

Answer by Letter (Klaaffenbach)

September 11, 1970

OPINION LETTER NO. 469

Honorable R. J. King, Jr.
State Representative
39th District
St. Louis County
816 South Hanley Road
Clayton, Missouri 63105



Dear Representative King:

This letter is in response to your opinion request in which you ask whether a junior college district has the authority to buy land and construct a building outside of its college district in order to serve an area outside the district.

While we find no Missouri cases on the subject we note that the boundaries of a junior college district must conform to the requirements of Section 178.790, RSMo 1969, and that Section 178.850, RSMo 1969, requires that such a junior college district provide instructions for pupils resident within the district who qualify and that accepted non-residents may attend such a junior college district upon the payment of a tuition fee.

Under Section 178.770, RSMo 1969, a junior college district is a body corporate with the same corporate powers as common and six-director school districts, other than urban districts.

We find no express provision authorizing a junior college district to establish a facility outside of its district boundaries in order to serve non-residents and in our view the statutes do not imply any such authority.

We conclude therefore in answer to your question that a junior college district has no authority to establish a building outside of its district for the purpose of serving an area outside of the district.

Very truly yours,

JOHN C. DANFORTH
Attorney General