

1972 WL 25317 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 16, 1972

**\*1 Re: No. 258—Schools—Transfer/Section 21-847**

Lee K. Crosland, Esquire  
1327 Pickens Street  
Columbia, South Carolina 29201

Dear Lee:

In answer to your request for an opinion on the effect of Section 21-847, Code of Laws of South Carolina, 1962, this section is clearly optional on the receiving county. Using the same portion of Section 21-847 you cited in your letter, I shift your emphasis from shall to agreeing, thus focusing on what I feel is the proper emphasis and interpretation of this section:

‘ . . . and the board of trustees in the school district, agreeing to accept such pupils, shall give a written statement of agreement.’

In conclusion, therefore, I am of the opinion that Section 21-847 is not mandatory on the receiving county, but optional since the receiving county must first agree to such a transfer.

Feel free to contact me if you have any further question.

Sincerely,

Hardwick Stuart, Jr.  
Assistant Attorney General

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