

1979 WL 43033 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 28, 1979

**\*1 RE: Freedom of Information Act Interviews of Candidates for Appointment**

Bruce E. Davis, Esquire  
1215 Lyttleton Street  
Camden, SC 29020

Dear Mr. Davis:

I am writing in response to your letter requesting the opinion of this Office regarding the propriety of a public body conducting closed session interviews of candidates for an appointment to a vacancy on the County Board of Education. You have stated that the District Board of Trustees has been requested to make a recommendation to the County Board of Education for appointment to the County Board.

The District Board of Trustees is a public body as defined in South Carolina Code of Laws 1976, as amended, § 30-4-20(a). A meeting of a quorum of the District Board of Trustees for the purpose of rendering advice constitutes a meeting of a public body as defined in § 30-4-20(d). Ordinarily, such a meeting would be public unless it falls within one of the exemptions listed in the Act. Section 30-4-70 states that a meeting may be closed for the discussion of employment, appointment, compensation, promotion, demotion, discipline or release of an employee or the appointment of a person to a public body. The subject of the interview with a candidate for such an appointment, therefore, falls within the exemptions stated in § 30-4-70(a)(1), and does not, therefore, have to be held publicly.

Therefore, it is the opinion of this Office that a meeting of the District 5 Board of Trustees to recommend appointment of a person to the Lexington County Board of Education may be held in closed session.

I hope this has been of some assistance to you. If you have any further questions, please do not hesitate to contact me.  
Very truly yours,

Katherine W. Hill  
Assistant Attorney General

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