

CENTER BOARD LEGAL STATUS

Code **BB** Issued **11/02**

Purpose: To establish the legal foundation for board operations.

The legally constituted governing body of the center is the board of trustees of Barnwell County Career Center Board. The board is composed of eight members who will serve for a three-year term. State law has provided that the center 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 Barnwell 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 3/18/85; Revised 11/8/99, 11/25/02

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.

B. S. C. Acts and Joint Resolutions:

1. 1971 Act 501, p. 929 - Barnwell County Vocational Education School Board powers and duties.
2. 1978 Act 712, p. 2352 - An Act to mend Act 510 of 1971 relating to vocational education in Barnwell County so as to increase the membership of the governing board.
3. 1988 Act 760, p. 6392 - Abolishes office of county superintendent and board of trustees and devolves duties on district boards; authority to contract and borrow money.
4. 1990 Act 713, p. 3480 - An act to amend Act 501 of 1971 as last amended by Act 712 of 1978 relating to vocational education in Barnwell County so as to change the membership of the vocational education school board.

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.