

what the statute gives him, unless he refuses or fails to appear for the hearing and insist on his rights as given to him by the statute. A mere letter from someone, stating certain relevant facts would not in my opinion be proper evidence of the truth of those facts in a hearing conducted in pursuance of Section 7805-10, General Code, unless the accused should fail or refuse to appear for the hearing, as they are mere statements of the writer or signer of the letter not under oath as the statute provides. I am therefore of the opinion:

1. By favor of Section 7805-10, General Code, the Director of Education may revoke a teacher's certificate previously issued by the State Board of School Examiners if, upon hearing as provided by the statute, it is shown by satisfactory and proper evidence that the holder of such certificate had obtained the same by fraud or misrepresentation.

2. Upon a hearing looking to the revocation of a teacher's certificate as provided by Section 7805-10, General Code, where the accused appears and contests the revocation, all the evidence presented on either side of the controversy should be presented under oath.

3. A letter from a foreign university although ostensibly written and signed by a proper and recognized official of such university, may not properly be admitted as evidence of the facts stated in the letter upon hearings conducted in pursuance of Section 7805-10, General Code, unless the accused fails or refuses to appear for the hearing.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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4752.

APPROVAL, NOTES OF PERRYSVILLE VILLAGE SCHOOL DISTRICT, ASHLAND COUNTY, OHIO, \$2,849.00.

COLUMBUS, OHIO, October 2, 1935.

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