

1973 WL 27647 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 30, 1973

*1 Oren O. Jones, Esquire
Jones, McIntosh, Threlkeld, Newman & Cox
Attorneys at Law
P. O. Box 197
Anderson, S. C. 29621

Dear Mr. Jones:

You have inquired whether the hiring of a daughter-in-law of a School Board member as a teacher's aid is in conflict with Section 21-351 of the Code of Laws of South Carolina. The aforementioned statute prohibits employment of a teacher who is related by consanguinity or affinity within the second degree to a member of the School Board. Enclosed for your information is a copy of Opinion No. 1563 of the August file, 1963, which interprets the above statute to cover substitute teachers and states that the above statute is 'broadly directed at all employment.' In light of this previous opinion and the absence of any definition of teacher in our State Code, I am unable to say that a teacher's aid would not fall within the prohibitions of Section 21-351. Since there may be a difference of opinion as to the applicability of Section 21-351 to teacher's aids, I would advise any party you feel is aggrieved by this interpretation of the above section to obtain the written approval provided for in such section or to seek a declaratory judgment under Section 10-2001, et seq., Code of Laws of South Carolina.

Please contact me if I can provide any further assistance.

Very truly yours,

Hardwick Stuart, Jr.
Assistant Attorney General

1973 WL 27647 (S.C.A.G.)

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.