

2270.

APPROVAL, BONDS OF COVENTRY TOWNSHIP, SUMMIT COUNTY—  
\$20,000.00.

COLUMBUS, OHIO, June 25, 1928.

*Industrial Commission of Ohio, Columbus, Ohio.*

2271.

BOARD OF EDUCATION—TRANSPORTATION OF PUPILS—AUTHORITY  
TO LET CONTRACTS THEREFOR.

SYLLABUS:

1. *A board of education may use its discretion as to whether or not it will provide necessary transportation for pupils in the district by letting contracts therefor, or by purchasing vehicles and hiring drivers.*
2. *In the making of contracts for the convenience and prosperity of the schools under their control, boards of education are not required to let such contracts upon competitive bidding, except as provided by Section 7623, General Code.*
3. *A contract for the purchase of vehicles to be used in the transportation of pupils to school is not a contract within the contemplation of Section 7623, General Code, and may therefore be entered into by a board of education without advertising for bids.*

COLUMBUS, OHIO, June 25, 1928.

HON. ERNEST M. BOTKIN, *Prosecuting Attorney, Lima, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion as follows:

“Where the board of education of a rural school district, having a centralized school desires to purchase a motor bus for the transportation of pupils is it necessary in the purchase of such motor bus that bids be advertised for, and the contract for such purchase awarded on the basis of such competitive bids?”

I have been unable to find any provision of law directly effecting the above question and have reached the conclusion that the rule laid down in the case of *Gosline vs. Toledo Board of Education*, 20 O. C. C. 503, would apply to such contract. I shall appreciate your reply to the above at your earliest convenience.”

Without quoting the several provisions of law authorizing boards of education to furnish transportation for children attending the public schools, it is sufficient to say, for the purposes of this opinion, that boards of education are authorized by