

1235.

APPROVAL, TWO GAME REFUGE LEASES.

COLUMBUS, OHIO, November 27, 1929.

HON. J. W. THOMPSON, *Commissioner, Division of Conservation, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval the following game refuge leases:

<i>No.</i>	<i>Name</i>	<i>Acres</i>
2063	Denver Ford, Gorham Township, Fulton County,-----	165
551	Clarence E. Eagleton, Salem Township, Columbiana County,----	450

Finding said leases executed in proper legal form, I have endorsed my approval thereon accordingly, and return the same herewith.

Respectfully,
 GILBERT BETTMAN,
Attorney General.

1236.

BOARD OF EDUCATION—MAINTAINING HIGH SCHOOL AND NOT CONTRACTING FOR SUCH SCHOOLING—WHEN LIABLE FOR TUITION OF PUPILS—MORAL OBLIGATIONS—TRANSPORTATION AND TUITION, GENERALLY DISCUSSED.

SYLLABUS:

1. *Before a board of education, that does not maintain a high school and does not contract with another board or other boards in the same or an adjoining civil township for the schooling of its high school pupils, can be required to pay the tuition of resident high school pupils attending high school outside the district, due notice of such attendance must be filed in writing with the clerk of the board of education upon which board it is sought to impose the liability for the payment of tuition, as provided by Section 7750, General Code.*

2. *Where a claim for the payment of foreign tuition for a high school pupil is made against a board of education and it appears that no legal liability exists for the payment of such tuition because of the failure on the part of the pupil or his parents or persons in charge of him, to file a written notice of his attendance in the high school in accordance with Section 7750, General Code, such a claim lawfully may be paid as a moral obligation.*

3. *A board of education which maintains a high school, is liable for the payment of tuition for all pupils who reside more than four miles from such school if such pupils attend a nearer high school in another district, unless transportation is furnished for the pupils to the high school maintained by the board. The liability for the payment of tuition under those circumstances exists without the filing of the notice provided for by Section 7750, General Code.*

4. *Because of the specific provisions of Section 7749-1, General Code, with respect to the furnishing of transportation to high school pupils, the board of education of any district is not required in any case, except as provided by Section 7749, General Code, to provide high school transportation, unless a finding is made*