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APPROVAL—PROPOSED AGREEMENT COVERING PROTECTION OF CERTAIN GRADE CROSSINGS IN CHAMPAIGN, CLARK AND PUTNAM COUNTIES—D. T. AND I. R. R. CO.

COLUMBUS, OHIO, August 25, 1936.

HON. JOHN JASTER, JR., *Director of Highways, Columbus, Ohio.*

DEAR SIR: You have submitted proposed agreement by and between you, as Director of Highways, and The Detroit, Toledo and Ironton Railroad Company, covering the protection of certain grade crossings as follows:

- (a) Champaign County, S. H. No. 190, St. Paris.
- (b) Clark County, S. H. No. 6, South Charleston.
- (c) Putnam County, S. H. No. 223, Main St., Ottawa.

After examination, it is my opinion that said proposed agreement is in proper legal form and when duly executed will constitute a binding contract. Said agreement is being returned herewith.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5999.

TUITION—PUPIL ATTENDING HIGH SCHOOL OUTSIDE DISTRICT OF RESIDENCE—BOARD OF EDUCATION NOT LIABLE FOR, WHEN—DISTANCE FROM SCHOOL IMMATERIAL—EXCEPTIONS DISCUSSED

SYLLABUS.

When a board of education of a school district, which has joined with another district or other districts in the maintenance of a joint high school in pursuance of Sections 7699 et seq. of the General Code of Ohio, furnishes or offers transportation to the joint high school so maintained for its resident high school pupils, the said board cannot be held for the tuition of any such pupils who attend another high school, regardless of the distance the pupils live from the said high school or the school which they may attend, unless the pupil or pupils are assigned by the Superintendent of Schools to some other school in accordance with law.