

Indianapolis, the requirement of prior appropriation does not seem to apply as a limitation to school cities or to school towns, and if the contract had been executed prior to the attempted reduction, and is otherwise legal, I do not think the County Tax Adjustment Board by reduction or otherwise could invalidate a contract thus entered into.

As to contracts of teachers with school townships, there is no doubt of the fact that a prior appropriation is necessary to a legal contract, but I think the appropriation by the Advisory Board is sufficient to meet that requirement.

The same rule which applies to the County Tax Adjustment Board applies to the Indiana Tax Board. Since both questions are intended to be the same, stated somewhat differently, it will only be necessary to answer your second question. Upon the basis that the contracts are legal, as herein defined, and are in existence at the time of any attempted reduction by the Tax Adjustment Board, the answer to your question is in the negative.

INDIANA GIRLS' SCHOOL: Name of School of Letters of such institution; whether it may take the name of "Araminta Kern School of Wayne Township."

June 13, 1942.

Mrs. Adeline C. Lehman, Supt.,
Indiana Girls' School,
R. R. 2, Box 440,
Indianapolis, Indiana.

Dear Mrs. Lehman:

You have asked what procedure to take so that the School of Letters of the Indiana Girls' School may be carried on the public records of your institution, and of the State, as the Araminta Kern School. You have attached to your inquiry a copy of the resolution adopted by the Board of Trustees giving such School of Letters the name Araminta Kern School of Wayne Township, Marion County, Indiana.

I understand that this school is especially commissioned by the Department of Education of the State by reason of which the credits earned by the pupils attending such school are as

fully recognized by the public schools of our State as are credits earned in any other public school. It is also my understanding that the school does not come under the authority of, nor is it a part of, the school system of either Wayne Township or Marion County but is solely under the jurisdiction and control of the Board of Trustees of the Girls' School, which Board has subjected it to the visitatorial and inspection powers of the State Department of Education in order that the courses and training given will meet the standards of our public school system.

The statute creating the Indiana Girls' School and authorizing its operation and control provides that the girls shall be committed "to the custody of the board of trustees of the Indiana Girls' School, to be confined by it at that institution, or at such other place as may be designated by said Board of Trustees where they can be most faithfully and properly cared for." (Section 13-707, Burns' Indiana Statutes Annotated 1933.) Thus the General Assembly has evidenced an intention that faithful and proper care of the girls committed to the institution is the chief object sought to be accomplished in establishing the Indiana Girls' School. The diplomas and other evidence of satisfactory scholastic records is in keeping with such a legislative intent. It is not inconsistent with this legislative intent to permit the credits, diplomas and other records, based solely upon scholastic attainment and governed by the same standards as prevail in the public school system of the State, to be recorded, issued and kept under a name which designates the school operated under the authority of your Board of Trustees without disclosing its connection with the Indiana Girls' School.

Thus the adoption of such a name by resolution of your Board and the recording of such adoption with the State Department of Education and Superintendent of Public Instruction of the State of Indiana is sufficient to entitle you to keep all scholastic records, including credits earned, and to issue diplomas in the name adopted for such school. While the words "of Wayne Township, Marion County," may merely designate the geographical location of the school, I am of the opinion that, in order to avoid the implication that the school is a part of the township or county school system, the words "located in" or words of similar import should precede "Wayne Township, Marion County."