

ment in the public day school "shall be conditioned upon the teacher's acceptance of the provisions of this act *as a part of the contract*.

It would therefore appear from the sections of the law herein quoted and the opinion of this department is, that:

1. Where a teacher requests exemption from membership in the state teachers' retirement system, under section 7896-22 G. C., the privilege of filing a request for exemption from membership in the state teachers' retirement system is limited to those teachers in service on the first day of September, 1920, and no teacher upon his re-election or re-appointment, after September 1, 1920, can again ask for exemption from membership in the state teachers' retirement system, because of the provisions of section 7896-49 G. C.

2. Where a teacher under the provisions of paragraph (a) of section 7896-22 G. C. has filed with his employer, prior to the first day of September, 1920, a statement in writing requesting exemption from membership in the state teachers' retirement system, such teacher relinquishes thereby his status as a present teacher, as defined in section 7896-1 G. C., unless he becomes a member of the state retirement system on the date of his first service as a teacher after the first day of September, 1920, and within one year after his last day of service previous to said first day of September, 1920, and credit for prior service is therefore lost by the teacher for the reason that prior service certificates can be issued only to those teachers who have the status of a present teacher as defined in section 7896-1 G. C.

Respectfully,

JOHN G. PRICE,  
*Attorney-General.*

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1538.

APPROVAL, BONDS OF WYANDOT COUNTY, OHIO, IN AMOUNT OF \$114,000 FOR ROAD IMPROVEMENTS.

*Industrial Commission of Ohio, Columbus, Ohio.*

COLUMBUS, OHIO, August 30, 1920.

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1539.

APPROVAL, BONDS OF CAREY VILLAGE SCHOOL DISTRICT IN AMOUNT OF \$155,000.

*Industrial Commission of Ohio, Columbus, Ohio.*

COLUMBUS, OHIO, August 30, 1920.