

Opinion No. 233.

Schools and School Districts—Elementary Class Room Units—Classification.

HELD: 1. One school district with four schools and thirty-nine pupils constitute one school system and two class room units.

2. Sections 1200.2-1200.3 provide the method of classification and Section 1200.5 has no application to isolated schools with enrollment of ten or more pupils.

January 27, 1938.

Miss Ruth Reardon
Superintendent of Public Instruction
The Capitol

My dear Miss Reardon:

You have submitted the question as to how many schoolroom class units and school systems exist under the following statement of facts: "A school district operates four rural schools; the total enrollment for the district is thirty-nine pupils. The original enrollments for the schools are as follows: Six, twelve, ten, and eleven, respectively. The school with an original enrollment of six is an approved isolated school."

Section 1200.1, paragraph (a) provides:

"For every elementary school, classroom unit in the state, as such unit is hereinafter defined, the sum of five hundred dollars (\$500.00) per teacher, and, in addition, of twelve cents (12¢) per pupil per day of attendance during the last completed school year."

As much of Section 1200.2 as is applicable provides:

"Classroom units — definition — sharing of funds. Classroom units, as the basis for the distribution and payment of state school revenue, shall adhere to the following standards, and none others, and are thus defined, to-wit:

ELEMENTARY SCHOOLS

An elementary school system with one teacher, and not less than ten nor more than twenty-five pupils shall constitute one, elementary school, classroom unit.

An elementary school system with two teachers, and not less than twenty-six nor more than fifty pupils shall constitute two, elementary school classroom units.

An elementary school system with three teachers, and not less than fifty-one nor more than eighty pupils shall constitute three, elementary school, classroom units.

An elementary school system with four teachers, and not less than eighty-one nor more than one hundred and ten pupils shall constitute four, elementary school, classroom units.

In an elementary school system with more than four teachers and more than one hundred and ten pupils, every additional teacher, and every additional group of thirty pupils, or major fraction thereof, shall constitute an additional, elementary school, classroom unit."

Section 1200.3 provides:

"School system defined. To determine in any case the number of classroom units under section 1200.2, all the schools of an independent subdistrict of a county school district shall be deemed one school system, and elsewhere every school, or group of schools, under a common, direct administrative head shall be deemed a school system; but if there be no county school district, established as the basic unit for the school of a county, every established school district within the county, shall be deemed a school system, and the classroom units hereing computed accordingly."

Section 1200.5 provides:

"Distribution of moneys from state public school general fund—isolated schools. No moneys shall be disbursed or distributed from the state public school general fund, or otherwise under this act, for any school with an original enrollment of less than ten pupils during the last completed school year, or for any school upon the basis of more teachers than such school actually employs; but in the case of an isolated school or community such disbursement and distribution may be made upon the recommendation of the county superintendent of schools and county

board of education of the county, if there be one, and if not, then of the county superintendent and of the board of county commissioners of the county, and, in either case, only with the approval of the state superintendent of public instruction and of the state board of education."

The facts submitted by you show that the district is not included in a county school district, and that there is no county school district within the county, and such being the case, under Section 1200.3, the four schools, which are a part of one district, constitute one school system.

You have further advised me that there are four teachers in the district, and thirty-nine pupils enrolled in the entire district. Inasmuch as there are not less than twenty-six, nor more than fifty pupils, within said system, divided in the enrollments in the four schools, said district, under Section 1200.2, constitutes two elementary school classroom units.

Section 1200.5 can have no application to a determination of your question herein, for the reason that the school system has more than ten pupils. If the school district, or school system, had less than ten school children enrolled, then the provisions of Section 1200.5 would be applicable. If there were less than ten pupils in the school system no monies would be disbursed or distributed from the state public school fund to the said school district, except upon the recommendation of the county superintendent of schools and the county board of education in the county, if there be one, and, if not, then of the county superintendent and the board of county commissioners of the county, and in either case only with the approval of the state superintendent of public instruction and of the state board of education.