

1974 WL 27222 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 7, 1974

*1 Mr. John E. Wall
Superintendent of Education
P. O. Drawer 130
Lancaster, South Carolina 29720

Dear Mr. Wall:

Thank you for your letter in which you requested advice as to whether or not you can have an election of Area School Trustees and Board of Education Candidates.

As you are aware, the United States Department of Justice has interposed several objections to the new provisions for selection of officers to these positions. The Justice Department maintains that the new system adversely affects minority voting rights. Also the numbered post provision in the new system was deemed to operate to render effective minority representation less likely than under the previous system of gubernatorial appointments of school board members. Therefore, it will be necessary for the General Assembly to amend these acts in accordance with the recommendations of the Justice Department before an election can be conducted. Until that time the existing officers would continue to hold office until their replacements are elected.

Sincerely,

Treva G. Ashworth
Assistant Attorney General

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