

July 10, 1948

Mr. Loren Vaughn, Jr.
Director of Research
Department of Public Instruction
Capitol Building
Phoenix, Arizona

LAW LIBRARY
ARIZONA ATTORNEY GENERAL

Dear Mr. Vaughn:

We have your request for our opinion regarding the school situation in Pinal County where pupils who formerly attended at Casa Grande and Florence will next year attend a new school to be known as Santa Cruz Valley Union High School.

You ask two questions;

1. Should sixty-five school pupils be added to the Pinal County attendance to provide \$95.00 state aid for each high school pupil not now provided for?
2. Should the Pinal County Superintendent of Schools include sixty-five additional high school pupils in his request to the Pinal County Board of Supervisors for \$20.00 county aid per pupil?

This question arose last year and in answering we called attention to Section 54-809, A.C.A., 1939. It will be noted that this section provides that upon the filing of a sworn statement giving the probable average attendance a newly formed school "shall be entitled to its pro-rata of the apportionment heretofore provided".

It is our opinion that under this section the new school is entitled to have both the \$95.00 state aid for each pupil as well as the estimated \$20.00 per pupil from the county.

Mr. Loren Vaughn, Jr. - Page 2 - 7/10/48

On the other hand, the old schools from which the pupils came having filed their estimates on the basis of the previous year's attendance, would be entitled to their allowances per pupil based on the previous year's attendance under the applicable statutes.

While this, in effect, will result in an additional sixty-five pupils being added to the county and state, it is our opinion that this must be done for the reason that the law is complied with by both schools and such a procedure is the only method which will permit transfer of a considerable number of pupils from one school to another newly formed without working a hardship on either school.

Trusting this answers your inquiries, we are

Very truly yours,

EVO DeCONCINI
Attorney General

PERRY M. LING
Assistant Attorney General

PML/md