

G-2150 GCB (Proposed Policy Changes for First Reading)
PROFESSIONAL STAFF
CONTRACTS AND COMPENSATION

All employment contracts between the Superintendent and ~~certified~~licensed school personnel ~~and between governing authorities of state agencies and certificated school instructors~~ shall be in writing on forms approved by the Secretary of Public Education. These forms shall contain and specify the term of service, the salary to be paid, the method of payment, the causes for ~~termination~~discharge during the term of the contract and other provisions required by the regulations of the Secretary of Public Education.

Any attempt to enter into a contract or give an employee any rights in conflict with the School Personnel Act would be ultra vires and void.

All employment contracts between ~~local school boards~~the Superintendent and ~~certificated licensed~~ school personnel ~~and between governing authorities of state agencies and certificated school instructors~~ shall be for a period of one (1) school year except:

- contracts for less than one (1) school year are permitted to fill personnel vacancies which occur during the school year;
- contracts for the remainder of a school year are permitted to staff programs when the availability of funds for the programs is not known until after the beginning of the school year; or
- contracts for less than one (1) school year are permitted to staff summer school programs and to staff federally funded programs in which the federally approved programs are specified to be conducted for less than one (1) school year.;

~~• contracts not to exceed three (3) years are permitted for administrators in public schools who are engaged in administrative functions for more than one-half (1/2) of their employment time; and~~

~~• contracts not to exceed three (3) years are permitted at the discretion of the Local School Board for Certificated School Instructors in Public Schools who have been employed in the School District for three (3) consecutive school years.~~

The Board does not authorize the Superintendent to enter multi-year contracts with employees. The Board reserves for itself the right, at its discretion, to enter into a multi-year contract with the Superintendent.

Sections 22-10A-22 through 22-10A-25 NMSA 1978 do not apply to the following: (1) a licensed school employee employed to fill the position of a licensed school employee entering military service; (2) a licensed school administrator who is employed as a licensed school administrator; (3) an unlicensed school employee employed to perform primarily district-wide management functions; or (3) a person who does not hold a valid license or has

~~not submitted a complete application for licensure within the first three months from beginning employment duties pursuant to Subsection C of Section 22-10A-3 NMSA 1978. Except as provided in Section 22-10A-22 NMSA 1978, a person employed by contract pursuant to this section has no~~As such, none of these employees has a 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.

Salaries in the District will be differentiated in relationship to duties and responsibilities.

The Superintendent will provide recommendations on salaries and fringe benefits to the Board each year.

After receipt of the Superintendent's recommendations, the Board will annually establish the salaries and benefits for all employees within the budgetary constraints of the District.

Adopted: date of manual adoption

LEGAL REF.: 22-10A-10 NMSA (1978)

[22-10A-21 NMSA \(1978\)](#)

[22-10A-22 NMSA \(1978\)](#)

[22-10A-26 NMSA \(1978\)](#)

[6.66.2.8 NMAC](#)

[6.66.3.8 NMAC](#)