

1978 WL 34703 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 15, 1978

***1 RE: Code of Laws of South Carolina, 1976 Section 59-19-300**

Mr. W. C. Black
P. O. Box 38
Barnwell, SC 29812

Dear Mr. Black:

Recently you have requested an Opinion from the Attorney General's Office concerning the effect of the 1977 amendment to 1976 Code Section 59-19-300. (This Section was formerly 21-240 of the 1962 Code).

Former Section 59-19-300 read as follows:

It shall be unlawful for a school trustee to receive pay as a teacher of a free public school that is located in the same County as is the School District of which such person is a trustee.

This Section was amended by Act No. 66 of the 1977 Acts and Joint Resolutions, and the Sections, as amended now reads:
It 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.

The obvious intent of the amendment was to remove the restriction upon an individual receiving pay as a teacher and serving as a school trustee from those situations in which the individual taught in a separate and distinct school district from the one in which he served as a trustee.

Therefore, you would be able to receive pay as a public school teacher in the Barnwell County Area Vocational School and also serve as a school trustee in a separate and distinct school district from the district that employs you as a teacher.

I have referred your letter and my response to Assistant Attorney General Nathan Kaminski, Jr., the attorney in this office assigned to educational matters, and he advises me that he concurs with my opinion. I hope this information will be helpful to you.

Sincerely,

George C. Beighley
Assistant Attorney General

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