

NEW MEXICO SCHOOL BOARD CANDIDATE MANUAL

Guide for the November 7, 2023 Election

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TABLE OF CONTENTS

Introduction.....1

About the New Mexico School Boards Association.....2

School Boards.....3

Elections.....3-4

Statutory Powers & Duties of Local School Boards.....4-6

NMSBA Framework of Responsibilities of Local School Boards.....6-9

Code of Ethics.....9-10

Are You the Best Candidate for Your Board?10-11

2023 Election Calendar.....12-13

Declaration Form14

INTRODUCTION

The New Mexico School Boards Association is a non-partisan educational non-profit association and is offering this Candidate Manual so that candidates and incumbents are fully aware of the roles and responsibilities of school board service in New Mexico. It is our hope that providing training prior-to election helps heighten the public awareness of the role of a school board member, improve the satisfaction of those who are elected, decrease turnover on boards and encourage compliance of mandated training for those elected.

Those wishing to run for school board must be registered voters who live in the school district they wish to serve. Good school board candidates should also be dedicated to the well-being of all children and have a passion for making a difference.

After reading this manual, you should be able to:

- ❖ Identify the location where candidates file for school board office.
- ❖ Identify the date when candidates file for school board office.
- ❖ Recognize the monthly time commitment required to serve as a school board member.
- ❖ Describe the legal roles and responsibilities of school board service in New Mexico.
- ❖ Identify where you can find information about the New Mexico School Boards Association.

ABOUT THE NEW MEXICO SCHOOL BOARDS ASSOCIATION

The New Mexico School Boards Association is a non-partisan educational non-profit association. As part of its responsibilities to school board members NMSBA sponsors or arranges for school board candidate workshops to assist candidates and incumbents to fully realize the roles & responsibilities of school board service in New Mexico.

Vision

The New Mexico School Boards Association aspires to be recognized as the premier source of development and support for local boards of education in New Mexico. The NMSBA will be known as the leading advocate for local boards in their role of insuring that all students will graduate from New Mexico high schools prepared for a quality life and committed to improving society.

Mission

The New Mexico School Boards Association is the member organization for all New Mexico's school boards to support their efforts in providing a quality education for all students of New Mexico. The NMSBA serves its members through:

- Commitment to local autonomy;
- Advocacy at the state and federal level for commonly held needs;
- Leadership development services and training for local school boards;
- Collaboration with community, elected officials and other educational organizations in areas of common interest.

We Believe That...

Students have a responsibility to be active life-long learners and to contribute to their own success. All learners should have an equal opportunity for a quality education that provides the tools for a quality life and a vision for the future. Quality education reflects diverse community values and capitalizes on the multicultural strengths of the community. Parents, schools and communities are partners who share the responsibility for providing quality education. Quality education systems are locally controlled.

For more information you can visit the NSMBA website or contact us:

New Mexico School Boards Association
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SCHOOL BOARDS IN NEW MEXICO

- Local oversight by elected citizens
- Members are volunteers and are not paid for their service
- New Mexico has 89 school boards
- Boards consist of 5 members except Albuquerque who has 7 members
- Members serve 4-year terms, staggered so that not more than 3 member's terms expire at the same time
- School board elections are held in odd numbered years (2023, 2025, 2027)
- Smaller district boards generally run for and serve in "at large seats" (entire area of district) and larger district boards run and serve in "districted seats" that include the area in which they reside.
- Campaign finance reporting is required only in districts with an enrollment of 12,000 students (Albuquerque, Rio Rancho, Santa Fe, Las Cruces & Gadsden)
Candidates should contact the Secretary of State's Office for more information.

SCHOOL BOARD ELECTIONS

Candidate Qualifications:

Must be a qualified elector of the state and a resident within the school district in which he or she is a candidate. (Reference Election Code Sections 1-1-7 and 1-1-7.1, NMSA 1978 for determining residency). "Qualified elector" means any person who is qualified to vote under the provisions of the Constitution of New Mexico and the Constitution of the United States.

For a districted board, the candidate must live within the single-member district from which he/she is seeking election.

Election Schedule:

Elections for school board members are scheduled in each school district on the first Tuesday in November of in odd-numbered years. The full term of office of a member of a local school board shall be four (4) years beginning January 1 immediately following election to office at a regular school district election. Board member terms are staggered so that the entire board is never up for election at the same time. (See Election Calendar)

Declaration of Candidacy:

A declaration of candidacy must be filed with the County Clerk between 9:00 AM and 5:00 PM on August 29, 2023 immediately preceding the date of the regular school district election. (See Declaration of Candidacy Form).

