

1973 WL 27710 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 17, 1973

**\*1 Re: Parvia Balin v. Latta Area Schools**

S. Norwood Gasque, Esquire  
Attorney at Law  
Latta, South Carolina 29565

Dear Mr. Gasque:

In your letter of August 13, 1973, you enclosed a petition from E. Lee Morgan, an attorney who represents a school teacher in the Latta area schools who was recently suspended because of criminal charges brought against him in Dillon County. You asked that we review the petition and advise you concerning whether any of the items set forth in the petition should be granted.

In matters of this nature,

A full hearing at which every party has the right to present his case or defense by oral or documentary evidence, to submit rebuttal evidence and to conduct such cross-examination as may be required for a full and true disclosure of the facts, is essential for wise and just application of the authority of administrative agencies.

2 Am. Jur. 2d, Administrative Law § 397 at 202. Moreover, it seems to us that the demands set forth in the petition are reasonable ones designed to insure that the petitioner is accorded due process and equal protection. Should the petition of Belin be granted, there necessarily will be a complete record of the full hearing; and such a record would protect the Board of Trustees should any appeal of its action be taken to the County Board of Education and subsequently to the courts. See Code of Laws of South Carolina, §§ 21-247.

Sincerely,

C. Tolbert Goolsby, Jr.  
Deputy Attorney General

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