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AN ACT
RELATING TO CHARTER SCHOOLS; PROVIDING FOR EMPLOYMENT
DECISIONS BY THE HEAD ADMINISTRATOR; CONFORMING THE NEPOTISM
PROVISIONS TO THOSE OF SCHOOL DISTRICTS.

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

Section 1. Section 22-8B-10 NMSA 1978 (being Laws 1999,
Chapter 281, Section 10, as amended) is amended to read:

"22-8B-10. CHARTER SCHOOLS--EMPLOYEES.--

A. A charter school shall hire its own employees.
The provisions of the School Personnel Act shall apply to
such employees provided, however, that a charter school may
determine by indicating in its charter that either its
governing body or head administrator shall make all
employment decisions. The governing body shall be deemed to
be responsible for making all employment decisions if the
charter does not specify the decision maker.

B. The head administrator of a charter school
shall not initially employ or approve the initial employment
in any capacity of a person who is the spouse, father,
father-in-law, mother, mother-in-law, son, son-in-law,
daughter or daughter-in-law of a member of the governing body
or the head administrator. The governing body may waive the
nepotism rule for family members of a head administrator.

C. Nothing in this section shall prohibit the

1 continued employment of a person employed on or before July

2 1, 2007." _____

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