

1979 WL 42747 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 10, 1979

*1 Honorable David O. Hawkins
Representative
District No. 35
Spartanburg County Legislative Delegation
Court House
Room 321-B
Spartanburg, SC 29301

Dear Representative Hawkins:

Mr. McLeod has referred your recent letter to me. You have asked the following question:

Can a Spartanburg County school teacher, who lives and pays taxes in School District #4 and teaches in Spartanburg County School District #7, run for Board of Trustees in School District #4.

South Carolina Code of Laws, 1976, as amended, Section 59-19-300 states that [i]t shall be unlawful for a school trustee to receive pay as a teacher of a free public school that is located in the same school district of which such person is a trustee. (emphasis added)

This section was amended in 1977 to change the prohibition from receiving pay as a teacher and a trustee in the same county to one in the same district. Therefore, the change in the statute would not prohibit a person from teaching and receiving payment while being on a board of trustees in a district other than the one in which he teaches.

Very truly yours,

Treva G. Ashworth
Senior Assistant Attorney General

1979 WL 42747 (S.C.A.G.)