



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GROVER SELLERS
ATTORNEY GENERAL

Honorable G. C. Morris, Chairman
Joint Legislative Committee
Capitol Building
Austin, Texas

Dear Sir:

Opinion No. O-5870
Re: Can the Joint Legislative Committee, under the provisions of House Bill No. 176, 48th Legislature, increase the amounts allowable for current expenditures, exclusive of teachers salaries, above the sum of One Hundred Eighty Dollars (\$180), in accredited schools and One Hundred Sixty Dollars (\$160) in unaccredited schools?

Your letter of April 7 is as follows:

"We have a problem relative to the Salary Aid Allocation on which we would like to have your opinion.

"Under Article 2, Section 1, House Bill Number 176, Acts of the 48th Legislature, we wish to quote as follows:

"The expenditures will include salaries of teachers as determined by the salary schedule stated herein, and a maximum of One Hundred Eighty Dollars (\$180) per teacher per year in accredited schools and One Hundred Sixty Dollars (\$160) per teacher per year in unaccredited schools for other current expenses; provided that if Salary Aid grant for the first year of

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the biennium exceeds or is less than the Salary Aid Allocation, the State Superintendent shall increase or decrease said maximums proportionately.'

"It now appears that the amount allocated by House Bill No. 176 for Salary Aid will be sufficient to permit allowance of more than One Hundred Eighty Dollars (\$180) per year per teacher in accredited schools for current expenses other than salaries of teachers, and One Hundred Sixty Dollars (\$160) in unaccredited schools. From the budgets submitted by the schools, it is apparent that the costs of operation embraced in those items have increased (as e.g. fuel, etc) over previous years, and in many instances the sums named are insufficient to cover the needs shown by the budgets submitted.

"We feel prompted to ask the following question:

"Can we, under the provisions of House Bill Number 176, Acts of the 48th Legislature, increase the amounts allowable for current expenditures, exclusive of teachers salaries, above the sum of One Hundred eighty Dollars (\$180) in accredited schools and One Hundred Sixty Dollars (\$160) in unaccredited schools."

The statutory provisions quoted in your letter (Sec. 1, Art. 2 of H. B. 176, Acts of the 48th Legislature) expressly permit the State Superintendent to increase the maximum allowable for current expenditures other than teachers' salaries, if during the first year of the biennium covered by the act the amount of money allocated for salary aid is sufficient to permit reimbursement of eligible districts in amounts exceeding \$180.00 per teacher per year in accredited schools and in excess of \$160.00 per teacher per year in unaccredited schools.

It is expressly provided, however, by the sentences following that portion of Sec. 1 of Art. 2, supra quoted in your letter, that in no case may the amount of salary aid exceed the approved amount of teachers' salaries. Subject to

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that limitation, the State Superintendent may increase the maximum allowable reimbursement for current expenses other than teachers salaries within the amount allocated by the Legislature for salary aid during the first year of the biennium.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By

Gaynor Kendall
Assistant

OK:pw

APPROVED SEP 24 1944

E. G. Shackelford

ATTORNEY GENERAL OF TEXAS

