PUBLIC INSTRUCTION, DEPT. OF: Attendance officer: county board of education—who constitutes said board. May chairman of school trustees of town or city vote for county attendance officer?

November 21, 1933.

Miss Margaret E. Paddock,
State Attendance Officer,
Indianapolis, Indiana.

Dear Madam:

I have before me your request for an official opinion as to who compose the county board of education. This same question was submitted to my predecessor and by him answered under date of November 15, 1929, in an opinion addressed to Miss Blanche Merry, State Attendance Officer. As set out in that opinion the answer to your question is very clear. Section 6525 of Burns Annotated Indiana Statutes of 1926 provides as follows:

"The county superintendent and the trustees of the townships, and the chairman of the school trustees of each town and city of the county shall constitute a county board of education."

In my opinion, the language "Chairman of school trustees of each town and city of the county" refers to the president of the town or city school board.

You next inquire whether such officer may vote for a county attendance officer. That question was also submitted to my predecessor and answered by him in the opinion referred to, to the effect that such officer may vote upon an appointment of a county attendance officer. See Opinions of the Attorney General 1929-1930, page 277-278. I concur in that opinion.