

2962.

APPROVAL, NOTES OF CANAL WINCHESTER VILLAGE SCHOOL DISTRICT, FRANKLIN COUNTY, OHIO—\$6,150.00.

COLUMBUS, OHIO, July 26, 1934.

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

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2963.

BOARD OF EDUCATION—UNAUTHORIZED TO SUBMIT TO ELECTORS OF DISTRICT QUESTION OF WHETHER OR NOT HIGH SCHOOL BE DISCONTINUED.

*SYLLABUS:*

*It is not within the power of a board of education to submit to the electors of its district a question of whether or not a high school maintained by the board should be discontinued, and no election machinery is provided by law for that purpose.*

COLUMBUS, OHIO, July 27, 1934.

HON. NORTON C. ROSENTERER, *Prosecuting Attorney, Port Clinton, Ohio.*

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

“I would like to have your opinion covering an inquiry directed to me and arising out of the following:

The Erie Township School District in this county has been operating a second-class high school at La Carne, Ohio, so chartered by the state Department of Education. This calls for a three year course, and it is then necessary for the high school pupil to finish his or her education by taking the last year either at Port Clinton, Ohio, or at Oak Harbor, Ohio, with the board paying the tuition and providing the transportation for said last year of high school education.

It now develops that many people within the district, including those who have children attending the school, have requested the Board of Education to abandon this high school and to send all of the children having completed the first eight grades, to the high schools of the cities hereinbefore mentioned, for the full term of four years.

The board members are not in favor of initiating such action, as I understand they have a right to do under the statute, but prefer that the people of the school district vote on the issue if possible, at the oncoming August primary election, or if time does not now allow, at the November election.

I would, therefore, inquire if the Board of Education can have this matter placed on the ballot this fall for determination by the electors of