

Opinion No. 53-5629

January 8, 1953

BY: RICHARD H. ROBINSON, Attorney General

TO: Mr. Tom Wiley Superintendent of Public Instruction State Department of Education
Santa Fe, New Mexico

{*6} In your letter dated January 5, 1953, you request an opinion concerning the number of members of a Union High School Board under the following circumstances: At the present time the Union High School District is composed of one Municipal District and five Rural Districts. It is contemplated that the five Rural Districts are to be consolidated, and you desire to know the number of School Board members which would govern the Union High School District after such consolidation.

Section 55-1004 of the New Mexico Statutes Annotated, 1941 Compilation, provides that where a Union High School District is created by {*7} the consolidation of an even number of Rural and Municipal Districts, each of the districts forming the Union District shall delegate one of its members as one of the members of the Union High School Board, and one additional member of the Union High School Board shall be designated at large to be appointed by the combined members of the Boards of all Districts included.

If the five Rural Districts are consolidated into one Rural District then the Union High School District would only be composed of one Municipal District and one Rural District, and would thereafter only be entitled to three members in the governing board of the Union High School District.

By: C. C. McCulloh

First Asst. Attorney Gen.