

While the courts of Ohio have not passed upon this particular question, the above cases, in my judgment, properly express the constitutional and legal restrictions in Ohio.

In conclusion, I am of the opinion that the Board of Education of the Tiffin City School District, if it is deemed by the said board to be in the interests of the education of the youths within the school district and for the best interests of the public school system in the district, may lawfully lease the rooms and building in which parochial schools are now being conducted, regardless of who owns the rooms or buildings, for the purpose of conducting public schools therein; that public schools may be conducted by the board of education in the rooms so leased, and that any individual may be employed to teach in these public schools, providing they have been properly certificated. Pupils formerly attending the parochial schools may be assigned by the superintendent of schools to the public school within the district which, in the superintendent's opinion is best suited to the pupil's age and state of advancement and vocational interest. It is not lawful for the board of education to bind itself by contract at the time of leasing the schoolrooms to employ certain teachers to teach the public schools to be conducted in the room so leased, or to permit certain pupils to attend certain schools regardless of the school to which they may be assigned by the superintendent.

Respectfully,  
JOHN W. BRICKER,  
*Attorney General.*

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1833.

APPROVAL, BONDS OF BAY VILLAGE SCHOOL DISTRICT, CUYA-HOGA COUNTY, OHIO—\$22,375.43.

COLUMBUS, OHIO, November 8, 1933.

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

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1834.

APPROVAL, BONDS OF NEW LATTY VILLAGE SCHOOL DISTRICT, PAULDING COUNTY, OHIO—\$3,000.00.

COLUMBUS, OHIO, November 8, 1933.

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