

Opinion No. 22-3557

August 28, 1922

BY: HARRY S. BOWMAN, Attorney General

TO: Mr. W. R. Coplen, Clerk Board of Education, District 5, Mosquero, New Mexico.

Boards of Education Must Act as a Corporate Body and Not Individually.

OPINION

{*172} In reply to your letter of the 22nd instant asking if the President and Vice President of a School Board have authority to place an order for school furniture without the knowledge of the other members of the Board, I wish to say:

No corporate entity, it matters not whether it be municipal or otherwise, has authority to act except through the instrumentalities provided by law. The municipal Board of Education, unless it has properly authorized certain officers to act as purchasing agents and subsequently ratifies the acts of such agents in making the purchases, is not bound by the action of individuals in placing orders for supplies.

In my opinion the Board cannot be held liable for the purchase of school furniture as outlined in your letter under the circumstances therein stated.