

1972 WL 25931 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 1, 1972

***1 RE: No. 267—Schools—Teachers No. 269—Schools—Trustees**

George L. Inabinet, Esquire
Post Office Box 232
Barnwell, South Carolina 29812

Dear Mr. Inabinet:

Attorney General McLeod referred to me your letter requesting an opinion on Section 21-240, Code of Laws of South Carolina, 1962. In my opinion the wording of Section 21-240 is unequivocal and thus applies to any trustee in any free public school. Even though the original drafters in their desire to prevent conflicts of interests may not have intended this section to apply to a trustee serving as a teacher outside the district in which he serves as trustee, the wording of Section 21-240 controls. (Section 98 C.J.S. Word p. 711.)

In conclusion, therefore, I do not believe Section 21-240 makes any exception for a trustee serving as a teacher in another school district. Any such exception would have to be accomplished by amending Section 21-240 or providing an exception similar to Section 21-352.

Contact me if I can be of any further assistance.

Sincerely,

Hardwick Stuart, Jr.
Assistant Attorney General

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