

1093.

APPROVAL, BONDS OF THE VILLAGE OF GARFIELD HEIGHTS, CUYA-HOGA COUNTY, OHIO—\$34,155.00.

COLUMBUS, OHIO, September 30, 1927.

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

1094.

TRANSPORTATION OF PUPILS—BOARD OF EDUCATION SHALL PROVIDE TRANSPORTATION ONLY FOR PUPILS ATTENDING PUBLIC SCHOOLS.

SYLLABUS:

1. *Boards of Education in providing transportation for pupils attending school are limited to the providing of such transportation for pupils attending schools which are a part of the public school system of the state.*

2. *Pupils attending private schools are not entitled to the use of transportation facilities provided for pupils attending the public schools.*

COLUMBUS, OHIO, October 1, 1927.

HON. R. L. THOMAS, *Prosecuting Attorney, Youngstown, Ohio.*

DEAR SIR:—This will acknowledge receipt of your communication as follows:

"We desire your opinion of Section 7731 of the General Code as to whether students attending a parochial school situated near a centralized school are entitled to transportation as far as the centralized school on busses provided for said centralized school."

Boards of education are mere governmental agencies created by statute, for the purpose of rendering effective that thorough and efficient system of common schools throughout the state, which the General Assembly is directed by the constitution to secure by taxation or otherwise, and for the purpose of administering the provisions made by law for the organization, administration and control of the public school system of the state, supported by public funds.

As such creatures of statute, it has been held that the powers of such boards of education in the expenditure of public funds are limited to such as are expressly granted or such as must necessarily be implied for the accomplishment of the ends for which they have been created.

The primary purpose of the public school system of the state, is to provide means of instruction for the youth of school age within the state. In the growth of this system it has been determined that the interests of efficiency to centralize and classify the means of instruction in such manner as to result in the establishment of