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HOUSE BILL 758

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Mimi Stewart

AN ACT

RELATING TO PUBLIC SCHOOLS; PROVIDING FOR THREE-YEAR CONTRACTS
FOR CERTIFIED SCHOOL ADMINISTRATORS.

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

Section 1. Section 22-10-11 NMSA 1978 (being Laws 1967,
Chapter 16, Section 113, as amended) is amended to read:

"22-10-11. EMPLOYMENT CONTRACTS--DURATION. --

A. All employment contracts between local school
boards and certified school personnel and between governing
authorities of state agencies and certified school instructors
shall be in writing on forms approved by the state board.

These forms shall contain and specify the term of service, the
salary to be paid, the method of payment, the causes for
termination of the contract and other provisions required by
the regulations of the state board.

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1 B. All employment contracts between local school
2 boards and certified school personnel and between governing
3 authorities of state agencies and certified school instructors
4 shall be for a period of one school year except:

5 (1) contracts for less than one school year
6 are permitted to fill personnel vacancies which occur during
7 the school year;

8 (2) contracts for the remainder of a school
9 year are permitted to staff programs when the availability of
10 funds for the programs is not known until after the beginning
11 of the school year;

12 (3) contracts for less than one school year
13 are permitted to staff summer school programs and to staff
14 federally funded programs in which the federally approved
15 programs are specified to be conducted for less than one
16 school year;

17 (4) contracts not to exceed [~~two~~] three years
18 are permitted for certified school administrators in public
19 schools who are engaged in administrative functions for more
20 than one-half of their employment time; and

21 (5) contracts not to exceed three years are
22 permitted at the discretion of the local school board for
23 certified school instructors in public schools who have been
24 employed in the school district for three consecutive school
25 years.

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C. Persons employed under contracts for periods of less than one school year as provided in Paragraphs (1) and (2) of Subsection B of this section shall be accorded all the duties, rights and privileges of the Certified School Personnel Act.

D. In determination of eligibility for unemployment compensation rights and benefits for certified school instructors where those rights and benefits are claimed to arise from the employment relationship between governing authorities of state agencies or local school boards and certified school instructors, that period of a year not covered by a school year shall not be considered an unemployment period.

E. Except as provided in Section 22-10-12 NMSA 1978, a person employed by contract pursuant to this section has no legitimate objective expectancy of reemployment, and no contract entered into pursuant to this section shall be construed as an implied promise of continued employment pursuant to a subsequent contract. "

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 5, 1999
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8 Mr. Speaker:
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10 Your EDUCATION COMMITTEE, to whom has been referred
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12 HOUSE BILL 758
13

14 has had it under consideration and reports same with
15 recommendation that it DO PASS.
16

17 Respectfully submitted,
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20 _____
21 Rick Miera, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 8 For 3 Against

Yes: 8

No: Blanton, Burpo, Macko

Excused: Stapleton, Williams, Wright

Absent: Burpo, Marquardt

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FIRST SESSION, 1999

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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March 14, 1999

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Mr. President:

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Your EDUCATION COMMITTEE, to whom has been referred

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HOUSE BILL 758

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has had it under consideration and reports same with
recommendation that it DO PASS.

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Respectfully submitted,

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Cynthia Nava, Chairman

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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Adopted _____ Not

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Adopted _____

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(Chief Clerk)

(Chief Clerk)

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Date _____

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The roll call vote was 6 For 2 Against

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Yes: 6

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No: Adair, Jennings

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Excused: Lopez, Rodriguez

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Absent: None

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