

SCHOOL DISTRICTS:
SCHOOL REORGANIZATION:

The mere encirclement of one district by territory comprising a proposed reorganized school district would not of itself be improper, provided that there has otherwise been complete compliance with the laws of Missouri applicable to the reorganization of school districts.

September 16, 1959



Honorable Harry J. Mitchell
Prosecuting Attorney
Marion County
Palmyra, Missouri

Dear Mr. Mitchell:

This is in response to your letter of July 27, 1959, which we quote in part as follows:

"The Monroe City School District is presenting a reorganization of schools plan, with the approval of the State Board of Education. As I understand the facts, the plan is to submit to the voters the question of reorganization with several rural districts to be included in the Monroe City District by the reorganization plan. The reorganization plan leaves one district out of the reorganized territory, and this district is completely surrounded by districts in the reorganized territory. The one district not included in the reorganized territory will be bounded on all sides by the reorganized territory, if the plan is carried out. The question is whether or not the Monroe City District may reorganize, leaving the one district out of the reorganization plan under the circumstances mentioned."

Upon a careful study of the applicable laws of Missouri, it is the opinion of this office that the mere encirclement of one district by territory comprising a proposed reorganized school district would not of itself be improper, provided that there has otherwise been complete compliance with

Honorable Harry J. Mitchell

the laws of Missouri applicable to the reorganization of school districts.

CONCLUSION

It is the opinion of this office that the mere encirclement of one district by territory comprising a proposed reorganized school district would not of itself be improper, provided that there has otherwise been complete compliance with the laws of Missouri applicable to the reorganization of school districts.

The foregoing opinion, which I hereby approve, was prepared by my Assistant, James B. Slusher.

Yours very truly,

JOHN M. DALTON
Attorney General

JBS:mc