

2331.

APPROVAL, BONDS OF MONCLOVA TOWNSHIP RURAL SCHOOL DISTRICT, LUCAS COUNTY, \$26,000.00 .

COLUMBUS, OHIO, March 31, 1925.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

2332.

APPROVAL, BONDS OF VILLAGE OF SOUTH EUCLID, CUYAHOGA COUNTY, \$63,900.00.

COLUMBUS, OHIO, March 31, 1925.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

2333.

COUNTY BOARD OF EDUCATION—NO AUTHORITY TO PAY SPEAKER FOR ANNUAL MEETING OF RURAL AND VILLAGE BOARDS OF EDUCATION—SECTION 4747-1 G. C. CONSTRUED.

SYLLABUS:

The annual meeting provided in section 4747-1 G. C. is in no sense an educational meeting of or for the county board of education, and the authority granted to a county board of education by section 4744-3a to pay the expenses of its educational meetings does not authorize the employment or payment of a speaker secured for the annual meeting of the members of rural and village boards of education provided for in section 4747-1 G. C.

COLUMBUS, OHIO, April 1, 1925.

HON. C. E. MOYER, *Prosecuting Attorney, Sandusky, Ohio.*

DEAR SIR:—This will acknowledge receipt of yours of recent date in which you submit for the opinion of this department the following inquiry:

“Will you kindly give me an opinion whether or not a county board of education, under section 4744-3a and section 4747-1, General Code of Ohio, have authority to hire and pay from the county board of education fund, or any other fund, a speaker for their annual meeting as provided under the above section.”

The sections referred to are as follows:

"Sec. 4744-3a. The county board of education is authorized to pay for the printing of programs, examinations and other necessary printing supplies for the use of the county superintendent and the superintendents and teachers of the county school unit. The county board of education is authorized to pay the expenses of its educational meetings required by law."

"Sec. 4747-1. Once each year all the members of the board of education of the various village and rural school districts within any county school district shall hold a meeting for the purpose of discussing matters relating to the schools of such county school district. The county superintendent shall arrange for the time and place of holding such a meeting and shall act as chairman thereof. Each member of a rural and village board of education may receive the amount of two dollars for attending said meeting upon filing a certificate for attendance thereof with the board of which he is a member, this to be in addition to the allowance made rural board of education members under authority of section 4715."

Section 4747-1, General Code, above quoted, *does not provide for an annual meeting of the county board of education but provides for an annual meeting of the members of the boards of the various village and rural school districts within any county school district.* This section imposes no duty with reference to such annual meeting upon the county board, and does not even require their presence. The purpose of the meeting is for discussion of matters relating to the schools by the members of the various boards required to be present, and does not contemplate discussion by an outside speaker, especially provided for the meeting. The county superintendent shall act as chairman of such meeting, and it is only reasonable to expect that he as chairman will guide and direct the discussion in proper channels.

The latter part of the above section, which was added in 108 O. L. Pt. 1, p. 708, provides for the payment of \$2.00 to each member of such rural and village boards for attending said meeting, said sum to be paid by the board of which he is a member, thus providing compensation for all those required to attend.

In a former opinion of this department, found in Opinions of Attorney General for 1919, page 866, in considering the above sections, my predecessor held:

"Under section 4747-3a the county board of education can pay the actual necessary expense of the annual educational meeting of the members of the boards of education of the county school unit, provided for in section 4747-1 G. C. Such expense may include printing, sending notice to members and rental of place for meeting if such rental is absolutely necessary."

And in his discussion, states that "the county superintendent as agent of the county board of education shall arrange for the time and place of holding such meeting, and shall act as chairman thereof."

I can find no justification in the language of the statute for the statement that the county superintendent acts in this matter as agent for the county board of education. It is true that by virtue of section 4744 G. C., the county superintendent becomes in all respects the executive officer of the county board of education, and shall attend *all meetings of such board*, with the privilege of discussion, but not of voting.

But it must be remembered that section 4747-1, General Code, does not provide for a meeting of the county board of education, and does not even imply or suggest their attendance, much less require it.

Attention is also directed to the language of section 4744-3a, General Code. The authorization to pay is to pay for programs, examinations and other necessary

printing supplies for the use of the county superintendent and the superintendents and teachers of the county school unit, thus specifying particular items for the use of the county superintendent and the superintendents and teachers, but does not extend to the use of members of the various village and rural boards of education. The latter part of the section provides only for the payment of expenses of educational meetings of the county board of education, and as already stated, the annual meeting provided in section 4747-1, General Code, is not in any sense an educational meeting of the county board of education, and it may be questioned whether or not a meeting of seventy-five or a hundred members of the rural and village boards of education of a county school district could properly be termed an educational meeting.

Therefore, I can see no good reason for enlarging the scope of the above referred to opinion, and in answer to your inquiry, I am of the opinion that the annual meeting provided for in section 4747-1 G. C. is in no sense an educational meeting of or for the county board of education, and that the authority granted to a county board of education by section 4744-3a to pay the expenses of its educational meetings does not authorize the employment or payment of a speaker secured for the annual meeting of the members of rural and village boards of education provided for in section 4747-1 G. C.

Respectfully,
C. C. CRABBE,
Attorney General.

2334.

APPROVAL, BONDS OF VILLAGE OF ARCANUM, DARKE COUNTY,
\$7,016.40.

COLUMBUS, OHIO, March 31, 1925.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

2335.

APPROVAL, BONDS OF BROOKFIELD TOWNSHIP RURAL SCHOOL DISTRICT, TRUMBULL COUNTY, \$12,500.00.

COLUMBUS, OHIO, April 1, 1925.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.