

1112.

APPROVAL, DEFICIENCY BONDS OF CONNEAUT CITY SCHOOL DISTRICT IN AMOUNT OF \$49,000.

COLUMBUS, OHIO, March 29, 1920.

Industrial Commission of Ohio, Columbus, Ohio.

1113.

COUNTY BOARD OF EDUCATION—WHERE RURAL DISTRICT BECOMES VILLAGE DISTRICT—WHEN MEMBER OF COUNTY BOARD DISQUALIFIED BY REASON OF INCORPORATION OF VILLAGE.

Where two members of a county board of education are residents of village districts and another member of said board resides in and was elected from a rural district and said rural district becomes a village district by reason of the incorporation of a village within said rural district, the latter is disqualified as a member of the county board.

COLUMBUS, OHIO, April 1, 1920.

HON. F. B. PEARSON, *Superintendent of Public Instruction, Columbus, Ohio.*

DEAR SIR:—Your letter of recent date requesting an opinion reads:

"I have just received a letter which contains the following recital of facts:

A was elected to the county board of education in 1918, from a rural district. B was elected in 1919 from a village district. C was elected in 1920 from a village district. The district in which A resides is about to incorporate as a village.

In view of these facts will it be legal for all three of these members to serve out their terms? If not, will the position of A, B or C be made vacant?"

The significance of your inquiry becomes apparent from a consideration of the provisions of sections 4728, 4681 and 4687 G. C., which provide:

"Section 4728. * * * At least one member of the county board of education shall be a resident of a village school district if such district is located in the county school district and at least three members of such board shall be residents of rural school districts, but not more than one member of the county board of education shall reside in any one village or rural school district within the county school district."

"Section 4681. Each village, together with the territory attached to it for school purposes, and excluding the territory within its corporate limits detached for school purposes, and having in the district thus formed a total tax valuation of not less than five hundred thousand dollars, shall constitute a village school district."

"Section 4687. Upon the creation of a village, it shall thereby become a village school district, as herein provided, and, if the territory of such