

**OPINION
68-304**

October 23, 1968 (OPINION)

The Honorable M. F. Peterson

Superintendent of Public Instruction

RE: Schools - Expenses of Board Members - School Boards Association

This is in reply to your letter of October 17, 1968, in which you state the following facts and questions:

According to a law enacted by the 1967 Legislature, the North Dakota School Boards Association is recognized and school boards as well as county associations may pay dues to the State Association.

Does it follow that local school boards may pay the expenses of their delegates or representatives to the state convention? The law does not specifically state that the board members are entitled to reimbursement for expenses incurred while attending the state convention, but it does provide that they may be paid for attending the county meetings called by the county superintendent.

My direct question is, may local school boards pay their members for attending the state convention scheduled this year for October 29-31 here in Bismarck?"

Subsection 19 of section 15-29-08 of the North Dakota Century Code, as amended, provides:

The legislative assembly hereby recognizes the necessity for school boards to organize on the county and state levels, and the legislative assembly hereby authorizes local school boards to pay membership dues to county and state associations and further authorizes county associations to pay membership dues to the state association."

Section 15-19-08 of the North Dakota Century Code, as amended, specifies that each member of the school board may receive eight and one-half cents per mile of necessary travel in going to and returning from the place of meeting of the school board. No other provision is made for payment of expenses of the school board. However, we would note that subsection 19 of section 15-29-08 was enacted in 1967. While no specific provision is made with regard to payment of expenses of board members attending the convention of the North Dakota State Boards Association, we assume the Legislature, in approving the payment of dues to such organization, assumed there would be conventions and other expenses connected therewith. It would not appear the Legislature would authorize the payment of dues to an organization by the school district and then deny the board members reimbursement for attending a convention of such organization since it is reasonable to assume that the worth of such organization is the exchange of ideas and information at conventions, etc.

It is therefore our opinion that the local school boards may pay the expenses of their members for attending the state convention of the North Dakota State Boards Association.

HELGI JOHANNESON

Attorney General