

a policy of insurance such as the specimen policy here under consideration, is not such a policy as is authorized by the statute, and that boards of education are not authorized by this statute to effect this insurance and pay the premium thereon from public funds.

In conclusion, I am of the opinion that the class of insurance which a board of education is authorized to effect by the terms of Section 7731-5, General Code, is what is popularly known as liability or casualty insurance covering the legal liability for personal injury or property damage growing out of the operation of conveyances used in the transportation of school children to and from school or school events, under the jurisdiction of the assured, providing the actual use of the vehicle is at the time with the permission of the assured board of education, and providing further, that the insurance effected by the proposed policy covers not only liability or casualty insurance as above described, but as well compensation for injury or death to any school pupil caused by any accident arising out of or in connection with the operation of the conveyance covered by the policy while used in the transportation of such school pupils.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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APPROVAL—AGREEMENT COVERING SEPARATION OF  
GRADE OF TRACK IN TUSCARAWAS COUNTY, OHIO—  
WHEELING AND LAKE ERIE CO.

COLUMBUS, OHIO, December 22, 1936.

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

DEAR SIR: You have submitted for my consideration a proposed agreement by and between the Director of Highways, The Wheeling and Lake Erie Railway Company and the Board of Commissioners of Tuscarawas County, covering the separation of the grade of the track of the said company and County Road No. 396-b, east of Valley Junction in Tuscarawas County, Ohio.

After examination, it is my opinion that said proposed agreement is in proper legal form and when the same is properly executed it will constitute a valid and binding contract.

Said proposed contract is being returned herewith.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*