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1. STUDENT ACTIVITIES—SUPERVISION OF EXTRA-CURRICULAR ACTIVITIES—INCLUDED WITHIN ADDITIONAL DUTIES FOR WHICH SALARY OF TEACHER MAY BE SUPPLEMENTED—SECTION 4842-7 G.C.
2. DETERMINATION OF EXTRA-CURRICULAR STUDENT ACTIVITIES—SALARY—WITHIN DISCRETION OF BOARD OF EDUCATION EMPLOYING TEACHER.
3. BOARD OF EDUCATION—NO ABUSE OF DISCRETION TO SUPPLEMENT SALARY OF TEACHER—ADDITIONAL DUTIES—ATHLETIC MANAGER, COACH OF CHEER LEADERS, DRUM MAJORETTES, COACH OF DRAMATICS OR ADVISOR FOR HIGH SCHOOL PAPER.

SYLLABUS:

1. The supervision of extra-curricular student activities is included within the additional duties for which the salary of a teacher may be supplemented under the provisions of Section 4842-7, General Code.
2. The determination of those extra-curricular student activities for whose supervision the salary of a teacher will be supplemented is within the discretion of the board of education employing said teacher.
3. A board of education has not abused its discretion by supplementing the salary of a teacher acting as athletic manager, as coach of cheer leaders and drum majorettes, as coach of dramatics, or as advisor for a high school paper.

Columbus, Ohio, January 17, 1952

Bureau of Inspection and Supervision of Public Offices
Columbus, Ohio

Gentlemen:

Your request for my opinion reads as follows:

“Several questions have arisen as to the authority of a Board of Education to pay its teachers from public funds for certain duties beyond their regular classroom duties.

“Several illustrations may be cited in this connection. In a certain school a teacher was given the additional duty of a faculty manager of athletics, and as such kept athletic records, scheduled

games with other schools, handled all athletic finances, and in substance, managed all aspects of the schools competitive athletic contests with other schools. Another teacher beyond her regular duties, spent considerable time as a cheer leader coach, coaching cheer leaders and drum majorettes, where services were utilized, at competitive athletic games. Another teacher beyond her regular duties, was coach of plays sponsored by various classes in the school. These plays were attended by the public and others at times and admission was charged at times. Another teacher, in addition to regular classroom duties was the advisor for a high school paper.

“It may be noted from the foregoing that the services rendered by the teachers relate to activities of particular groups of students beyond their normal classroom duties, as distinguished from regular classroom instruction in regular graded courses of instruction. The cheer leader coach, manager of athletics, and play coach, are in general, supervisors of activities carried on by students engaged in such student activities, and certain administrative or executive duties are involved on their part.

“In view of the foregoing, are each of the various employments such as may be compensated for by the expenditure of public funds? Do they embrace the character of additional duties beyond the regular classroom duties, for which a Board of Education may supplement the salary of a teacher, in accordance with the provisions of G. C. 4842-7?”

Section 4842-7, General Code, to which you have referred provides in part as follows :

“The board of education of each city, exempted village and local school district shall enter into contracts for the employment of all teachers and shall fix their salaries which may be increased but not diminished during the term for which the contract is made except as provided in section 4842-9 of the General Code. Such boards of education may include in such contract duties beyond the regular duties and for such additional duties the salary of the teacher may be supplemented. Such boards of education may discontinue at any time the assignments of special duties beyond the regular classroom teaching duties and the supplemental salary allowed for such additional duties shall be discontinued upon relief from such additional duties. * * *”

The problem which you have presented resolves itself into two parts : First, did the General Assembly intend to include the supervision of extra-curricular student activities, as distinguished from school administration, within the term “additional duties” used in the statute. Secondly,

if the supervision of student activities is properly included, are the activities described proper ones for the board to subsidize.

In answer to the first question, it is my opinion that supervision of extra-curricular student activities properly may be included within the "additional duties" provided by statute. In view of our present concept of a school system, which concept includes many activities supervised by the school beyond the teaching of classroom subjects, it is reasonable to assume that the General Assembly intended that the teachers supervising such activities might be compensated.

As to the second question of whether the particular duties described are proper ones to be compensated, that question must be answered in the first instance by the board of education. The board's decision on such a question can be upset only if it has abused its discretion by providing pay for an activity that has no reasonable connection with a proper school system. I do not believe that the activities of cheer leader coach, manager of athletics, dramatic coach, and advisor for a high school paper are so far removed from proper school activities that providing extra pay for them amounts to an abuse of the board's discretion. Rather, I find that question to be well within the province of the board.

In view of the above it is therefore my opinion that:

1. The supervision of extra-curricular student activities is included within the additional duties for which the salary of a teacher may be supplemented under the provisions of Section 4842-7, General Code.

2. The determination of those extra-curricular student activities for whose supervision the salary of a teacher will be supplemented is within the discretion of the board of education employing said teacher.

3. A board of education has not abused its discretion by supplementing the salary of a teacher acting as athletic manager, as coach of cheer leaders and drum majorettes, as coach of dramatics, or as advisor for a high school paper.

Respectfully,

C. WILLIAM O'NEILL

Attorney General