

The State of South Carolina



Office of the Attorney General

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September 19, 1989

The Honorable James R. Metts, Ed. D., Sheriff
Lexington County Sheriff's Department
Lexington, South Carolina 29072

Dear Jimmy:

In a letter to this Office you questioned whether there is any legal requirement for a sheriff to furnish crossing guards or to furnish supervision for school crossing guards for public schools within the jurisdiction of the sheriff.

The only statutory provisions with which I am aware relating to school crossing guards are Sections 56-5-740 and 59-63-60 of the Code. Such provisions state

(n)o person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, fireman or uniformed adult school crossing guard invested by law with authority to direct, control or regulate traffic.

(n)o person charged with the responsibility of assisting school children to cross streets near schools shall engage in such activity unless he is attired with some type of garment or equipment that can be clearly seen by the driver of an approaching motor vehicle. The school district official of each school district who is responsible for supervising such personnel shall be responsible for seeing that such persons within his district are furnished with the articles required by this section.

The latter provision, Section 59-63-60, refers to "the school district official... who is responsible for supervising such personnel." I am unaware of any statute specifically relating to a

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sheriff's responsibility as to school crossing guards. I also am unaware of any provision which would prevent a sheriff's department from assisting in this regard.

Obviously, school crossing guards are necessary and provide a critical service to school children and their parents. Therefore, it is imperative that the safety of school crossings be maintained. It is strongly urged that local law enforcement and schools cooperate in assuring that this vital service be effectively performed.

If there is anything further, please advise.

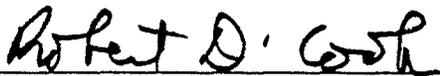
Sincerely,



Charles H. Richardson
Assistant Attorney General

CHR/nnw

REVIEWED AND APPROVED BY:



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