

Opinion No. 39-3144

May 20, 1939

BY: FILO M. SEDILLO, Attorney General

TO: Mr. W. W. Stuart, Supt. Grants Union High School, Grants, New Mexico.

{*52} In your letter of May 17 you ask whether or not it is permissible in the formation of union high school boards for the member at large not to be a member of one of the boards which comprise the union high school district.

To this I will answer that it is permissible since the statute does not say that the member at large must be a member of one of the boards which comprise the union high school district.

Section 120-1004, New Mexico Statutes, Annotated, 1929 Compilation, provides for the selection of the personnel of such boards. It is specifically provided that the governing authorities of each district forming a union high school district shall designate one of their members to serve as a member of the union high school board. In the event of a union high school comprised of an even number of districts, in addition to the representatives from the particular school districts comprising the union high school district, a director of such union high school district to serve at {*53} large from the several districts so constituting same shall be appointed by the combined members of the boards of all the districts included within such union high school district.

In the event such members fail to agree upon the selection of such member to serve at large, then said member shall be appointed from within such union high school district by the county board of education.

Trusting that the foregoing answers your question, I am,