4 the school district should have a local school board consisting  
5 of four members elected from single-member districts and three  
6 members appointed by the mayor of the largest municipality of  
7 the district and confirmed by the city council.

8 B. If, in the election held pursuant to Subsection  
9 A of this section, the question is not adopted, pursuant to the  
10 School Election Law, the local school board shall again submit  
11 the question to the qualified electors of the school district  
12 in the regular school district election held in February 2009.  
13 If the question is not adopted in that election, the question  
14 shall not again be submitted to the voters without further  
15 legislative authorization.

16 C. If, in an election held pursuant to Subsection A  
17 or B of this section, the voters in the school district decide  
18 in favor of a local school board with four elected members and  
19 three members appointed by the mayor of the largest  
20 municipality in the district and confirmed by the city council:

21 (1) no later than December 1, 2009, the local  
22 school board for the school district shall, by resolution,  
23 divide the school district into four single-member districts  
24 that shall be compact, contiguous and as nearly equal in  
25 population as practicable;

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1 (2) the current members of the local school  
2 board shall serve until March 1, 2011; on and after that date,  
3 the local school board for the school district shall consist of  
4 four members elected from single-member districts and three  
5 members appointed by the mayor of the largest city in the  
6 school district and confirmed by the city council;

7 (3) the elected members shall be chosen by the  
8 qualified voters at the regular school district election in  
9 February 2011 and shall be elected from the districts  
10 established pursuant to Paragraph (1) of this subsection. The  
11 provisions of the School Election Law and the Public School  
12 Code shall govern the election and the members elected except  
13 that, at the time of issuing the proclamation for the election,  
14 the local school board shall, by lot, select two districts from  
15 which the board members shall be elected for two-year terms and  
16 two districts from which the board members shall be elected for  
17 four-year terms; thereafter, elected board members shall serve  
18 terms of four years;

19 (4) the appointed members of the local school  
20 board shall be residents of the school district and shall be  
21 selected pursuant to the following procedure:

22 (a) the secretary shall appoint three  
23 residents of the school district to an advisory selection  
24 committee as follows: 1) one member shall possess a master's  
25 degree in public school finance and have at least five years'

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1 experience as a classroom teacher; 2) one member shall be a  
2 parent or guardian of a child who attends a school within the  
3 school district; and 3) one member shall represent the business  
4 community within the school district and have at least fifteen  
5 years of experience with a for-profit business in the school  
6 district;

7 (b) for the initial appointees, the  
8 advisory selection committee shall submit fifteen residents of  
9 the school district as candidates to the mayor as follows: 1)  
10 five candidates who have master's degrees in public school  
11 finance; 2) five candidates who have classroom teaching  
12 experience or school administration experience; and 3) five  
13 candidates who have experience in owning or managing a for-  
14 profit business in the school district;

15 (c) the mayor shall appoint one member  
16 from each of the three groups of names submitted pursuant to  
17 Subparagraph (b) of this paragraph as the initial appointees,  
18 subject to confirmation by the city council; the members  
19 confirmed by the city council shall serve on the local school  
20 board;

21 (d) the members shall be appointed for  
22 terms of six years, except that in making the initial  
23 appointments, the mayor shall appoint one member for a term of  
24 two years, one member for a term of four years and one member  
25 for a term of six years;

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(e) successor members and vacancies shall be appointed pursuant to the provisions of this paragraph except the advisory selection committee shall submit only five candidates, each having the same qualifications as the member whose term has expired or whose seat is vacant; and

(f) appointed members shall be subject to all of the provisions of the Public School Code except that an appointed member may be removed by the mayor only for cause."