

Office of the
WYANDOT COUNTY PROSECUTING ATTORNEY
Eric J. Figlewicz

Assistant Prosecutors

Derek R. Dailey
Justin D. Dickman

137 S. Sandusky Avenue
Upper Sandusky, Ohio 43351
wyapa@co.wyandot.oh.us
Telephone 419/294-5878
Fax 419/294-6430

Victim Advocate

Marnie Hahn
419-294-9900

Investigator

Donald R. Joseph

August 14, 2025

Attorney General Dave Yost
Ohio Attorney General's Office
Opinion Section
30 E. Broad Street, 25th Floor
Columbus, Ohio 43215
OpinionsRequest@OhioAttorneyGeneral.gov

RE: Request for Formal Opinion

To Whom It May Concern:

The Wyandot County Prosecutor's Office is respectfully requesting a formal opinion on the following issue:

May a juvenile probation officer currently employed by Wyandot County also serve as an elected member of the school board for a school district located within Wyandot County?

The juvenile probation officer relevant to this inquiry is currently seeking election for a position on the school board for Upper Sandusky Exempted Village Schools. All Upper Sandusky Exempted Village Schools are located in Wyandot County. As part of his role as a juvenile probation officer, this probation officer does frequent Upper Sandusky schools, and is responsible for supervising probationers that attend Upper Sandusky Exempted Village Schools. The position involves communicating with school officials on a regular basis. Occasionally, school officials are called upon to testify in delinquency cases being supervised by this probation officer.

The general duties of the juvenile probation officer include in-person visits with juvenile probationers at the juvenile court, performing drug tests, home visits to check on juvenile probationers, school visits, transporting juveniles to and from detention facilities, attending court hearings for juvenile delinquency cases, making filings to advise the

juvenile court of any probation violations, and testifying in court as to those violations when necessary.

While requests are made to the Court for the purchase of items necessary to the probation department, the probation officer represents he does not control the budget for the Wyandot County Juvenile Probation Department, and does not present any budget to the county commissioners. Said budget is controlled by the court.

The probation officer has advised he does assist in procuring grant money for the Wyandot County Juvenile Court. Some of the money from these grants is given by the officer to law enforcement agencies in Wyandot County to defray the costs of keeping a school resource officer (SRO) available at various schools. Some of this money is given to the Upper Sandusky Police Department to defray the costs of having an SRO available at Upper Sandusky Exempted Village Schools. However, grant funds are also given to the Wyandot County Sheriff's Office to defray their costs in placing SROs at other Wyandot County schools.

Per the probation officer, some of the aforementioned grant funds are also utilized to defray the costs of school counselors who see juvenile probationers for various mental health concerns. The funds are for counselors specifically providing services at Upper Sandusky Exempted Village Schools. The funds are given to the entities who employ the counselors, not directly to Upper Sandusky Exempted Village Schools.

Although having the ability to seek sanctions against juvenile delinquents he is supervising, it is the probation officer's professed understanding that the school board he is seeking a position on has no direct involvement in any punitive sanctions that may come from offenses committed by juvenile students on school grounds, and that any sanctions coming from the school, whether they involve suspension or expulsion, are left to the discretion of the school superintendent.

One potential overlap in duties between the position of probation officer and school board member is the consideration and enforcement of truancy intervention plans. In 2016, the Ohio General Assembly passed HB 410 to encourage and support a preventative approach to excessive absences and truancy. This included the necessity for school districts to adopt and implement plans to alleviate absenteeism by students before requesting a formal complaint be filed in juvenile court for truancy. The officer has advised that in a potential role as a school board member he may be in a position to consider the content and adoption of truancy intervention plans for Upper Sandusky Exempted Village Schools. Said intervention plans could then be relevant to the officer in his role with the juvenile court if a child is alleged to be truant with a formal delinquency or unruly child complaint.

Considering the duties of this probation officer as well as the duties and responsibilities of boards of education as stated in chapter 3313 of the Ohio Revised Code, the Wyandot County Prosecutor's Office respectfully requests an opinion as to whether a juvenile probation employed by Wyandot County may also hold an elected position in a school district also within Wyandot County.

Sincerely,

A handwritten signature in blue ink, appearing to read 'E. Figlewicz', with a large, sweeping flourish at the end.

Eric J. Figlewicz
Prosecuting Attorney
Wyandot County, Ohio