

SCHOOL BOARD LEGAL STATUS

Code **BB** Issued **8/04**

Purpose: To establish the legal foundation for board operations.

The legally constituted governing body of the school district is the board of trustees of Latta School District. The board is composed of seven members, each of whom is appointed for a three-year term. State law has provided that each school district will be under the management and control of its board of trustees.

The board's powers are derived from the state constitution and acts of the general assembly. Consequently, the board may perform only those acts for which some authority exists. This authority may be expressly stated or implied either in state law or in rules and regulations of the state board of education. The board's authority to exercise permissive powers within the framework of state laws and regulations allows for freedom of action.

While the board is responsible to the state board of education, it is, by law and tradition, responsible to the community it serves and represents. It is, therefore, the duty of the board to carry out the will of the community in matters of public education, within the boundaries set by the laws and regulations of the state of South Carolina and Dillon County.

All powers of the board lie in its action as a body. Board members acting as individuals have no authority over personnel or school affairs.

Adopted 7/1/75; Revised 8/13/91, 8/10/04

Legal references:

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

1. Section 59-17-10 through 59-17-90 - School district organization, consolidation, etc.
2. Section 59-19-10 - Each school district will be under the management and control of the board of trustees.
3. Section 59-19-50 - Appointment and term of trustees for consolidated districts.

B. S.C. Acts and Joint Resolutions:

1. 1973 Act 68, p. 75 - An act ... relating to the composition and appointment of boards of school trustees in Dillon County.

C. Attorney General's Opinion:

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