

State law, judicial decisions, and regulations of the Public Education Department establish the powers and duties related to the supervision and control of the Pojoaque Valley School District (“District” or “School District”) in the Pojoaque Valley Board of Education (“Board”).

Recognizing that Board members cannot provide full-time management of the District consistent with its powers and duties and that state law directs the Board to delegate its administrative and supervisory functions to the superintendent, the Board hereby delegates to the Superintendent the authority and responsibility to act as its chief administrative officer and to perform all acts and carry out all functions reasonably necessary to assure the efficient and effective operation of the District.

The Board expressly delegates to the superintendent the power:

1. To act as hearing officer or hearing authority for the purposes of hearing or reviewing facts, deciding appropriate employee (?) disciplinary action, or reviewing disciplinary actions of other designated or authorized administrators, consistent with procedures established by state law or regulation or Board policy.

Instances in which the Superintendent may exercise such delegation of authority include, but are not limited to, acting as hearing authority, review authority, or disciplinarian in hearings involving long-term suspension or expulsion of public school students pursuant to the provisions contained in NMAC 6.11.2, or such successor regulations as the public education department may adopt. The Superintendent may designate other administrators to perform any of such functions as allowed under the regulations.

2. To promulgate and review grievance resolution procedures as set forth in Board policy and to determine whether particular issues are not subject to such grievance procedure.

The delegation of authority provided herein may not be used in a manner contrary to state law or regulation or to deny any student or employee rights to which he or she may otherwise be entitled.

The Board may expand the delegation prescribed herein in appropriate circumstances. The enumeration of delegated authorities to the Superintendent shall not be construed to limit the authority of the Superintendent authorized by state law or to take such further actions as may be necessary to administer school district programs or to execute Board policy, unless such authority is reserved to the Board by state law.

Reference: NMSA 1978, §§ 22-5-4, 22-5-14