



New Mexico State Personnel Board State Personnel Office

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Interpretative Memorandum 2011 – 005

Date: August 12, 2011
To: Cabinet Secretaries, Agency Directors and Human Resource Managers
From: Eugene J. Moser, State Personnel Director
Subject: Educational Leave

1. Purpose

This memorandum shall clarify and interpret the rule governing educational leave.

2. Background

State Personnel Board (SPB) Rule, **Subsection A of Educational Leave, 1.7.7.15 NMAC** restricts the granting of educational leave for state employees only for the pursuit of special training related to an employee's employment. This language excludes coursework that is unrelated to an employee's specific duties within an agency. For example if a registered nurse within the Department of Health seeks approval to take civil engineering courses educational leave would be inappropriate because the coursework is not related to the employee's employment.

3. Guidelines

In the approval process for educational leave the impact to the budget and to the operational needs of an organization should be taken into consideration when considering the request. Agencies should verify that sufficient funding exist prior to approval of the request. Additionally, every effort should be made by an employee requesting educational leave to schedule coursework during non-work time. If requests require an employee to be absent during work hours to attend special training, approval authorities must ensure that additional costs to provide coverage do not incur additional costs due to overtime or reassignment of staff to cover the assigned duties or that impairs on the delivery of services to the public or the designated customers.