

1973 WL 27056 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 16, 1973

\*1 Mr. W. D. Workman, III  
Dean  
Allied Health Sciences  
Greenville Technical Education Center  
Post Office Box 5616, Station B  
Greenville, South Carolina 29606

Dear Mr. Workman:

Thank you for your letter of July 11, 1973, inquiring whether the Chairman of the Board of Trustees of the School District of Greenville County, while serving in an ex officio capacity as a member of the Greenville County Commission for Technical Education, may also serve as an employee of the Greenville Technical Education Center.

As you correctly point out in your letter, the Chairman of the Board of Trustees of the School District of Greenville County serves, ex officio, as a member of the Greenville County Commission for Technical Education. Section 21-2851, Code of Laws for South Carolina, as amended by Act No. 1141, approved 26 April 1968 (68 Acts 2646).

You also correctly point out that a member of the Greenville Technical Education Center cannot occupy a position of employment with that Center. There is no means of avoiding this dilemma, in my opinion, except by statutory amendment. Thus, a possible change might be for the statute to provide that where an employee of the Technical Center should thereafter become Chairman of the School Board, then in such case ex officio representation of the School Board on the Technical Education Commission should revert to the Vice Chairman rather than to the Chairman of the School Board. A statute of this nature would avoid the prohibited relationship of master and servant from arising.

With best wishes,  
Very truly yours,

Daniel R. McLeod  
Attorney General

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