

1973 S.C. Op. Atty. Gen. 46 (S.C.A.G.), 1973 S.C. Op. Atty. Gen. No. 3470, 1973 WL 20934

Office of the Attorney General

State of South Carolina

Opinion No. 3470

February 2, 1973

***1 Contracts of employment with a public agency such as the University of South Carolina are ‘public records’ within the meaning of the Freedom of Information Act and are therefore open to public inspection and copying under the terms of the law.**

Chairman
Board of Trustees
University of South Carolina

You have requested the opinion of this Office upon the following question:

‘Whether or not the Freedom of Information Act of 1972 has the effect of requiring that the contract between the University of South Carolina and Athletic Director and Coach Paul Dietzel be made available for review by the public.’

The Freedom of Information Act provides that all public records shall be open to inspection and copying during the regular business hours of the custodian of the records. ‘Public records’ includes all documents containing information relating to the conduct of the public’s business but exempts from such definition certain specific records as income tax records, medical records, records required by law to be closed to the public, and also those records concerning which it is shown that the public interest is best served by not disclosing them to the public.

It is my opinion that contracts of employment with a public agency such as the University are ‘public records’ within the meaning of the Freedom of Information Act and that they are therefore open to public inspection and copying under the terms of that law. I am aware of no basis upon which it may be considered that the disclosure of such contractual information would be adverse to the public interest.

I therefore advise that, in the opinion of this Office, contracts between the University and its employees are public records and are subject to disclosure under the terms of the Freedom of Information Act and that reasonable access to records pertaining thereto may not be denied.

SEE: Section 1–20, Code of Laws of South Carolina, as amended

Daniel R. McLeod
Attorney General

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