

1973 WL 27595 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 3, 1973

***1 RE: No. 267—Schools—Teachers/Sick Leave**

Ralph E. Watkins, Jr.
District Superintendent
Newberry County Public Schools
P. O. Box 116
1539 Martin Street
Newberry, South Carolina 29108

Dear Superintendent Watkins:

In answer to your request for advise on the sick leave policy of Newberry County Public Schools, I agree that personnel who are absent for reasons other than sickness as defined by the board's regulation, may have their salary docked in proportion to their absence, rather than docked only for the cost of a substitute. To prevent the apparent misunderstanding that exists, it would be advisable to include a provision in your rules and regulations to cover the method of payment for persons who are absent for reasons other than sickness and persons who are out beyond the thirty days provided. (I have some concern over the use of consecutive in referring to the twenty consecutive days in excess of sick leave. While the use and application of this term is proper for the State aid policy, I question its use when individuals are actually being paid for services on a daily basis. That is the policy for a teacher who is absent for twenty non-consecutive days in excess of sick leave. In conclusion, I agree that your policy authorizes the district to pay substitute teachers only when teachers are sick; however, I feel that further clarification and revision of these rules and regulations are necessary to avoid confusion and misunderstanding.

Please contact me if I can provide any further assistance.

Sincerely,

Mardwick Stuart, Jr.
Assistant Attorney General

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