

of whether said proposed schools are to be maintained from public school funds or from tuition fees charged the attendants."

If a city board of education establishes and maintains a normal school by authority of Section 7647, General Code, it must do so independently of any other school district or any private or public educational institution. No authority exists for it to cooperate with any other agency, public or private, in the maintenance of such a school. In this connection, it is significant that there was introduced in the 88th General Assembly, in 1929, House Bill No. 165, the intent of which was to authorize the cooperation between a school district board of education and a college or university in the maintenance of normal schools. The bill failed of passage. The title of the proposed bill was as follows:

"A Bill to provide training school facilities in cooperation with colleges and universities approved as teacher training institutions."

No authority exists for a school board to take over and conduct as a part of its school system any department of a college or university. Section 7650-1, General Code, which is the only statute authorizing cooperation between colleges and universities and district boards of education clearly contemplates the making of a contract to obtain within the district instruction in special subjects beyond the scope of the high school which "may be pursued in such college or university." Students while receiving such instruction in pursuance of such a contract would in reality be students of the college or university as the studies under the terms of the statute are to be pursued in the college or university.

I am therefore of the opinion that the Board of Education of the Kent City School District is without authority to contract with Kent State University to maintain in the city schools any department of the University which the trustees of the University may elect to surrender to the city school district.

Respectfully,

JOHN W. BRICKER,
Attorney General.

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APPROVAL—BONDS OF PIKE COUNTY, OHIO, \$17,000.00.

COLUMBUS, OHIO, June 17, 1936.

Industrial Commission of Ohio, Columbus, Ohio.