



ALAN WILSON

July 15, 2024

The Honorable Ronnie A. Sabb
Member
South Carolina Senate
Post Office Box 88
Kingstree, South Carolina 29556

Dear Senator Sabb:

We received your letter requesting an expedited opinion of this Office concerning “the applicability of South Carolina Title 30, South Carolina Title 59 and any other laws related to the actions taken by Berkeley County School District Board of Education (Board of Education) during

[REDACTED]

a meeting where they voted to defund a public elementary school.” You provided the following information with your letter:

1. The Board of Education met for a prior public noticed meeting for a 2nd reading concerning their annual budget.
2. During this meeting, a member of the Board of Education made a motion to amend the budget to defund a school and merge it into another school. This motion was discussed and subsequently passed by a majority of the board members

Law/Anal sis

Section 59-17-50 of the South Carolina Code (2020) gives a county board of education the

[REDACTED]

opined on the necessity that an agenda provide adequate public notice as follows:

[The S.C. FOIA] must be read broadly or liberally, and exceptions thereto narrowly, so that “public business is performed in an open and public manner” and the public is properly informed of government

activity. As we stated many years ago, “[t]hese notice requirements may

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the authority to consolidate its schools, but the only means to act on that authority is through a

[REDACTED]

Conclusion

State law gives the Board of Education authority to close and consolidate schools. Based on the information provided, the Board of Education is authorized to close and consolidate schools.

[REDACTED]



Cydney Milling
Assistant Attorney General



Robert D. Cook
Solicitor General