

January 29, 1937.

Mr. J. A. Riggins, Statistician
Department of Public Instruction,
State House,
Phoenix, Arizona.

My dear Mr. Riggins:

Answering your question: "Does the State Board of Education have the authority, under its general supervisory powers, to regulate the size of classes receiving instruction in the common and high schools of the state?" I will state that as a broad general principle the school authorities have the power to provide such apparatus and equipment and such accommodations and facilities for carrying on the work of the schools as are reasonably necessary and useful for the comfort and convenience of teachers and pupils. The extent of their powers however, depends in each particular case on the provisions of the controlling statute and it will depend entirely upon the method you propose to pursue in bringing about a reduction in the size of classes. If you have equal facilities available to all pupils without constructing new buildings and purchasing new apparatus and your regulations will not work a discrimination as between pupils, then it is the opinion of this office that the State Board of Education has the authority under its general supervisory powers to regulate the size of classes in the common and high schools of the state.

Trusting the above answers your inquiry and assuring you of our desire to serve you, I am

Very truly yours,

JOE CONWAY
Attorney General

Section 989 R.C.A. 1928
7 A.L.R. 788-791
52 A.L.R. 249

E. G. FRAZIER
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