

A MEMORIAL

REQUESTING THAT THE PUBLIC EDUCATION DEPARTMENT STUDY THE  
HIRING POLICIES AND PRACTICES OF LOCAL SCHOOL BOARDS.

WHEREAS, public school reforms enacted in 2003 limited  
the employment duties of local school boards to  
superintendents; and

WHEREAS, public school reforms enacted in 2003 expanded  
the employment duties of superintendents to include all  
district employees, whether licensed or unlicensed; and

WHEREAS, parents, teachers and other stakeholders in a  
school district have a vested interest in the board members  
whom they elect to office; and

WHEREAS, parents, teachers and other stakeholders in a  
school district have a vested interest in the superintendent  
who is hired by the local school board; and

WHEREAS, hundreds of thousands, if not millions, of  
public education dollars are expended each year to pay the  
salaries, benefits and other contractual perquisites of  
district superintendents; and

WHEREAS, in recent years, local school boards have made  
superintendent hiring decisions that have resulted in the  
actual or perceived need to end those employments; and

WHEREAS, some of the recent superintendent hiring  
decisions that have resulted in termination of those

employments have led to litigation; and

WHEREAS, some of the recent superintendent hiring decisions that have resulted in termination of those employments have led to costly buyouts of the remainder of lengthy and lucrative contracts; and

WHEREAS, some of these recent issues between superintendents and their local school boards have raised concerns over fiscal responsibility, board member ethics, the methods by which boards find and select candidates for superintendent and the use of multiyear contracts instead of single-year contracts;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the public education department be requested to study the hiring policies and practices of local school boards in the state to determine what works and what does not; and

BE IT FURTHER RESOLVED that the department determine the cost of contract buyouts during the 2006-2007 school year; and

BE IT FURTHER RESOLVED that the department examine the contract duration options that are available under current law; and

BE IT FURTHER RESOLVED that the department identify the ethical, constitutional or legal issues, if any, that are raised when local school board members offer a multiyear employment contract to an incumbent superintendent before they

leave office in a school election year; and

BE IT FURTHER RESOLVED that the department study and recommend options to change laws regarding the relieving, hiring, terminating and disciplining of superintendents and local school board members; and

BE IT FURTHER RESOLVED that the department report its findings and recommendations to the legislative education study committee no later than November 1, 2007; and

BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the secretary of public education.