

Opinion No. 46-4861

February 25, 1946

BY: C. C. McCULLOH, Attorney General

TO: Mr. Claron E. Waggoner District Attorney Socorro, New Mexico

{*193} In your letter dated February 20, 1946, you inquire for the procedure regarding the sale of school property.

Section 55-714 provides as follows:

"Except as otherwise provided by law, all property belonging to school districts and all property the title of which is or may be vested in the board of education, shall not be sold, transferred or disposed of, except for cash, or its equivalent, and with the written consent of the superintendent of public instruction."

Since the procedure is not set forth specifically for the sale of school property, if the school board has the approval of the State Superintendent, a sale of school property by the board may be made for cash, or its equivalent, at either public or private sale.