

# LAW LIBRARY

## ARIZONA ATTORNEY GENERAL

DARRELL F. SMITH, THE ATTORNEY GENERAL  
STATE CAPITOL  
PHOENIX, ARIZONA

February 1, 1967

DEPARTMENT OF LAW LETTER OPINION NO. 67-10-L (R-49)

---

REQUESTED BY: SARAH FOLSOM  
State Superintendent of Public Instruction

QUESTION: Do the County Boards of Supervisors have the authority to build schools in unorganized territory?

ANSWER: No.

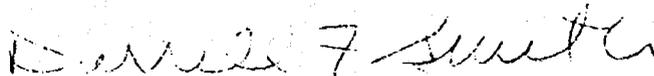
The powers and duties of the Boards of Supervisors are set forth in A.R.S. § 11-251, as amended, and there is nothing in the statute which would appear to place such a power or duty on the Board.

The education of children in unorganized territory is provided for in A.R.S. § 15-304, as amended, and the tuition is paid by the County School Superintendent from the special county school reserve fund (§ 15-449,D.5).

In addition, new school districts may be formed on petition by the parents or guardians of at least ten school census children in an unorganized territory pursuant to A.R.S. § 15-408.

Therefore, it is the opinion of the Attorney General that the laws of the State of Arizona do not authorize nor contemplate the need for the County Boards of Supervisors to build schools in unorganized territory.

Respectfully submitted,



DARRELL F. SMITH  
The Attorney General

DFS:cah