

1244.

APPROVAL, NOTE OF NEWPORT FIRST RURAL SCHOOL DISTRICT,
WASHINGTON COUNTY, OHIO—\$2,090.00.

COLUMBUS, OHIO, November 8, 1927.

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

1245.

STATE EDUCATIONAL EQUALIZATION FUND—DIRECTOR OF EDUCATION CANNOT PRESCRIBE CONDITIONS FOR DISBURSEMENT OTHER THAN THOSE PROVIDED BY STATUTES—DISTRICT MUST ADHERE TO UNIFORM SALARY SCHEDULE—SECTION 7595, GENERAL CODE, DISCUSSED—AUTHORITY TO APPOINT SUPERINTENDENTS AND TEACHERS—PART TIME TEACHERS.

SYLLABUS:

1. *The director of education has no authority to prescribe any conditions other than those provided by the statutes, for the disbursement of the state educational equalization fund.*

2. *All school districts desiring to participate in the state educational equalization fund must as a condition to such participation, rigidly adhere to the uniform tentative salary schedule for teachers, as fixed by the state director of education.*

3. *School districts are not permitted to participate in the state educational equalization fund provided for by Section 7595, General Code, unless the revenue resources of the district, with the addition of receipts from any county educational equalization levy and after the exhaustion of all sources of revenue, are insufficient to enable the district to conduct its school in accordance with law without such participation.*

4. *There is no authority for the appointment of superintendents and teachers in the public schools by any one other than the board of education of the district for which schools the superintendents and teachers are employed.*

5. *Teachers in the public schools may be employed for part time only, and if so employed, they may devote their remaining time to other activities.*

COLUMBUS, OHIO, November 9, 1927.

HON. EUGENE S. OWEN, *Prosecuting Attorney, Delaware, Ohio.*

DEAR SIR:—This will acknowledge receipt of your communication as follows:

“We wish to ask your interpretation of law on the following questions—questions that deeply concern several school districts in this county and perhaps other counties in Ohio.

Brown Township and Ashley are receiving money from the state equalization fund on condition that they allow Ohio Wesleyan University to take