

SCHOOLS: Dissolution of Consolidated District may become effective when all the provisions of Section 10472, R. S. Mo. 1939, have been complied with.

October 18, 1943



Mr. John A. Eversole
Prosecuting Attorney
Washington County
Potosi, Missouri

Dear Sir:

This is to acknowledge receipt of your letter of September 11th, 1943, in which you request an opinion from this department. Your letter reads as follows:

"Several years ago consolidated School District number five was organized which includes the school system of Potosi, Missouri. In this consolidated district is included a district formerly known as Pleasant Hill school district. Up to this year the school board have always maintained their public school including the eighth grade as before the consolidation. Now for some reason the school board of consolidated district number 5 have decided to discontinue said local school and transport the children to town.

"By actual count there are 26 children who belong in this school and practically all of them wish to stay in their own school. Their parents seem to feel the same way about it judging from a petition they have circulated and have brought in here.

"Just how do they go about getting out of Consolidated District number 5? That is

what they all wish to know. Since I am not so sure, I am asking your opinion."

Section 10472, R. S. Missouri, 1939, reads as follows:

"Any town, city or consolidated school district heretofore organized under the laws of this state, or which may be hereafter organized, shall be privileged to disorganize or abolish such organization by a vote of the resident voters and taxpayers of such school district, first giving fifteen days' notice, which notice shall be signed by at least ten qualified resident voters and taxpayers of such town, city or consolidated school district; and there shall be five notices put up in five public places in said school district. Such notices shall recite therein that there will be a public meeting of the resident voters and taxpayers of said school district at the schoolhouse in said school district and at said meeting, if two-thirds of the resident voters and taxpayers of such school district present and voting, shall vote to dissolve such town, city or consolidated school district, then from and after that date the said town, city or consolidated school district shall be dissolved, and the same territory included in said school district may be organized into a common school district under article 3 of this chapter."

The abolishment of such an organization must follow all the provisions of the above statute and become effective and final.

Mr. John A. Eversole

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CONCLUSION

It is, therefore, the opinion of this department that the dissolution of a consolidated school district may become effective when all of the provisions of Section 10472, R. S. Missouri, 1939, have been fully and completely complied with.

Respectfully submitted

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APPROVED:

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