

Answered by letter- Romines

October 2, 1970

OPINION LETTER NO. 492



Honorable Raymond Howard  
State Senator  
District No. 5  
705 Chestnut  
St. Louis, Missouri 63101

Dear Senator Howard:

This is in reply to a request you made of this office seeking an Attorney General's opinion in which you stated:

"Can a member of the Missouri State Board of Education serve as a member of the Board of Curators of a college of a religious denomination? The college is in Missouri. No compensation or expenses is involved."

The members of the State Board of Education for the State of Missouri are appointed consistent with Section 161.022, RSMo 1969, and must meet the qualifications as set out in Section 161.032, RSMo 1969, which states:

"The members of the board shall be citizens of high moral standards and recognized ability in their respective business or profession, who have resided in the state for not less than five years immediately preceding their appointment, and not more than one of whom shall be a resident of the same county or congressional district. At no time shall more than four members be of the same political party. No member of the board shall be connected, either as an official or as an employee, with any public, private, or denominational school, college or

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university, nor be a holder of or candidate for  
any public office." [Emphasis added]

By applying the above set out law to your facts, it is the conclusion of this office that a member of the Missouri State Board of Education may not serve as a member of the Board of Curators of a college of a religious denomination in the State of Missouri and at the same time serve as a member of the Missouri State Board of Education.

Yours very truly,

JOHN C. DANFORTH  
Attorney General