

1981 WL 158247 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 23, 1981

*1 Honorable James N. Ashe, Sr.
House of Representatives
Post Office Box 11867
Columbia, South Carolina 29211

Dear Representative Ashe:

The Attorney General has asked that I reply to your letter of March 25, 1981, requesting the opinion of this Office whether we consider a four-year course in engineering technology as a 'related engineering course' which would allow a person to take the examinations to qualify as a professional engineer or engineer-in-training under [Sections 40-21-180](#) and [40-21-190, 1976 Code](#) as amended.

We would observe, at the outset, that this Office cannot render an opinion as to the sufficiency of a particular curriculum or college course to meet the requirements for any type of license or certification. We can only render our opinion as to the meaning and application of the statutes as enacted by the General Assembly. The key words of the two controlling statutory Sections are 'approved' engineering curriculum and 'accredited' engineering curriculum. If the applicant has attained graduation (received a degree) in an 'approved engineering curriculum' or an 'accredited engineering curriculum' of four years from a school or college approved by the State Board of Engineering Examiners, and meets the examination and experience requirements of the Board, he may be certified as an engineer-in-training or registered as a professional engineer, as the case may be. From the language of the two Sections the words 'approved' and 'accredited' appear to have the same meaning, and we understand from your letter that this is not in dispute.

The problem arises from subsection (2) in each of those Sections. In each case, (2) authorizes the Board to consider persons who have graduated 'in an engineering or a related engineering science curriculum of four years or more in a school or college other than those approved by the Board.' These provisions permit the Board to consider applications from persons who have graduated from schools or colleges not on their approved or accredited list. If the applicant is so considered and completes the other examination and experience requirements, he may then be registered or certified, but in any event the decision whether the applicant meets the qualifications is the decision of the Board. The language of both subsections is to the effect that the applicant must have 'knowledge and skill approximating that attained through graduation in an approved engineering curriculum'. The result is that the Board must be satisfied both as to the engineering or related engineering science curriculum completed by the applicant as well as his attaining the requisite level of knowledge and skill. These are not questions that are decided by the statute but must be the decisions of the Board empowered to make them.

Specifically, you have commented that Clemson University considers a four-year course in engineering technology as a 'related engineering science curriculum' which should be sufficient to permit an applicant to take the examinations for certification as an engineer-in-training. However, even if this be so, it is the judgment of the State Board of Engineering Examiners which must control in determining whether the training of a particular applicant meets the requirements of the state. We might comment that Clemson University is obviously an approved and accredited institution and, strictly speaking, the provisions of the two statutes referring to schools or colleges 'other than those approved by the Board' would not be applicable to curricula offered at Clemson.

Sincerely,

*2 Frank K. Sloan

Deputy Attorney General

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