

to cooperate with a city, village or county in the establishment or maintenance of playgrounds, playfields, gymnasiums, etc., it does not contain any express authority for a school district to cooperate with another school district in establishing and maintaining such recreational activities.

Upon consideration of all the legislation on this subject, one is forced to conclude that a school district, through its board of education, is not authorized to lease a portion of its premises to another school district for any purpose whatever nor is it authorized to cooperate with another school district in the establishment and maintenance of playgrounds or recreation centers.

I am of the opinion, however, that the provisions of Section 7622, et seq., authorizing a board of education to permit the use of school property under its jurisdiction, for educational and recreational purposes, are sufficiently broad to authorize a board of education to permit the use of those premises by the school children of an adjoining school district for athletic purposes providing such a use will at no time interfere with the use of the premises by the district to which they belong for the necessary purposes of that district. Strictly speaking, this would not be a lease of the premises from one board of education to another, but simply the granting of a permit or license, authorizing the other board to use the premises. This permit or license would be revocable at any time by the board of education authorizing the same and should be revoked if at any time the board needed the premises for the school or playground purposes of its own district.

If such an arrangement were made there could be no objection to the one board paying to the other the reasonable value of the privilege extended to it. In the strict sense of the word this would not be paying rental as for a lease but merely paying for the privilege of using the premises.

I am therefore of the opinion, in specific answer to your question, that the Board of Education of Geneva Township School District is without authority to lease the lands owned by it, to the Board of Education of the Geneva Village School District for an athletic field, but that, by authority of Section 7622, et seq., of the General Code, the Geneva Township Board of Education may permit the use of a portion of the premises owned and held by it by the Board of Education of the Geneva Village School District for athletic purposes, so long as that use does not in any respect interfere with the use of those premises by the Geneva Township District for school and playground purposes.

Respectfully,

GILBERT BETTMAN,
Attorney General.

2734.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE W. M. WELCH MANUFACTURING COMPANY OF CHICAGO, ILLINOIS, FOR EQUIPMENT FOR BOTANY AND ZOOLOGY BUILDING AT OHIO STATE UNIVERSITY AT AN EXPENDITURE OF \$10,455.00—SURETY BOND EXECUTED BY THE AMERICAN SURETY COMPANY.

COLUMBUS, OHIO, December 30, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works for the Board of Trustees of the

Ohio State University, Columbus, Ohio, and the W. M. Welch Manufacturing Company, of Chicago, Illinois. This contract covers the construction and completion of cabinet and soapstone contract, as set forth in the general conditions of the specifications for equipment for Botany and Zoology Building on the campus of Ohio State University, and covered by the form of proposal dated November 28, 1930. Said contract calls for an expenditure of ten thousand four hundred and fifty-five (\$10,455.00) dollars.

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have shown that the Controlling Board has approved the expenditure, as required by law. In addition, you have submitted a contract bond, upon which the American Surety Company appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law, and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workmen's compensation have been complied with. Finally the certificate of the Secretary of State shows that the above contracting foreign corporation is qualified to do business in Ohio.

Finding said contract and bond in proper legal form, I have this day noted my approval hereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2735.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE JOHNSON SERVICE COMPANY, CINCINNATI, OHIO, FOR TEMPERATURE REGULATION SYSTEM IN PHYSICAL EDUCATION BUILDING, MIAMI UNIVERSITY, OXFORD, OHIO, AT AN EXPENDITURE OF \$4,664.00—SURETY BOND EXECUTED BY THE AETNA CASUALTY AND SURETY COMPANY.

COLUMBUS, OHIO, December 30, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the Board of Trustees, Miami University, Oxford, Ohio, and the Johnson Service Company, Cincinnati, Ohio. This contract covers the construction and completion of contract for Temperature Regulation System in a building known as Physical Education Building, Miami University, Oxford, Ohio, as set forth in Item M-4; Item M-25 Alternate M-N and Item M-26 Alternate M-O of the Form of Proposal dated November 18, 1930. Said contract calls for an expenditure of four thousand six hundred and sixty-four dollars (\$4,664.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also shown that the Controlling Board has approved the expenditure in accordance with Section 11 of House Bill No. 510 of the 88th General Assembly. In addition, you have submitted a contract bond, upon