

Opinion No. 53-5711

March 25, 1953

BY: RICHARD H. ROBINSON, Attorney General

TO: Honorable Tom Wiley Superintendent of Public Instruction Department of Education Santa Fe, New Mexico

{*105} This is in reply to your letter of some time ago concerning request for an opinion for two teachers who, according to your letter, completed three years of continuous teaching as of May 31, 1951. You further state in your letter that said teachers resigned their positions in 1951-52 but were re-hired the same year. In other words, they have served three years and have a contract for the fourth year as provided in § 55-1111 N.M.S.A., 1951 Compilation, p.s.

It is the opinion of this office that the fact that they were re-hired and given a contract for the fourth year, and said two teachers having three years of continuous service, the rehiring and the giving of a contract for the fourth year entitles them to such privileges of tenure as their time of service would entitle them.

We trust that this fully answers your inquiry.

By: Hilario Rubio

Assist. Attorney General