

1978 WL 35098 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 6, 1978

\*1 Mr. R. W. Burnette  
Deputy Superintendent  
State Department of Education  
1429 Senate Street  
Columbia, SC 29201

Dear Mr. Burnette:

You have requested further clarification of Mr. Kaminski's opinion, dated July 20, 1978, concerning teacher salaries. Specifically, you have asked whether or not local school districts may use their own indices in computing their local teacher salaries instead of the index prescribed in the South Carolina Education Finance Act of 1977, as provided for in the General Appropriations Act 1978-79 in a schedule entitled 1978-79 Minimum Salary Schedule prepared by the State Department of Education's Office of Finance.

It is my opinion that the local districts may use any index they wish provided that : (1) the individual local certified teacher's or administrator's annual salary amount does not fall below the statewide minimum salary schedule for the person's experience and class, and (2) the teacher or administrator employed in the same position, over the same time period does not receive less total salary, including any normal incremental increase, than that teacher or administrator received for the fiscal year prior to the implementation of the S.C. Education Finance Act. (See Section 5(4)(a) of the S.C. Finance Act No. 163.)

If I can be of further assistance, please call upon me.

Sincerely,

Paul S. League  
Assistant Attorney General

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