

**OPINION
58-90**

July 29, 1958 (OPINION)

EDUCATION

RE: Powers and Duties of Special School District Officers

- School Board Meetings - Charging of Mileage

We have received your letter dated July 25, 1958, wherein you ask whether school officers in the newly reorganized Killdeer Special School District may charge mileage in connection with attendance at school board meetings.

Section 15-2905 of the 1957 Supplement provides that:

"Each member of the board of education shall receive as compensation three dollars for each meeting of the board actually attended by him, but no compensation shall be allowed for more than one meeting in each calendar month."

Nothing is said about mileage so we must assume that the \$3.00 is full and total compensation for attendance at school board meetings.

Subsection 10 of section 15-2908 of the 1943 Code authorizes the payment of necessary and contingent expenses. A contingent expense would be an unforeseen or unexpected expense. Travel to board meetings certainly could not be said to be such an expense.

We, therefore, believe your board cannot legally pay mileage fees to board members for travel to and from school board meetings.

LESLIE R. BURGUM

Attorney General