

Opinion No. 20-2747

December 8, 1920

BY: HARRY S. BOWMAN, Assistant Attorney General

TO: Mr. Luis G. Ortiz, Park View, New Mexico.

School Children Residents of One District Attending School in Another District.

OPINION

Your letter of the 3rd inst., addressed to Mr. Askren asking for advice regarding the custom of sending children from one district to the school of another district, has been referred to me for attention.

There is no law governing the subject which you mention. If the school directors of any particular district should not find it objectionable for the children from the adjoining district to attend the school of those in the first mentioned district, there could be no reason why such children should not attend there.

The question, in our mind, is one entirely for the determination of the directors of each district.

It is very often more convenient for children to attend a school in an adjoining district because of the nearness of the school house and occasionally there are other reasons which make it justifiable for pupils to attend in another district rather than the one in which they live.

Of course if the attendance of pupils from other districts has crowded the school in district number eighteen, and the teachers in that school have more pupils than they can properly handle, the school directors would be justified in refusing to receive such children in that school.

I trust the foregoing satisfactorily answers your inquiry.