

1978 S.C. Op. Atty. Gen. 77 (S.C.A.G.), 1978 S.C. Op. Atty. Gen. No. 78-50, 1978 WL 22532

Office of the Attorney General

State of South Carolina

Opinion No. 78-50

March 15, 1978

*1 Honorable Carroll A. Campbell, Jr.

The State Senate

The State Capitol

Columbia, South Carolina

Dear Senator:

The Attorney General has asked that I reply to your letter of February 23, 1978, requesting an opinion concerning pending Senate Bill No. 688, which is designed to make clear the legislative intent that the State Board of Education shall have no power or authority to regulate curriculum, textbooks, hiring of teachers, discipline or administrative procedures in private schools in this State.

The opinion of this Office is that Attorney General Opinion No. 2585, dated July 26, 1968, interpreting the scope and effect of what is now [Code Section 59-65-10](#), Code of Laws (1976), originally enacted in 1967, continues to be valid. A copy of that Opinion is attached.

It is the opinion of this Office that no such ambiguities exist in Code Section 59-5-60, concerning general powers of the Board of Education, which would give rise to a controversy such as that recently encountered under the North Carolina Statute. It should be noted that the provisions of Section 59-5-60 were enacted and last amended many years before 1967; the 1967 Act contains no language indicating a legislative intent to broaden those powers.

If a further more detailed and formal opinion on this matter is desired, we will be happy to comply.

Sincerely,

Nathan Kaminski, Jr.

Assistant Attorney General

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