

1972 WL 25302 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 1, 1972

**\*1 Re: No. 308—State Institutions Schools of South Carolina South Carolina Opportunity School**

Dr. Donald C. Pearce  
Director  
Office of Public Law 89-10  
State Department of Education  
Rutledge Building  
Columbia, South Carolina

Dear Dr. Pearce:

In reply to your request for an opinion on the eligibility of the South Carolina Opportunity School for federal funding as an agency serving the handicapped, I am of the opinion that this institution is eligible for such funds insofar as it provides a free public education to the physically handicapped within the age limits prescribed by federal statute. Chapter 11, Title 22 of Code of Laws of South Carolina, 1962, as amended, clearly indicates this the South Carolina Opportunity School is a State institution and Section 22-522 specifically requires this institution to ‘cooperate with the rehabilitation department in providing basic general education and prevocational courses for the physically handicapped.’ In light of this legislation, I believe that the South Carolina Opportunity School is a legally designated State agency operated school for the handicapped to the degree it serves these physically handicapped.

Sincerely,

Hardwick Stuart, Jr.  
Assistant Attorney General

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