

Opinion No. 44-4598

October 10, 1944

BY: C. C. McCULLOH, Attorney General

TO: Mr. Gordon H. Wood, Acting District Representative, War Food Administration
Office of Distribution, Post Office Box 587, Albuquerque, New Mexico

We have your letter of October 2, 1944 wherein you request an opinion concerning who are the proper school officials empowered to sign valid contracts such as an agreement with your administration, pertaining to the operation of the school lunch program for individual schools.

Section 55-807 of the New Mexico 1941 Compilation provides that the county boards of education, except with respect to independent and union school districts, shall have supervision and control of all rural schools. Section 55-902 of the New Mexico 1941 Compilation provides that the municipal school boards shall have like powers over the schools and districts within their jurisdiction as those possessed by county boards of education over their respective schools and districts.

In view of the foregoing, the power to sign a valid agreement with your administration would have to be derived from the proper county or municipal board of education and it would be necessary for such boards to execute the contracts which you contemplate unless they, by resolution or other proper means, delegate the power to the county school superintendents or principals of particular schools.

By HARRY L. BIGBEE,

Asst. Atty. General