

1973 WL 26685 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 30, 1973

***1 Re: No. 267—Schools—Teachers**

Dr. Walter Trammell
District Superintendent
P. O. Box 350
Beaufort, South Carolina 29902

Dear Superintendent Trammell:

This letter is to confirm our telephone conversation of March 15, 1973, In answer to your question relating to additional compensation for teachers as head of household, I am of the opinion that such additional compensation would be unconstitutional in that it is a lack of equal protection for persons rendering similar service. A teachers' salary is based upon a teacher's service, including qualifications and experience, not on the basis of need. Furthermore, such additional compensation would in the majority of the cases favor males over females, and thus would be a violation of federal civil rights legislation prohibiting sexual discrimination in employment, which has been extended to the states as political subdivisions by a 1972 amendment.

Please contact me if I can be of any further assistance.

Sincerely,

Hardwick Stuart, Jr.
Assistant Attorney General

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