



THE ATTORNEY GENERAL
OF TEXAS

Gerald C. Mann
~~XXXXXXXXXXXXXXXXXX~~
ATTORNEY GENERAL

AUSTIN, TEXAS

/Overruled by V-562
and withdrawn.

Honorable T. M. Trimble
First Assistant
State Superintendent of Public Instruction
Austin, Texas

Dear Sir:

Opinion No. 0-3424
Re: Whether or not a rural high
school district can be in-
corporated into an independ-
ent school district.

We received your letter requesting our opinion
on the following question:

May a rural high school district be in-
corporated as an independent school district?

We have examined the statutes relating to rural
high school districts and have been unable to find any
specific statute pertaining to your question. We note,
however, that Article 2922h, Vernon's Annotated Civil Stat-
utes, provides that rural high school districts shall be
classed as common school districts. Articles 2742j and
2757, Vernon's Annotated Civil Statutes, provide for the
incorporation of common school districts into independent
school districts.

This department ruled in a letter opinion to
Honorable Harley Alexander, dated March 18, 1930, that
the territory comprising a rural high school district
could be incorporated into an independent school district.
This opinion was based upon the statutes above enumerated.
We are advised that this opinion, dated March 18, 1930,
has been followed since that date and that a number of
rural high school districts have been incorporated into
independent school districts in reliance thereon.

We believe that the opinion of the Attorney Gen-
eral's Department, dated March 18, 1930, places a reason-
able construction on the statutes herein enumerated.

For the reasons stated, we are of the opinion
that a rural high school district may be incorporated into
an independent school district.

Yours very truly
ATTORNEY GENERAL OF TEXAS

APPROVED JUNE 11, 1941
/s/ Grover Sellers

By /s/ Lee Shoptaw
Lee Shoptaw
Assistant