

1974 WL 28009 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 26, 1974

*1 Dr. R. A. Durham
Deputy Superintendent
Department of Education
Rutledge Building
Columbia, South Carolina

Dear Dr. Durham:

With reference to your letter concerning the provisions of Act 1099 of the Acts and Joint Resolutions of 1970, it appears that this Act would not be applicable to the situation referred to in Charleston County. The Act specifically states:

. . . when the schools in such district shall have been closed because of extreme weather conditions or extreme circumstances. (Emphasis added.)

Based upon the information we have obtained from you by letter and telephone, it is quite clear that the schools in Charleston were in operation during the boycott period. It is our understanding that the schools were fully staffed with teachers and administrative personnel and these employees were compensated at their normal rate of pay. The schools were never actually 'closed' within the meaning of the Act the therefore the Act never became applicable.

Kindest regards,

C. Tolbert Goolsby, Jr.
Deputy Attorney General

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