

6398

COMPATIBLE—MEMBER, BOARD OF TOWNSHIP TRUSTEES  
MAY BE EMPLOYED BY SCHOOL DISTRICT AS SCHOOL BUS  
DRIVER.

SYLLABUS:

A member of a board of township trustees may lawfully be employed by a school district as a school bus driver.

Columbus, Ohio, March 26, 1956

Hon. C. E. Berry, Prosecuting Attorney  
Athens County, Athens, Ohio

Dear Sir :

I have before me your request for my opinion upon the question of whether or not a member of the board of township trustees may be employed by a school district as a school bus driver.

I was presented with a similar problem in Opinion No. 230, Informal Opinions of the Attorney General for 1953. I there stated that a school bus driver, employed by a private individual who was under contract to furnish school bus service to the township school board, could also lawfully hold the position of township trustee. In the course of that opinion, I noted that former Section 6307-74, General Code, was amended in 122 Ohio Laws, 284, and the following language removed :

“\* \* \* No school district shall enter into any contract with a public official under which the said public official may operate a school bus.”

I then stated :

“It would appear, therefore, that the legislature no longer finds any evil in a contract between a township school board and a township trustee (a ‘public official’) whereby the township trustee is to operate a school bus.”

I find this statement to remain true and, further, that such statement would be applicable in the case of the various other school districts which are distinct political subdivisions.

Accordingly, it is my opinion that a member of a board of township trustees may lawfully be employed by a school district as a school bus driver.

Respectfully,  
C. WILLIAM O'NEILL  
Attorney General