

95-19

STATUTES CITED

ARS 15-253(B)

ARS 15-459(D) (3) (c)

ARS 15-459(P)

ARS 15-910



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

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GRANT WOODS  
ATTORNEY GENERAL

December 28, 1995

James P. Schilder  
Chief Deputy County Attorney  
Greenlee County Attorney's Office  
P. O. Box 1717  
Clifton, AZ 85533

Re: I95-019 (R95-39)

Dear Mr. Schilder:

Pursuant to A.R.S. § 15-253(B), we reviewed your opinion dated September 28, 1995, to the Greenlee County School Superintendent concerning a county school superintendent's consolidation plan as it relates to desegregation funding and expenses. Because your opinion does not explain the budgetary provision in A.R.S. § 15-459(P), we revise that portion of your opinion.

Pursuant to A.R.S. § 15-459(D)(3)(c), a consolidation plan of two or more school districts shall contain a "detailed description of desegregation funding and expenses for the resulting school district as set forth in subsection P of this section." Subsection P provides:

If one or more of the previously existing school districts was authorized to budget for expenses of complying with or continuing to implement activities that were required or permitted by court order of desegregation or administrative agreement with the United States department of education office for civil rights directed toward remediating alleged or proven racial discrimination pursuant to § 15-910, this authorization does not expire on the effective date of consolidation but only applies to schools included in the court order or administrative agreement.

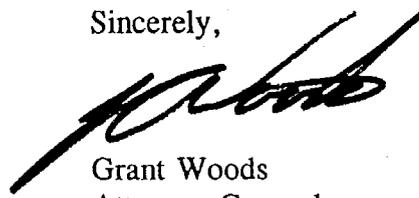
Therefore, the impact of A.R.S. § 15-459(D)(3)(c) is to require the county school

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superintendent to include in the consolidation plan a detailed description of the desegregation funding and expenses for the resulting school district if one or more of the existing school districts being consolidated was authorized to budget for expenses to comply with or to continue to implement activities related to a court order of desegregation or administrative agreement to remediate racial discrimination as described in A.R.S. § 15-459(P).

We decline to review the remainder of your opinion.

Sincerely,

A handwritten signature in black ink, appearing to read "Grant Woods", written in a cursive style.

Grant Woods  
Attorney General