

Opinion No. 22-3366

April 7, 1922

BY: HARRY S. BOWMAN, Attorney General

TO: Hon. John V. Conway, State Superintendent of Public Instruction, Santa Fe, New Mexico.

Certification of School Teachers in Municipal School Districts.

OPINION

{*139} In reply to your letter of the 3rd instant, asking what control the county superintendent of schools has over the certification of school teachers in incorporated cities, towns and villages, and inquiring further if the county superintendents has no authority over these matters, whether or not the state superintendent or state board of education has power to require teachers in schools in incorporated cities, towns and villages to obtain certificates, I wish to advise:

The last clause in Section 1, of Chapter 81, Laws 1915, provides that teachers in incorporated towns and villages must secure certificates in accordance with the provisions of the Act, but boards of education of incorporated cities may issue teachers' certificates for such period of time and under such regulations as they may prescribe but such certificates shall be valid only in the city whose board issued them.

From the foregoing you will note that teachers in the schools in towns and villages must obtain their certificates in the same manner as teachers in rural schools. The state superintendent or the state board of education would be required to see that this law was complied with.

{*140} Teachers in cities, however, are subject only to the regulations of boards of education of the city and therefore, neither the county superintendent, the state superintendent, nor the state board of education would have any authority to interfere with the certification of teachers in municipalities of that class.