A candidate for membership on the board may file an Affidavit of Withdrawal of Candidacy or Declaration of Intent to run as a write-in candidate with the County Clerk before 5:00 PM on September 5, 2023.

Compensation of School Board Members:

A school board member shall serve without compensation. No member of a local board shall be employed by the district in any capacity during the term for which he or she was elected or appointed. A board member will be entitled to per diem and mileage allowance pursuant to local board policy.

STATUTORY POWERS & DUTIES OF LOCAL SCHOOL BOARDS

Section 22-5-4, NMSA 1978, provides that local school boards shall have the following powers and duties:

- A. subject to the regulations of the department, develop educational policies for the school district;
- B. employ a superintendent of schools for the school district and determine their salary;
- C. review and approve the school budget;
- D. acquire, lease and dispose of property;
- E. have capacity to sue and be sued;
- F. acquire property by eminent domain as pursuant to the procedures provided in the Eminent Domain Code;
- G. issue general obligation bonds of the school district;
- H. provide for the repair and maintenance of all school district property;
- I. for good cause and upon order of the district court, subpoena witnesses and documents in connection with a hearing concerning any powers or duties of the local school board;
- J. except for expenditures for salaries, contract for the expenditure of money according to the provisions of the Procurement Code;

K. adopt rules pertaining to the administration of all powers or duties of the local school board;

L. accept or reject any charitable gift, grant, devise, or bequest. The particular gift, grant, devise, or bequest accepted shall be considered an asset of the district or the public school to which it is given;

M. offer and, upon compliance with the conditions of such offer, to pay rewards for information leading to the arrest and conviction, or other appropriate disciplinary disposition by the courts or juvenile authorities, of offenders in case of theft, defacement, or destruction of local school district property. All such rewards shall be paid from school district funds in accordance with rules promulgated by the department; and

N. give prior approval for any educational program in a public school in the school district that is to be conducted, sponsored, carried on or caused to be carried on by a private organization or agency.

Public Education Department Regulations governing local school board duties are as follows:

6.30.2.10 PROCEDURAL REQUIREMENTS

A. The local board of education shall:

(1) exercise powers and duties pursuant to the Public School Code and public school regulations, Section 22-1-1 et seq. NMSA 1978, and other applicable regulations;

(2) approve and support the district's EPSS and each school site-level EPSS action plan;

(3) employ and evaluate the local superintendent;

(4) ensure that each member of the board participates in a planned program of training which will assist in the performance of specified duties. All local school board members must receive a total of five hours of annual training.

(a) For newly elected or appointed local school board members who are in office for less than a year, they shall receive three of the five hours from attending a training course developed by the public education department (PED) and sponsored by the New Mexico School Boards Association (NMSBA). This course shall be offered no later than three months after a local school board election. The PED will periodically announce the dates of these courses which will cover numerous topics including PED policies and procedures, statutory powers and duties of local boards, legal concepts pertaining to public schools, finance and budget. For the additional two hours of annual training these board members

shall attend sessions sponsored by the NMSBA, approved by the PED.

(b) For all existing local school board members, they shall attend five hours of annual training sponsored by the NMSBA, approved by the PED.

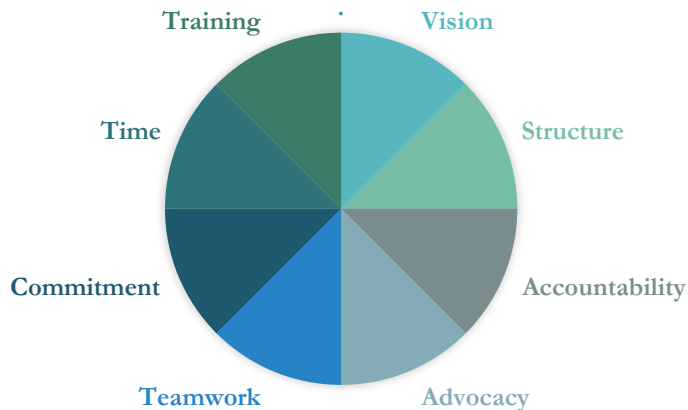
(c) In order to be credited with attendance at these courses, each attendee must comply with written attendance procedures established by the PED. Prior to September 1st, the NMSBA shall provide each local superintendent with a list of training hours earned annually by each local school board member.

