

districts to assume the management of one-teacher rural schools, or of rural schools having two or more teachers, or both types of rural schools and to maintain such schools as model rural schools. In no case shall there be more than one of each type of such rural schools established in a rural school district nor more than six model rural schools established by any state normal school. Each state normal school which complies with the provisions of this section subject to the approval of the superintendent of public instruction shall receive five hundred dollars annually from the state for each class room of such model schools when vouchers therefor have been approved by the superintendent of public instruction and each of said normal schools shall also be authorized to arrange with the boards of education of village and city school districts to assume the management of all the schools of the district or districts or such part of them as may be necessary to provide adequate facilities for practice teaching by the students of said normal school, and providing the number of rooms for which such appropriation is made does not exceed six for each state normal school."

According to the above section "each state normal school \* \* \* shall receive five hundred dollars annually from the state for each class room of such model schools." Practically of course, the school can not receive the money. Some person must receive it, must have custody of it for and on behalf of the school. Your question is, who is that custodian?

In connection with the answer to your first question it was pointed out that as to each of the state normal schools mentioned in section 7654-7 G. C. provision is made by statute for a board of trustees. Without repeating what was said in that connection touching the powers of said boards of trustees, we think it sufficient to say that custody of the moneys received under favor of section 7654-7 G. C. is properly in the boards of trustees of the several state normal schools, and that such moneys should be disbursed upon the approval of said boards of trustees, and not otherwise.

A word now as to the purposes for which such moneys should be disbursed. While section 7654-7 G. C. does not in so many words say what the money received from the state shall be used for, it is a fair inference, we think, that the legislature intended that the same should be applied primarily to the maintenance of the model schools, rather than that the same should go for indiscriminate uses. Should it happen that all of such moneys are not needed for the maintenance of model schools, the excess can then be disposed of for such other school purposes as the boards of trustees think proper.

Respectfully,

JOHN G. PRICE,  
*Attorney-General.*

1074.

**MUNICIPAL CORPORATION—HOW TO COMPUTE WATER RATES FOR SCHOOL DISTRICT UNDER SECTION 3963 G. C. WHERE PART OF PROPERTY OF SCHOOL DISTRICT OUTSIDE OF CITY.**

*The tax valuation of all property within a certain school district which includes territory not within the boundary of the city is \$12,000,000, and the tax valuation of the property outside of the city is \$2,000,000. Held, that under section 3963 G. C. which provides that in such cases a proportionate charge for water service shall be made in the ratio which the tax valuation of the property outside the city bears to the tax valuation of all the prop-*

*erty within the school district, the school district should pay one-sixth of the duly established water rates for the entire school district.*

COLUMBUS, OHIO, March 13, 1920.

*The Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.*

GENTLEMEN:—Your letter of recent date relating to the computation and payment of water charges under section 3963 G. C. as amended at the recent session of the general assembly, was duly received, and, omitting formal and introductory parts, reads as follows:

“In anticipation of the work of this department occasioned by house bill No. 561, copy of which is enclosed, we are respectfully requesting your written opinion upon the following matter:

After careful study of this act, it is the opinion of the writer that the director of public service of a city shall make the regular charges according to the established rates to consumers of water for all water furnished the schools of school districts and that the board of education shall make payment to the director of public service through the water works as follows:

If the tax valuation of the city be \$10,000,000 and the tax valuation of the city school district be \$12,000,000 that the board of education shall pay two-twelfths or one-sixth of the water charges for the entire school district, and that this same rule will apply to the board of trustees of public affairs and municipal water works of villages. Are we correct in our views?”

Section 3963 G. C., as amended, provides that:

“No charge shall be made by a city or village, or by the water works department thereof, for supplying water for extinguishing fire, cleaning fire apparatus, or for furnishing or supplying connections with fire hydrants, and keeping them in repair for fire department purposes, the cleaning of market houses, the use of any public building belonging to the corporation, or any hospital, asylum, or other charitable institutions, devoted to the relief of the poor, aged, infirm, or destitute persons, or orphan or delinquent children, or for the use of the public school buildings in such city or village.

But in any case where the school district, or districts, include territory not within the boundaries of the city or village, a proportionate charge for water service shall be made in the ratio which such tax valuation of the property outside the city or village bears to the tax valuation of all the property within such school district, subject to the rules and regulations of the water works department of the municipality governing, controlling, and regulating the use of water consumed.”

Since the tax valuation of all the property within the school district referred to in your letter is \$12,000,000, and the tax valuation of the property outside of the city is \$2,000,000, it follows that the ratio which the tax valuation of the property outside of the city bears to the tax valuation of all the property within the school district, is two-twelfths or one-sixth, and the charge for water service to the school district should be computed accordingly, and at the duly established rates.

The amended statute, according to its terms, applies to cities and villages and the water works department thereof.

Respectfully,  
JOHN G. PRICE,  
*Attorney-General.*