

OPINION
57-174

December 7, 1957 (OPINION)

SCHOOL DISTRICTS

RE: Rules of Board - Authority

We have received your letter dated November 26, 1957, wherein you state that the Lincoln school district board, at a regular meeting in August, 1957, passed the following resolution.

High school girls will be required to wear dresses in the classrooms, and will not be permitted to wear slacks or jeans. Slacks and jeans may be worn to the building, but they must change into dresses before entering the classroom."

Your question then is whether a school district board has the authority under our laws to make and enforce this rule.

Your school district is a common school district and subsection 5 of section 15-2506 of the 1943 Code provides that a school board shall: "Assist and cooperate with the teachers of the district in the government and discipline of the schools and make proper rules and regulations therefor." The question is whether this is a proper rule or regulation.

Courts invariably hold that a school board, under statutory authority, has power to make and enforce rules for the control of students, and management of a school. The only qualification is that the rules must be reasonable.

While there may be some question in this case, it is our opinion that this is a valid regulation, and therefore within the regulatory powers of the school board to promulgate and enforce.

LESLIE R. BURGUM

Attorney General