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## SENATE BILL 212

# 49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

# INTRODUCED BY

Vernon D. Asbill

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AN ACT

RELATING TO PUBLIC SCHOOLS; EXPANDING THE DEFINITION OF NEPOTISM; AMENDING SECTIONS OF THE NMSA 1978.

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

Section 1. Section 22-5-6 NMSA 1978 (being Laws 1971, Chapter 199, Section 1, as amended) is amended to read:

### "22-5-6. NEPOTISM PROHIBITED. --

A local superintendent 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, brother, brother-in-law, sister or sister-in-law of a member of the local school board or the local superintendent. The local school board may waive the nepotism rule for family members of a local superintendent.

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continued	l emp1	oyı	nent	of	а	perso	on	employ	yed	on	or	before	[ <del>March</del>
<del>1, 2003</del> 1	July	1,	2008	3."									

Section 22-8B-10 NMSA 1978 (being Laws 1999, Section 2. Chapter 281, Section 10, as amended) is amended to read:

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

A charter school shall hire its own employees. The provisions of the School Personnel Act shall apply to such employees. The head administrator of the charter school shall employ, fix the salaries of, assign, terminate and discharge all employees of the charter school.

- 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, brother, brother-in-law, sister or sister-inlaw 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.
- Nothing in this section shall prohibit the continued employment of a person employed on or before July 1, [<del>2007</del>] <u>2008</u>."

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