

1974 WL 27991 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 25, 1974

***1 Re: Announcement of candidacy by Robert Brock for House of Representatives**

Mr. James F. Murphy
Business Manager
Abbeville County School District 60
Chestnut Street
Abbeville, SC 29620

Dear Mr. Murphy:

You have requested an opinion from this office concerning what action, if any, is required of the Abbeville County School District with reference to the announcement of candidacy of Mr. Robert Brock for the the House of Representatives.

None is required and none is advisable at this juncture. In the absence of evidence that Mr. Brock's candidacy has substantially and materially disrupted the function of the school as an educational institution, it would be violative of his right to seek public office if the District should seek to prohibit his candidacy. It would appear that such a disruption would occur only if Mr. Brock should be successful in his bid for the House of Representatives and seek simultaneously to serve as a member of the House of Representatives and as a teacher with the Abbeville County School District. The election of Mr. Brock would seem certainly to make the competent and responsible discharge of classroom teaching responsibilities an impossibility for him and would mean either his resignation or removal from the classroom.

Any action by the District now simply on the basis of an announcement of candidacy would be premature. At this point, your policy should be one of watchful waiting.

Sincerely,

Bruce E. Davis
Assistant Attorney General

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