

Opinion No. 8.**Schools—Transportation—Attendance
Out of State.**

HELD: There is no authority of law for the payment of transportation where a school is closed and the family, for whose children transportation is claimed, moved outside the state for the winter.

December 15, 1934.

Mr. H. H. Hullinger
County Attorney
Conrad, Montana

We acknowledge receipt of yours of December 3, requesting an opinion from this office on the following question:

Where a school is closed and a family with children of school age have left the state for the winter, is such family entitled to draw transportation for such children while out of the state?

To assume that the district may pay transportation money to such family is to lose sight of the purposes of the law that authorizes transportation for school children. Such transportation is furnished on the assumption that it is a matter of general public interest to educate all children.

Furthermore, the expenditure of any and all money authorized by the statutes of Montana, for public school purposes, assuredly can apply only to Montana schools. We have nothing to do with schools outside of Montana. The money the district pays to the family is a mere gift and has nothing to do with our public schools. Such expenditure of school funds is entirely without authority of law. (Vol. 15, Official Opinions, page 234.)