

Opinion No. 203**Schools—Trustees—Meetings, Notice of
and Business Transacted—High
Schools—Principal, Election of.**

HELD: No meeting of a board of school trustees should be held without giving each trustee reasonable notice of the time and place and the purpose for which any meeting is called. No business should be transacted at such meeting except such as is noticed in the call for the meeting. (Under the facts, the re-election of the high school principal was the business of the special meeting.).

May 6, 1933.

You have requested my opinion on the right of a high school board of trustees to re-elect a principal at a special meeting and have given full details of the action taken by the board at such meeting.

While there is no specific statute providing for special meetings of the trustees, no meeting should be held without giving each of the trustees reasonable notice of the time and place and the purpose for which any meeting is called and no business should be transacted at such meeting except such as is noticed in the call for the meeting. However, we would say that in any particular emergency if the trustees should all meet in regular meeting and all agree that a meeting should be held at that time and spread such agreement on the minutes, they could transact any business that they desired to take up of an emergency nature and possibly any business of any kind, the transaction of which is not specifically prohibited by law.

Subsection 3 of Section 83 of Chapter 148 of the Laws of 1931, provides that a principal may be chosen for not to exceed two years. The meeting of January 12, 1931, employing a principal for three years was not a legal transaction. The meeting of March 14, 1933, employing the principal for one year would be a legal meeting if it were properly called and held, which would have to be determined by the facts. In any event, it is clearly the purpose of the board to re-employ the principal and if no action was taken prior to May 1, 1933, the principal will hold over in the absence of any advice to him that he was not to be re-employed prior to that date.

See opinion No. 131 (this vol.), relative to the employment of teachers and superintendents and principals, which we think will enable you to determine the legality of the action of your board in regard to the employment of your principal. We do not have all the facts necessary to determine the legality of the meetings at which such action was taken.