

board is not required to personally drive the truck, he is not an employe within the Workmen's Compensation Act."

The first sentence of the first paragraph of the syllabus of such opinion stated:

"The relation existing between the board of education and the bus driver under contract for the transportation of pupils must be determined by the terms of the specific contract, whether employe or independent contractor."

Inasmuch as I do not have before me the terms of the contract, it is obviously impossible to definitely state whether or not the councilman involved in your question is or is not holding public employment within the meaning of section 4218, General Code, and therefore a more specific answer to your question may not be given. However, I believe that after an examination of the contract, in connection with the test laid down in my opinion No. 487, your question can be readily answered.

I might further add that section 12911, General Code, has no application, as it cannot reasonably be maintained that a contract for the transportation of school children is a contract for the purchase of "property, supplies, or fire insurance" within the meaning of such section.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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2131.

APPROVAL, BONDS OF MARION CITY SCHOOL DISTRICT, MARION COUNTY, OHIO—\$11,000.00.

COLUMBUS, OHIO, January 4, 1934.

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

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2132.

APPROVAL, BONDS OF CLINTON COUNTY, OHIO—\$16,000.00.

COLUMBUS, OHIO, January 4, 1934.

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

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2133.

APPROVAL, BONDS OF BROOKFIELD TOWNSHIP RURAL SCHOOL DISTRICT, TRUMBULL COUNTY, OHIO—\$1,000.00.

COLUMBUS, OHIO, January 4, 1934.

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