

1978 WL 35159 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 9, 1978

*1 Mr. J. P. Howle
Director
Research and Information
Florence Public School District One
S. Dargan and Pine Streets
Florence, South Carolina 29501

Dear Mr. Howle:

Recently, you requested information from this Office concerning the State's Freedom of Information Act. For your assistance, I am including with this letter a copy of an outline prepared by the Attorney General and dealing with the amended Freedom of Information Act.

Your letter raises four specific questions.

The first question is whether or not Sec. 6(1), or any other portion of the Act, requires the teacher's certification (bachelors, masters, etc.) be released to the public. The answer to this is that it is a judgmental decision. Ordinarily, it would appear that reporting a teacher's certification level would not be disclosing information of a private nature, because the certification level controls salary and salaries or salary ranges are subject to disclosure under the Act. Therefore, it would be a matter for the school district's discretion to decide whether or not the level of education achieved by a teacher should be disclosed to the public.

Your second question is whether Sec. 6(1) requires you to provide a list of all employees, their sex, race, title and dates of employment. The answer to this question is yes.

Your next question is whether or not Sec. 6(5) requires disclosure of draft planning policies and goals which are prepared for study purposes, and which are not adopted as final policies and goals by a public agency. The answer to this question is no, unless and until the document becomes an official written planning policy and goal or a final planning decision.

Your final question is whether or not Sec. 10(a)(4) requires ambiguous or irrelevant material to be read into School Board minutes at the request of a member. The answer to this question is that reasonableness should control and, if a matter is related in any way to the business of the public agency, it should be included in the minutes if a member so requests. Again, discretion and good sense should be the guidelines.

I hope this information will be helpful to you.

Sincerely,

George C. Beighley
Assistant Attorney General

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