

Honorable T. J. S. Waxter, Director, Department of Public Welfare (cont'd)

expulsion for the termination of the girl's scholastic career, the Superintendent of Schools might enter on the records that the pupil is permitted to withdraw as she can no longer benefit from further continuance in school. In short, we are suggesting that where possible a voluntary withdrawal is a more desirable social record than a dismissal.

As a practical matter it would seem that the present practice of the School Board in reviewing each re-admittance as a separate case could continue, but the legal basis for this practice would be to determine whether expulsion was in order in the particular case. When and if any dispute should arise between your agency and the School Board as to any particular girl, an appeal may be had to the State Board of Education, and the decision of that Board enforced by mandamus (Opinions of Attorney General, Volume 5, page 134; see also Volume 20, page 640).

We trust that we have adequately covered the subject of your inquiry; however, it should be borne in mind that the opinion of this office is not binding upon the officials concerned in this question since the matter arises in the operation of a state-wide law. It might be well for your agency or the School Board to ask the Attorney General for an opinion and forward to him a copy of our views on the subject.

Very truly yours,

/s/ THOMAS N. BIDDISON
City Solicitor

/s/ ALEXANDER STARK

B/S/a