

1981 WL 158018 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 19, 1981

**\*1 Re: Public Access to Committee Meetings under the South Carolina Freedom of Information Act**

Mr. Paul Jerald Ward  
General Counsel  
University of South Carolina  
Columbia, SC 29208

Dear Mr. Ward:

You have written to ask whether or not the public and press may demand admission to meetings of the Finance Committee of the Student Senate of the University of South Carolina.

Ordinarily, a student governmental body would not be considered a public body, since it was not created by statute or regulation. However, under Section 30-4-20(a) of the South Carolina Freedom of Information Act, a 'public body' is defined as any organization ' . . . supported in whole or in part by public funds or expending public funds . . . '. While the student government is supported by student activity fees, these fees are paid into the University Treasury and thereby become 'public funds'. Therefore, for purposes of the South Carolina Freedom of Information Act, the Student Senate of the University of South Carolina must be considered as a public body.

As to the right of public and press to demand admission to meetings of the Student Finance Committee, or other committees of the Student Senate, Section 30-4-20(d) defines 'Meeting' as being ' . . . the convening of a quorum of the constituent membership of a public body . . . '. A 'quorum' is defined under Section 30-4-20(e) as being a simple majority of the constituent membership of a public body. Therefore, meetings of the Finance Committee, or other committees of the Student Senate; would be open to the public under Section 30-4-60, only if the Committee itself is composed of a majority of the constituent membership of the Student Senate. Committee meetings ordinarily are not required to be open, as they seldom contain a majority of the members of the parent 'public body'.

I hope that this has been of assistance to you. Please do not hesitate to contact me if I may be of further assistance.

Sincerely,

Judith Evans Finuf  
Assistant Attorney General

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