

1976 WL 30640 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 4, 1976

\*1 Honorable T. Travis Medlock  
Senator  
Richland, Fairfield and Chester Counties  
1501 Washington Street  
Columbia, SC 29201

Dear Senator Medlock:

Your letter regarding the authority of 'substitute' teachers 'to discipline students' has been referred to me for a response by Attorney General McLeod. The point of departure for school discipline matters in South Carolina is South Carolina Code (1962) (as amended) Section 21-771 through 777. Basically the discipline of students is a matter delegated to the local school authorities subject to the aforementioned statutory requirements. While 'substitute' teachers are not specifically mentioned in the statute, general authority is conferred on local school districts to provide for expulsion, suspension, transfer of students and for corporal punishment, i.e. the discipline of students.

The specific authority or limitations on authority of substitute teachers would be a matter for the employing school district. Of course, the in loco parentis doctrine would also apply. I hope this explanation is adequate. If not, please call me.

Sincerely,

Kenneth L. Childs  
Staff Attorney

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