

1974 WL 27988 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 16, 1974

*1 Mr. John H. Cathcart, Jr., Trustee
Cherokee County School District No. 1
P. O. Box 130
Gaffney, South Carolina 29340

Dear Dr. Cathcart:

Thank you for your letter of October 7, 1974, in which you stated that a 'get together for coffee and cake' was held and attended by five members (a majority) of the school board and an applicant for a position within the school system. You stated that the Board holds regular meetings on the second and fourth Tuesday of each month and that this get together was held on a Thursday night at one of the Board member's home. You have inquired if such a meeting does not violate the Freedom of Information Act.

The Freedom of Information Act requires that all meetings of public agencies be they formal or informal, special or regular, be open to the public, certain exceptions to this requirement being established and set out at Section 1-20.3. It is impossible for this Office to be able to state on the facts provided, whether or not this get together was a meeting of the Board within the provisions of the Freedom of Information Act, or a simple social gathering. However, if it can be shown that an attempt is being made to circumvent the law, any citizen may apply to the circuit courts for injunctive relief to enforce the provisions of the act. See also Section 21-226.

Sincerely,

Treva Ashworth
Assistant Attorney General

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