- (5) delegate administrative and supervisory functions to the local superintendent;
- (6) Refrain from involvement in delegated administrative functions;
- (7) Review, revise as needed, and submit policies to PED on an annual basis;
- (8) Award diplomas to students who have successfully completed graduation requirements;
- (9) ensure the alignment of district curricula with Content Standards with Benchmarks;
- (10) ensure that district funds are appropriately managed and disbursed;
- (11) Be responsible for oversight of revenue and expenditures within the district budget;
- (12) Accept responsibility for ensuring the success of each school in the district. Must be a qualified elector of the state and a resident within the school district in which

NMSBA FRAMEWORK OF RESPONSIBILITIES OF LOCAL SCHOOL BOARDS

While the list of powers and duties on the Public Education Department's (PED) Regulations identify some of the requirements local boards must adhere to under state and federal laws and regulations, the roles and priorities of boards shift constantly to accommodate societal changes, demands and complexities. The following "**NMSBA Framework of Responsibilities**" serves as a guide for today's committed school boards:

FRAMEWORK OF RESPONSIBILITIES



I. VISION

The Board ensures creation of a shared vision that promotes student learning and success.

The Board adopts a vision that:

- Keeps the district focused upon the present and future needs of all children;
- Is based upon community beliefs;
- Serves as a guide to all board deliberations, decisions and actions.

II. STRUCTURE

The Board provides guidance and direction for accomplishing the vision. The Board:

- Focuses its actions on policymaking, planning and evaluation;
- Adopts a strategically-based planning and decision-making process which enables segments of the community to contribute meaningfully to achieving the district's vision;
- Adopts an Educational Plan for Student Success and adopts policies that support the Plan; its vision, mission and goals.
- Adopts a collaboratively developed budget to support the Educational Plan for Student Success;
- Oversees the management of the district by employing and evaluating a Superintendent.

III. ACCOUNTABILITY

The Board measures and communicates how well the vision is being accomplished through:

- A systematic, timely and comprehensive review of achievement, effectiveness and efficiency through reports by the Superintendent;
- Review of assessment tools measuring student achievement;

- Annual review of district policies;
- Progress reports to parents and community;
- Annual evaluation of the Board.

IV. ADVOCACY

The Board promotes the vision and its support for children by:

- Clearly communicating the vision, mission and goals to the community.
- Adopting a comprehensive Communications Plan ensuring an effective two-way communications system with students, employees, media and community;
- Developing partnerships with community, business and governmental leaders;
- Recognizing the achievements of students, staff and others;
- Playing an active role in community leadership.

V. TEAMWORK

The Board works with the Superintendent to lead the district toward its vision through:

- Understanding of respective roles;
- Board development/training;
- Following policies, procedures and ethical standards;
- Respecting the representative governance structure by supporting decisions of the board.

VI. COMMITMENT

Board members admit that the most surprising discoveries about board service are:

- The great amount of time and energy it takes to be an effective board member.
- The tremendous variety of concerns with which the board deals.
- The burden of board-related communications.
- The abrupt change from "citizen" status to board member status.
- That the roles, responsibilities and relationships of the board and administration in operating the school district do not match initial assumptions.

VII. TIME

Years ago, when the role of the board member was perceived more as a "trustee" the current legal requirement of holding at least one regular board meeting per calendar month may have been realistic. Today, however, most boards hold more than one meeting per month with some holding weekly meetings. These may include:

Regular Board Meetings

Special or Emergency Board Meetings

Work Study Sessions - open meetings with staff (issues, reports, etc.)

Public Input Meetings - no decisions, only public comment

Judicial Hearings - grievance/discipline matters.

Planning Retreats, etc.

Individual board members will also be involved with Board Committees and certain advisory committees, spending hours on the phone with constituents, some of which will undoubtedly be employees and reading all the materials in preparation of meetings. Board members can easily spend 15 hours per week on Board-related business.

VIII. TRAINING

The greatest need expressed by board members to NMSBA is that of training. The state statute 22-5-13 and Public Education Department regulations for required training are as follows.

By statute, board members are required to attend five (5) hours of training a year which will be monitored by NMSBA.

The New Mexico Public Education Department approves the following types of training credit under the state mandated training statute:

1. Public Education Department (PED) Workshops such as the Spring Budget Workshop
2. NMSBA Conference Sessions (Breakouts and Approved General Training Sessions)
3. NMSBA Region Meetings (two-hour training component)
4. Individual Board Trainings Sanctioned or Sponsored by NMSBA. Examples of workshops that are allowed include: Training on Roles and Responsibilities of Board Members, Superintendent Evaluation Workshops, Goals Development Sessions, Board Self-Evaluation Workshops, and Strategic Planning Sessions.
5. Other types of training approved by the Public Education Department and New Mexico School Boards Association such as conferences sponsored by National School Boards Association.

CODE OF ETHICS

A sound code of conduct begins with a genuine commitment to striving for excellence in public education and a firm set of principles under which quality governance can be provided.

