

Opinion No. 39-3007

January 25, 1939

BY: FILO M. SEDILLO, Attorney General

TO: Mr. F. A. Guerin, County School Superintendent, San Miguel County, Las Vegas, New Mexico.

{*14} Your letter of January 23rd requests advice as to whether a teacher in one of your rural schools can serve as a member of the board of education for the town of Las Vegas.

While Section 8 of Chapter 119 of the New Mexico Session Laws of 1931, amending Section 120-903 of the New Mexico Statutes, Annotated, 1929 Compilation, reads that no person who is a state, county, or municipal officer, or a teacher in any school, or student attending school shall be a member, Section 120-903 was again amended in Chapter 2, New Mexico Session Laws of 1933, and no mention is made as to rural school teachers holding positions as members of municipal boards of education.

It is my opinion that a rural school teacher is qualified to be a member of a municipal board of education.