

Note from the Attorney General's Office:

1958 Op. Att'y Gen. No. 58-3051 was expanded by 1981 Op. Att'y Gen. No. 81-005.

3051

COMMISSIONERS, COUNTY—OFFICES FOR STAFF OF
COUNTY SUPERINTENDENT OF SCHOOLS, REQUIRED TO
FURNISH—§3319.19 R.C.

SYLLABUS:

Under the provisions of Section 3319.19, Revised Code, the county commissioners are required to furnish offices for those assistants and clerical employees of a county superintendent of schools, who constitute his staff.

Columbus, Ohio, November 12, 1958

Hon. Robert E. Cook, Prosecuting Attorney
Portage County, Ravenna, Ohio

Dear Sir :

I have before me your letter requesting my opinion, and reading as follows :

OPINIONS

“Section 3319.19 of the Revised Code of Ohio requires the County Commissioners to provide an office in the county seat for the use of the County Superintendent of Schools, which office would also be used by the County Board of Education when in session. 1951 A. G. O. 581 interprets this section to require that the commissioners also furnish such office with furniture and equipment appropriate to the superintendent’s duties.

“The County Commissioners of Portage County have asked me to write for an opinion as to whether Section 3319.19 of the Revised Code or any other section whereof requires the County Commissioners to provide and furnish offices for such additional personnel in the County Superintendent’s office as a Psychologist and Guidance Director, a Speech and Hearing Therapist and various types of supervisors who have been hired by the Board of Education for the county school system.”

The provision of Section 3319.19, Revised Code, is as follows :

“The board of county commissioners shall provide and furnish *offices* in the county seat *for the use of the county superintendent of schools*. Such offices shall be the permanent headquarters of the superintendent and shall be used by the county board of education when it is in session.” (Emphasis added)

It will be noted that the statute uses the word “offices,” not “office.” Certainly the offices of the county superintendent may include more than one room, and may include an extensive suite of rooms if the number of his assistants and clerical staff demands it. The purpose of providing him with offices is not merely for his personal comfort, but rather that he may have the facilities for performing the duties and fulfilling the responsibilities incident to his office.

Section 3319.01, Revised Code, provides that the superintendent shall be the executive officer of the county board of education. Section 3319.02, Revised Code, contains this provision :

“The board of education of each county, city, or exempted village school district may appoint one or more assistant superintendents and such other administrative officers as are necessary.”

These assistants, together with such clerical assistants as the board may provide for him, certainly constitute his official family or staff, and it appears clear that their working quarters are a part of the “offices” which the county commissioners are required to provide for the superintendent.

Your letter states that the several employees named constitute “addi-

tional personnel in the County Superintendent's office." Accordingly it seems clear that they must be provided with offices as a part of the offices of the superintendent.

In specific answer to your question it is my opinion, and you are advised that under the provisions of Section 3319.19, Revised Code, the county commissioners are required to furnish offices for these assistants and clerical employees of a county superintendent of schools, who constitute his staff.

Respectfully,

WILLIAM SAXBE
Attorney General