The citizens in my community have elected me to represent them. As a member of my local board of education, I will strive to improve public education for all children, and to that end, I will:

- Attend all scheduled board meetings insofar as possible;

- Avoid speaking on behalf of the board except at those times when the board, by official action authorizes me to do so; and respect the confidentiality of information that is privileged under applicable law;
- Recognize that I have no legal authority outside the board meetings, and that all decisions of the board will be made at a public meeting where a quorum of the board is present and only after a thorough review of all the available information;
- Upgrade my performance as a board member by informing myself about current educational issues by individual study and through participation in programs provided by the local school district and by the state and national school boards associations;
- Work in harmony with the rest of the board members to always promote and preserve the integrity of the board;
- Support the employment of those persons best qualified to serve as school staff and make every effort to ascertain that all employees are properly remunerated for services, and that they are dealt with fairly in the performance of their duties;
- Avoid being placed in a position of conflict of interest and refrain from using my board position for personal or partisan gain;
- Accept that my primary function is to establish policy by which schools are administered; and that the actual administration of the education program is delegated to the superintendent and his staff;
- Welcome and encourage active participation by citizens for better understanding of their needs and improvement of relations with the public that I serve;
- Strive to promote and perpetuate our democratic way of life;
- Remember that my first and greatest concern must be the fair and equal educational opportunities for all students attending public school.

ARE YOU THE BEST CANDIDATE FOR YOUR BOARD?

Like many other elected officers, state law leaves the qualifications and standards for serving as a school board member open to the voters. The responsibility lies with the citizens of a community to not only get out and vote, but to vote for the "most qualified" candidate. The board candidates also have a responsibility -- to assure the citizens that their candidacy is in the best interest of all the children in the school district. In doing so, you may want to ask yourself these questions:

Am I a candidate who has a vision for my community and school district with high expectations for all students, or desire to raise the levels of all programs and the courage to eliminate those programs that are not working?

or

Am I a candidate running to advance my "favorite program," a special interest group, or a single issue?

Am I a candidate that will advocate for children; who will play an active role in community leadership to establish partnerships within the community to expand resources and educational opportunities for students and staff?

or

Am I a candidate because I want to ensure a place on the football team for my child, secure employment for friends and constituents, fire the Superintendent, or for the first time in my life, I'd have a "position of power?"

Am I a candidate who will be committed to teamwork; to work collaboratively with my board colleagues, the Superintendent and others to achieve the district's vision with the full realization that there will be differences of opinion and not every vote will be unanimous?

or

Am I a candidate who perceives my role as that of "an outside agitator on the inside" whose leadership skills may only lend themselves to an environment of controversy and turmoil?

Am I a candidate who, when performing my responsibilities of adopting policies, selecting a superintendent, adopting a budget, considering capital needs, evaluating the district's effectiveness and being accountable to the community, can base my decisions relative to the district's vision, mission and goals?

or

Am I a candidate who, when making those decisions, will do so on the basis of personal or individual constituent demands?

Am I a candidate who is willing to commit whatever time is necessary to perform my responsibilities including the willingness to increase my knowledge and skills so that I can become a more effective leader and thus develop the highest level of governance for our school district?

or

Am I a candidate who, once elected, will assume the voters will be happy with the knowledge and skills I had when elected?

Still have questions about school Board Service?

Contact the New Mexico School Boards Association in Santa Fe (505) 983-5041 or the NMSBA website at <http://www.nmsba.org>

NOVEMBER 7, 2023 REGULAR LOCAL (SCHOOL) ELECTION CALENDAR*

*Prepared by: Patricia Salazar Ives, Heather Travis Boone, Carlos J. Padilla
Cuddy & McCarthy, LLP Cuddy & McCarthy, LLP*

***This Calendar is Dated March 21, 2023. It Includes Changes to the Election Code
Adopted During the 2023 Legislative Session and Approved by the Governor**

