

**School Trustees—Insurance with Mutual Fire Insurance Companies.**

A board of school trustees have the right to insure a district school in a mutual fire insurance company.

January 10, 1917.

Hon. William Keating,  
State Auditor and Commissioner of Insurance Ex-Officio,  
Building.

Dear Sir:

I have your letter of January 6th asking for my opinion as to whether a school board has the right to insure in a mutual fire insurance company, binding the district to pay an indefinite premium.

A board of school trustees can exercise no other powers than those expressly granted by the legislature, or which are necessarily implied from those granted. 35 Cyc. 900-1. And in the absence of some statutory authority, the trustees have no power to insure a school building. Am. Ins. Co. v. District Township, 55 Iowa 606, 8 N. W. 472.

Section 507 (1) of the School Law, Chapter 76 of 1913 Session Laws, provides that the board of trustees of each school district shall have custody of all school property belonging to the district, and Section 508 (7) provides that every school board shall have power and it shall be its duty "to rent, repair, and insure school houses." But there is no restriction in the law as to the kind of insurance companies with which the board shall insure a district school house. Therefore the board of trustees, if in the exercise of sound discretion they deem it for the best interests of the district, may insure a school house in a mutual fire insurance company.

Respectfully,

S. C. FORD,  
Attorney General.