Bond Case Briefs

Municipal Finance Law Since 1971

EDUCATION FINANCE - SOUTH CAROLINA

Eidson v. South Carolina Department of Education

Supreme Court of South Carolina - September 11, 2024 - S.E.2d - 2024 WL 4141893

Advocacy organizations and parents, on behalf of themselves and their minor children, brought action against South Carolina Department of Education, state Superintendent of Education, and other state offices and officers, asserting that act establishing state-funded Education Scholarship Trust Fund which provided payments used for tuition at private schools violated the South Carolina Constitution, and seeking an injunction and declaratory judgment.

The Supreme Court held that:

- Plaintiffs satisfied the requirements for public importance standing to bring constitutional challenge to Education Scholarship Trust Fund;
- Money allocated to Education Scholarship Trust Fund remained public funds subject to constitutional provision prohibiting public funds from being used for the direct benefit of any religious or private educational institution;
- Payments disbursed from Education Scholarship Trust Fund to private schools violated the constitutional prohibition against direct aid to religious or other private educational institutions; and
- Portions of act establishing Education Scholarship Trust Fund which allowed payments to private schools would be stricken and Department of Education enjoined from disbursing scholarships for the tuition and fees of nonpublic educational service providers.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com