

In addition, you have submitted a contract bond upon which the Seaboard Surety Company, of New York, appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law, and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the Workmen's Compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon, and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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4762.

BOARD OF EDUCATION—PURCHASE OF SUPPLIES FOR  
COUNTY SUPERINTENDENT OF SCHOOLS AND TEACHERS  
IN COUNTY SCHOOL DISTRICT.

**SYLLABUS:**

*A county board of education is authorized by Section 4744-3a, General Code, to pay for the printing of enrollment cards, attendance registers, grade cards, reports of tests and examinations, standardized reports of daily work of pupils, individual certificates of promotion of pupils, diplomas and any other necessary supplies for the use of the county superintendent of schools and local principals and teachers throughout a county school district, which supplies are necessary for carrying out the duties imposed by law upon the county superintendent of schools in the classification and promotion of pupils and the supervision of the schools in a county school district.*

COLUMBUS, OHIO, October 7, 1935.

HON. ARTHUR D. TUDOR, *Prosecuting Attorney, Kenton, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion concerning the powers of a county board of education under Section 4744-3a, General Code, with respect to the purchasing of grade cards, attendance registers, standardized tests, enrollment cards, report cards and diplomas for the use of the several school districts in the county school district.

Section 4744-3a, General Code, reads as follows:

“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.”

The terms of the above statute are clear in so far as the vesting in the county board of education of authority to pay for the printing of programs, examinations and other necessary printing supplies for the use of the county superintendent of schools and superintendents and teachers throughout the county school district is concerned, but no definite answer is afforded to the question of just what is meant by “programs”, “examinations” or “other necessary printing supplies.”

Among the duties imposed upon a county superintendent of schools is the classification and promotion of pupils in the several school districts of the county school district. Section 7706, General Code, provides in part:

“The county superintendent and each assistant county superintendent shall visit the schools in the county school district, direct and assist teachers in the performance of their duties, and classify and control the promotion of pupils. The county superintendent shall spend not less than one-half of his working time, and the assistant county superintendents shall spend such portion of their time as the county superintendent may designate in actual classroom supervision. \* \* \* ”

Experience has shown that the only satisfactory way of classifying pupils for purposes of promotion and controlling the promotion of pupils is to have for the use of the county superintendent and local principals and teachers, uniform records of attendance of pupils and of tests and examinations and similar matters, necessitating the use of enrollment cards, attendance registers, grade cards, reports of tests and examinations, standardized reports of daily work of pupils and individual certificates of promotion. Diplomas being nothing more or less than glorified certificates of promotion, would no doubt be in the same class. It is, of course, advisable to have such things printed, and the statute expressly authorizes the county board of education to pay for such printing.

No doubt, in the supervision of schools, it would become necessary to have for the use of the county superintendent and the principals and teachers throughout the county school district, certain programs and other supplies that should, for convenience sake, be printed. The statute, Section 4744-3a, Gen-

eral Code, clearly authorizes the county board of education to pay for the printing of any such supplies.

I am therefore of the opinion in specific answer to your question, that a county board of education is authorized by Section 4744-3a, General Code, to pay for the printing of enrollment cards, attendance registers, grade cards, reports of tests and examinations, standardized reports of daily work of pupils, individual certificates of promotion of pupils, diplomas and any other necessary supplies for the use of the county superintendent of schools and local principals and teachers throughout a county school district, which supplies are necessary for carrying out the duties imposed by law upon the county superintendent of schools in the classification and promotion of pupils and the supervision of the schools in a county school district.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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4763.

APPROVAL, BONDS OF TOLEDO CITY SCHOOL DISTRICT,  
LUCAS COUNTY, OHIO, \$250,000.00.

COLUMBUS, OHIO, October 7, 1935.

*Industrial Commission of Ohio, Columbus, Ohio.*

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4764.

APPROVAL, NOTES OF LEROY RURAL SCHOOL DISTRICT,  
LAKE COUNTY, OHIO, \$1,258.00.

COLUMBUS, OHIO, October 7, 1935.

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