

March 16, 1933.

You have requested an opinion of this office relative to legal holidays for public schools.

Section 1062, R. C. M. 1921, controls and provides that New Years Day, Memorial Day, Independence Day, and Labor Day shall be legal holidays for all public schools. In the same section reference is made to certain exercises to be conducted by public schools in commemoration of certain other holidays but such holidays are not made legal holidays in the sense that those first named above are.

Holidays that fall on Sunday and which the statute provides the following day shall be a legal holiday applies only to business holidays and are excepted from school holidays. Consequently December 26 and January 2 were not legal holidays where December 25 and January 1 fell on Sunday.

Opinion No. 116

Schools—Holidays—Sunday.

HELD: That those holidays falling on Sunday which the statute provides shall be observed as legal holidays on the following Monday are business holidays and not school holidays. Consequently, Dec. 26 and Jan. 2 were not legal holidays where Dec. 25 and Jan. 1 fell on Sunday.