

1928

EDUCATION—COUNTY BOARDS, CONTRACT WITH STATE UNIVERSITIES FOR STUDIES OF COUNTY SCHOOL SYSTEMS—§3315.061 R.C.—1086 OAG 1957, p. 604, MODIFIED.

SYLLABUS:

A county board of education has authority under the provisions of Section 3315.061, Revised Code, to contract with state universities or other agencies to conduct studies or surveys relating to school district organization and building needs, curriculum and instructional needs, and needs for improved or additional services. Opinion No. 1086, Opinions of the Attorney General for 1957, p. 604, modified.

Columbus, Ohio, April 4, 1958

Hon. E. E. Holt, Superintendent of Public Instruction
Department of Education, Columbus, Ohio

Dear Sir:

Your request for my opinion reads as follows:

“Will you please advise this office by formal opinion whether a county board of education may contract with universities or

other agencies to conduct studies or surveys pertaining to district organization and building needs, curriculum and instructional needs, and needs for improved or additional services.

“Such services have been provided on a nonprofit basis by our state universities for many years to local boards of education, and it was our understanding that House Bill 489, which enacted Section 3315.061 of the Revised Code, authorizes county boards to expend funds for such services.”

In your communication you also refer to Section 3315.061, Revised Code, as enacted by the 102nd General Assembly, and to my Opinion No. 1086, Opinions of the Attorney General for 1957, p. 604.

The section referred to became effective on September 17, 1957. It reads as follows:

“A county board of education may expend funds for the purpose of conducting studies or surveys pertaining to school district organization and building needs, curriculum and instructional needs, and needs for improved or additional services that may be rendered by such board. A county board of education may publish reports prepared in connection with such activities.”

Opinion No. 1086, *supra*, was in process of preparation when the above enactment became effective but was issued shortly thereafter. It held a county board could make such survey, but only by using its own employes. The statute quoted would appear to authorize the work to be done by way of a contract as well as by the employes of the county board. Accordingly, the opinion aforesaid should be and is modified.

In specific answer to your question, it is my opinion that a county board of education has authority under the provisions of Section 3315.061, Revised Code, to contract with state universities or other agencies to conduct studies or surveys relating to school district organization and building needs, curriculum and instructional needs, and needs for improved or additional services. Opinion No. 1086, Opinions of the Attorney General for 1957, p. 604, modified.

Respectfully,
WILLIAM SAXBE
Attorney General