

Opinion No. 57-222

September 9, 1957

BY: OPINION OF FRED M. STANDLEY, Attorney General Robert F. Pyatt, Assistant Attorney General

TO: Mr. John E. Hobbes, Assistant District Attorney, Eighth Judicial District, Cimarron, New Mexico

QUESTION

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Is a public school principal who also engages in teaching in classrooms in the public schools covered by the Teacher Tenure Law?

CONCLUSION

Yes.

OPINION

ANALYSIS

In Opinion of the Attorney General No. 57-160, dated July 9, 1957, this office held that school principals and other administrative employees of a public school district who engaged in no functions of teaching were not covered by the Teacher Tenure Law. In such opinion it was pointed out, however, that in Opinion of the Attorney General No. 4715, dated May 16, 1945, it was held that a school principal was covered by the Teacher Tenure Law if he also engaged in teaching activities. We believe that such last cited opinion governs this particular factual situation, and we hold that a public school principal who is also a teacher is covered by the Teacher Tenure Law. Of course, this opinion is conditioned upon such party having a certificate of qualification from the State Board of Education.

This is not to be construed as overruling Opinion of the Attorney General No. 57-160 above cited, but only limits such opinion, as should be the case, to its own factual situation.