June 10, 2023	First day for School District to notify County Clerk of all School Board positions to be filled at November 7, 2023 Regular Local Election [NMSA 1978, § 1-22-4(A)]
July 10, 2023	Last day for School District to notify County Clerk of all School Board positions to be filled at November 7, 2023 Regular Local Election [NMSA 1978, § 1-22-4(A)]
July 18, 2023	Last day for County Clerk to notify Secretary of State of all positions to be filled at November 7, 2023 Regular Local Election [NMSA 1978, § 1-22-4(A)]
August 9, 2023	Secretary of State shall issue and file a proclamation in English and Spanish calling 2023 Regular Local Election [NMSA 1978, § 1-22-4(B)]
After receipt	County Clerk shall post Secretary of State's entire proclamation in English and Spanish on County Clerk's website [NMSA 1978, § 1-22-4(D)]
August 24, 2023	County Clerk shall publish portions of School Board's election proclamation in English and Spanish in a newspaper of general circulation within County (or Counties for multi-county school districts) [NMSA 1978, § 1-22-4(D)]
August 28, 2023	Last day for School Board to adopt Resolution proposing mill levy or bond question for regular election ballot [NMSA 1978, § 1-16-3(B)]
August 29, 2023	Deadline of between 9:00 a.m. and 5:00 p.m. for candidates to file Declarations of Candidacy with County Clerk [NMSA 1978, § 1-22-7(A)]
August 29, 2023	Deadline for School District to file School Board's Resolution proposing mill levy or bond question for regular local election ballot with County Clerk of each county containing voting precincts within School District [NMSA 1978, § 1-16-3(B)]
September 1, 2023	Deadline for County Clerk to certify School District ballot question(s) to Secretary of State [NMSA 1978, § 1-16-3(B)]
September 5, 2023	Deadline of between 9:00 a.m. and 5:00 p.m. for persons to file Declarations of Candidacy to be a write-in candidate with County Clerk [NMSA 1978, § 1-22-8.1(C)]
September 5, 2023	Deadline to withdraw as candidate [NMSA 1978, § 1-10-6(D)(1)]

September 1, 2023	Deadline for County Clerk to place candidate's name on ballot for position declared and to notify candidate in writing that name will appear on ballot [NMSA 1978, § 1-22-10(A)]
September 11, 2023	Deadline for School District to post resolution on website and available for inspection at main office [1.10.16.8(E) NMAC]
September 23, 2023	Deadline for County Clerk to have access to ballots to send to federal qualified electors [NMSA 1978, § 1-10-5]
September 28, 2023	Deadline for County Clerk to have all other printed ballots in possession [NMSA 1978, § 1-10-5]
October 10, 2023	Deadline to register to vote in November 7, 2023 Regular Local Election (except for those who register or update registration at voting location prior to voting) [NMSA 1978, § 1-4-8(A)]
October 10, 2023	Absentee voting begins [NMSA 1978, § 1-6-5(F)]
October 10, 2023	Early voting begins [NMSA 1978, § 1-6-5.7(A)]
October 17, 2023	First day for County Clerk's publication of notice of election [NMSA 1978, § 1-11-3(A)]
October 31, 2023	Last day for County Clerk's publication of notice of election [NMSA 1978, § 1-11-3(A)]
November 4, 2023	Last day to vote early [NMSA 1978, § 1-6-5.7(A)]
November 7, 2023	Election Day
November 13, 2023	First day for county canvassing board (the County Commission) to: (1) meet to approve the report of the canvass of the returns; (2) declare the results of the election and of all ballot questions affecting only precincts within the county, and (3) issue a certificate of canvass of the results of the election and send one copy to: (a) the County Clerk, (b) each local government with a candidate or ballot question (including the School District), (c) the Secretary of State, (d) the State Records Center, and (e) the State Canvassing Board [NMSA 1978, §§ 1-13-13(A), (B), and (C)]
November 17, 2023	Last day for county canvassing board (the County Commission) to complete canvassing duties (see prior deadline) [NMSA 1978, §§ 1-13-13(A), (B), and (C)] (Note: For counties with more than 150,000 voters, the deadline is November 20, 2023)
November 24, 2023	Suggested date for publication of results of election if ballot included a bond question [NMSA 1978, § 22-18-10]
December 1, 2023	First day for Secretary of State to issue certificates of election to appropriate candidates [NMSA 1978, § 1-13-16(C)(1)]
January 1, 2024	Term of office begins for elected candidates [NMSA 1978, § 1-22-18]

DECLARATION OF CANDIDACY -- STATEMENT OF INTENT

I, _____, (candidate's name on certificate of registration) being first duly sworn, say that I am a voter of the county of _____, State of New Mexico. I reside at _____ and was registered to vote at that place on the date of the proclamation calling this election;

- I reside within and am registered to vote in the area to be represented;
- I desire to become a candidate for the office of _____ at the local election to be held on the date set by law;
- I will be eligible and legally qualified to hold this office at the beginning of its term; and
- I make the foregoing affidavit under oath, knowing that any false statement herein constitutes a felony punishable under the criminal laws of New Mexico.

(Signature of Declarant)

(Mailing Address)

(Residence Address)

Subscribed and sworn to before me by _____ this _____ day of _____, 20____.

NOTARY PUBLIC

My commission expires:



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