

2427.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENTS IN
LORAIN COUNTY, OHIO.

COLUMBUS, OHIO, October 8, 1930.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

2428.

TRANSPORTATION OF PUPILS—DISTANCE FROM SCHOOL—RULE
FOR MEASURING DISTANCE DISCUSSED—SPECIFIC CASE CON-
SIDERED.

SYLLABUS:

Rule relating to the method of measuring the distance a school pupil lives from school, for the purpose of determining whether or not the said pupil is entitled to transportation, discussed.

Specific case considered.

COLUMBUS, OHIO, October 9, 1930.

HON. JOHN K. SAWYERS, JR., *Prosecuting Attorney, Woodsfield, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion, which reads as follows:

"I desire your opinion relative to the following matter. The question in mind has to do with the measurement of distance between the home of a pupil living in a rural district and the school house to which said pupil is assigned for educational instruction. You are probably familiar with the 21 O. N. P. (N. S.) Opinion, which says distance is measured 'from the exit of the curtilage by most direct way to the point where it intersects the highway. At the other end, by the most direct path from the school house door to the middle of the highway.' There is an Attorney General's Opinion, 1119, page 1439, on the same question.

The particular set of facts involved has to do with the following situation:

'A' has three routes of travel from his home to the public highway and the question is which of these routes is the one from which the measurement of the distance should be taken. 'A' has one route from his home to the public highway to where he has his mail box. There is no road that could be traveled by a vehicle or automobile leading from the residence to the public highway where the mail box is located. 'A' has a second route which he travels with a buggy or automobile and which route he has traveled in the past to the public highway in transporting his children to the school in question. 'A' has a third route by which he sometimes goes to mill and to market.

The mail box route is more than two miles from the school house as the same is figured. The horse and buggy route and the automobile route which has been the one traveled in previous years taking the children to school is less than two miles from the school house in question, and the third route