

BOARD MEMBER QUALIFICATIONS

Code **BBBA** Issued **8/04**

Purpose: To establish the basic structure for qualifying for school board service.

Members of the board should have a genuine interest in and devotion to public education, a willingness to give time and effort to the work, a capacity for understanding people, and the ability to work cooperatively with others.

Constitutional and statutory provisions require that all officers of the state and its subdivisions be qualified electors; that is, registered to vote, in their resident precinct.

There is a provision in the South Carolina Constitution which prohibits dual office-holding, except in instances when an officer is given ex-officio status by statute. Any office-holder who is elected to a second office must vacate the first office. Thus, a board member may not hold another office. Under this provision, "office-holding" means being elected or appointed to an office of the state or its subdivisions.

The South Carolina Constitution also prohibits any person convicted of a felony under state or federal law or other crimes related to elections and voting from being elected to and serving in an office in this state or its political subdivisions, including school districts.

Adopted 7/1/75; Revised 8/13/91, 10/14/97, 8/10/04

Legal references:

A. S.C. Constitution:

1. Article II, Sections 3 & 4 - Definition of qualified electors.
2. Article II, Section 7 - Qualifications of members of South Carolina Senate or House of Representatives.
3. Article VI, Section 3 - Prohibits dual office-holding.
4. Article VI, Section 1 - Prohibits persons convicted of certain crimes from election to office (with some exceptions).
5. Article XVII, Sections 1 & 1A - Qualification for office and prohibition against dual office-holding.

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

1. Section 7-5-120 - Qualifications for voter registration.