

SUPERINTENDENT OF SCHOOLS, COUNTY:  
SCHOOLS.

Expenses for telephone of  
County Superintendent of  
Schools not payable out  
of funds under Section  
9475

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April 29, 1936

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Honorable Forrest Smith  
State Auditor  
Jefferson City, Missouri

Dear Sir:

This is to acknowledge receipt of your letter of April 16, in which you inclose a request for an opinion to you from the Superintendent of Schools of Stone County, Missouri. His letter is as follows:

"I have no telephone in my office and the county is not able to supply me with one, do you think it would be all right if I used some of the money in the certificate funds or county association funds as some call it to pay the telephone bill.

"This would be a benefit for the teachers to be able to call me, as I think it would be all right. What is your opinion?

"Is there any other counties that are doing this?

"Please let me hear what you think of this. "

The question is, whether or not the Superintendent of Schools of Stone County may pay for a telephone for his office out of the certificate funds or county association funds. The funds mentioned in the letter are received under the provisions of Section 9475, Revised Statutes Missouri, 1929, which provides, in part, as follows:

"Every applicant for a certificate shall pay to the county superintendent of public schools a fee of three dollars which shall entitle him to take any and all examinations given in any calendar year. Every applicant for a renewal of his certificate shall pay a fee of one dollar and fifty cents. The fees so collected shall be used for the payment of the expenses of teachers association and teachers' meetings authorized by this chapter - at least thirty per cent. being set apart and used for this purpose - and for the expenses incident to the grading of papers and issuing certificates of applicants for license to teach. The county superintendent of public schools shall remit to the state superintendent five cents for each subject written by each applicant, whose papers are sent to the state superintendent of schools.  
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Said section further provides that the fees thus received by the State Superintendent of Schools may be used by him to pay assistants for examining and grading such papers and other expenses in connection therewith, and further provides that the balance shall be turned into the General Revenue Fund of the State by the State Superintendent of Schools, and said section further provides:

"The county superintendent of public schools shall make report of all fees collected, all amounts expended for teachers associations and meetings and for all amounts remitted to the state superintendent to the county court at its regular meeting in February of each year."

We do not find under this section that this fund may be used to provide a telephone for the county superintendent of schools, but said section states definitely and specifically for what purposes such fund may be used.

Honorable Forrest Smith

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April 29, 1936

It is, therefore, our opinion that the County Superintendent of Schools is not allowed to use the funds received under the provisions of Section 9475 for the purpose of supplying a telephone for his office.

Yours very truly,

COVELL R. HEWITT  
Assistant Attorney General

APPROVED:

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JOHN W. HOFFMAN, Jr.  
(Acting) Attorney General

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