

Opinion No. 57-09

January 24, 1957

BY: OPINION OF FRED M. STANDLEY, Attorney General Robert F. Pyatt, Assistant Attorney General

TO: Georgia Lusk, Superintendent of Public Instruction, State Capitol, Santa Fe, New Mexico

QUESTIONS

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A malt shop in the proximity of a high school is giving the municipal board of education considerable disciplinary difficulty. The question is presented as to whether the municipal board of education would have authority to declare such a place "off limits," insofar as the students are concerned?

SUMMARY

No.

OPINION

ANALYSIS

Inasmuch as there is no statutory authority which directs or permits such action, the the municipal board of education would have no legal sanction to declare a malt shop in the proximity of the high school "off limits" to the high school students.

Trusting that this fully answers your inquiry, we remain