

~~CONSTITUENT BOARD LEGAL STATUS~~ REPEAL

Code **BBAAA** Issued **7/04**

Purpose: To establish the legal foundation for constituent board operations.

The legally constituted governing body of the district is the board of trustees of Charleston County School District. State law has provided that each school district shall be under the management and control of its board of trustees.

~~State law consolidated the eight school districts in Charleston County into a single school district known as the Charleston County School District and created the areas of the respective eight schools districts as special constituent districts for the administrative purposes set forth in law. All board members are elected and serve for four-year terms until their successors are elected and qualify.~~

~~In the event of a vacancy on the board due to cause other than expiration of term, the vacancy shall be advertised for a 30 day period and then shall be filled for the remainder of the unexpired term by appointment by the Charleston County School District Board upon the recommendation of the appropriate constituent board.~~

~~All powers of a constituent board lie in its action as a body. Constituent board members acting as individuals have no authority over personnel or student affairs.~~

Adopted 7/26/04, Revised 6/9/25

Legal references:

A. S. C. Constitution:

1. Article II, Sections 3 & 4 - Definition of qualified electors.
2. Article XVII, Sections 1 & 1A - Qualifications for office and prohibition against dual office holding.

B. S. C. Code, 1976, as amended:

1. Section 7-5-120 - Qualifications for voter registration.
2. Title 8 - Deals with rights and responsibilities of public officers.
3. Section 59-15-50 - Oath of board members.
4. Section 59-17-10 through 59-17-90 - School district organization, consolidation, etc.
5. Section 59-19-10 - Each school district will be under the management of the board of trustees.
6. Section 59-19-315 - Commencement of trustee's term of office.

C. S.C. Acts and Joint Resolutions:

1. 1967 Act 340 - Creates the School District of Charleston County and abolishes the county board of education; ~~sets forth the powers of the constituent district boards.~~

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2. 1970 Act 936 - Amends 1967 Act 340 so as to provide for nonpartisan election of trustees and the nomination by petition ~~only~~ of trustees ~~and constituent trustees~~.
3. 1975 Act 142 - Amends 1967 Act 340 to increase per diem for boards.
4. [S.C. House Bill 4014, 2025 Session \(S.C. 2025\)](#)
5. 1978 Act 721 - Amends 1967 Act 340 to provide that principals shall be appointed by the board of the Charleston County School District.
6. 1983 Act 230 - Amends 1967 Act 340 to increase the number of meetings which the trustees may be paid for attending.

D. Attorney General's Opinion:

1. 1960-61, No. 1092, p. 164 - Any action taken by the board of trustees must be taken at a regularly called and assembled meeting with a quorum present.