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LICENSED IN OHIO AND FLORIDA

August 24, 2023

Via email: Opinionsrequest@ohioattorneygeneral.gov

The Ohio Attorney General
Dave Yost
Attorney General Opinion Section
30 East Broad St., 25th Floor
Columbus, OH 43215

Dear Sirs:

I am writing you on behalf of the Board of Trustees of the Sagamore Hills Township regarding an Opinion as the attorney for Sagamore Hills Township. The Board needs an opinion as to the compatibility of a Board of Education member for the local school district and a Township Police Officer within the same jurisdiction. The question that can be framed is “Can a Township Police Officer also serve as a local School Board Member for a township completely within the jurisdiction served at the same local school district?”

The facts are as follows: A Sagamore Hills Township Police Officer has filed to be on the ballot this November, 2023 for membership on the local school board, the Nordonia Hills Local School District. There are two positions open, and three candidates have filed. Sagamore Hills Township is completely within the territory of the School District. One school building of the School District is within Sagamore Hills Township. Our concern is if the two positions of police officer and school board member are compatible. For example, if the Police Officer becomes a member of the Board of Education and is called to the elementary school within the Township, while on duty as a Sagamore Hills Township Police Officer, how should the call be handled if it involves the school personnel? Does his mere presence create a conflict? Your office has issued a series of opinions if a person wishes to simultaneously hold two or more public service positions including membership on a local school board. I understand that none of these opinions considered a police officer within the territory of the school district while serving on the school board. Your office has previously issued opinions finding that the following positions are incompatible with a local board of education member: township police chief, 2006-023; township trustee, 20021-029, 85-006, 66-060; township zoning inspector 2008-022.

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I appreciate your timely response.

Thank you.

Sincerely,



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Law Director for Sagamore Hills Township

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