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April 19, 1949

**LAW LIBRARY
ARIZONA ATTORNEY GENERAL**

W.L. Taylor
Mr. Lewis Taylor
County Superintendent
Florence, Arizona

Dear Mr. Taylor:

We have examined Section 54-609, ACA 1939 with reference to your problem, which we understand consists of adding the eleventh and twelfth grades to a school during the coming year, and your right to estimate the probable average attendance in those grades and secure ADA for this estimated attendance.

While this section was designed to provide for starting a new district where there had been no previous school, we are of the opinion that it would also apply to your situation where you are adding new grades to a school which is already in existence.

It is therefore our opinion that you would be entitled to obtain money based on the average daily attendance of the estimated number of children who will attend the eleventh and twelfth grades next year.

Trusting this answers your inquiry, we are

Yours very truly,

FRED O. WILSON
Attorney General

PERRY M. LING
Chief Assistant
Attorney General

PML:lh
cc: Brock Ellis
Attorney
Eloy, Arizona

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