

**OPINION**  
**51-57**

May 2, 1951        (OPINION)

EDUCATION

RE:    What Constitutes Regular Enrollment

In your letter of April 28, 1951, you ask for an opinion from this office as to what constitutes regular enrollment under section 15-4014, N.D.R.C., 1943, as amended.

You state that it is your understanding that the superintendent of public instruction interprets that section to mean regular attendance.

You state further that it is your contention that a student is regularly enrolled even though he may miss a few days during the term.

This office agrees with your contention.

In reading the statute, prior to amendment, as well as the amended section in the 1949 Supplement, the term "regular enrollment" is used in the same manner.

The terms for payment of tuition for students is not based upon regular enrollment, but upon the standard of the high school, the approval of the superintendent of public instruction, the qualifications of teachers, and their salaries.

It is, therefore, obvious that it was the intent of the legislative assembly that a regular enrolled student is one who has attended school a sufficient number of days to successfully complete the course for which he is enrolled.

Had it been the intention of the legislative assembly that regular enrollment should mean attendance each and every day it would have so indicated, or had a minimum number of days present been a requisite then it would have so indicated.

ELMO T. CHRISTIANSON

Attorney General