

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 459

50th Legislature, 1st Session, 2011

Tracking Number: .185114.1

Short Title: School Board Approval of Superintendent Recs

Sponsor(s): Representative Ray Begaye

Analyst: James Ball

Date: March 14, 2011

Bill Summary:

According to the title, HB 459 amends the *Public School Code* to require local school board approval of the local superintendent's employment recommendations of district-wide administrators. Among its more specific provisions, HB 459:

- defines the term "districtwide administrator" as a person who is engaged in district-wide administrative functions for more than one-half of the person's employment time, including deputy, associate or assistant superintendent, program director, manager or coordinator, and department head;
- changes the definition of "local superintendent" from executive officer to instructional leader;
- includes among the powers and duties of local school boards, approval or disapproval of the local superintendent's recommendation for employment, salary, and term of contract for district-wide administrators or to delegate that function to the local superintendent;
- includes among the duties of the local superintendent to submit all salary increases and contract extensions for district-wide administrators to the local school board for approval to ensure compliance with the budget and salary schedules; and
- limits the terms of district-wide administrator contracts so that they not extend past the contract term of the local superintendent, unless otherwise approved by the local school board.

Fiscal Impact:

HB 459 does not contain an appropriation.

Technical Issues:

The bill tracking number (.185114.1 is repeated in a different but related bill with the same short title: HB 460, *School Board Approval of Superintendent Recs* (.185114.2).

Substantive Issues:

According to the website of the National School Boards Association (NSBA) the key work of local school boards centers on a framework of eight interrelated action areas to focus and guide boards in their work. The components are:

- vision;
- standards;
- assessment;
- accountability;
- alignment;
- climate;
- collaboration and community engagement; and
- continuous improvement.

The purpose of the key work identification is to help school boards engage their communities and improve student achievement through effective governance. The better these eight essential areas are integrated into a systematic process, the better the results will be for all stakeholders.

It might be noted that personnel matters are not specifically identified as part of the key work of school boards by NSBA. The New Mexico School Boards Association, however, has in the past supported legislation to restore the power of local school boards to approve administrative personnel decisions made by local superintendents.

Background:

As the Public Education Department analysis notes, in 2003 the Legislature removed the local school board's authority over personnel and employment decisions and assigned those decisions to the local superintendent, who acts as the chief executive officer of the school district.

Related Bills:

HB 86 *School Board Employee Decisions*

HB 460 *School Board Approval of Superintendent Recs*