

1981 WL 157826 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 19, 1981

\*1 The Honorable Larry A. Martin  
Representative  
District 4  
Pickens County  
418-C Blatt Building  
Columbia, South Carolina 29211

Dear Representative Martin:

You have requested that this office advise you as to the procedure for defining the boundaries of a proposed new school district in Pickens county. You have stated that the group seeking to form the new district will probably proceed under [§ 59-17-20\(2\)\(c\) of the Code of Laws of South Carolina \(1976\)](#). This section permits the alteration or division of school districts by authorization of the County Boards of Education upon the written petition of at least one-third of the qualified electors embraced within the limits of each of the school districts involved and the favorable vote of a majority of the qualified electors of each of these school districts at an election called by the County Board of Education.

The above procedure for the alteration of school districts does not specify which persons or body should draw the lines for the proposed school district, nor does it provide for the manner in which the lines should be drawn. Because the County Board of Education has certain authority in this matter, it may be a useful body to draw the lines; however, such action by the County Board is not required, and those persons seeking to form the new district probably could draw the lines themselves. Although the law does not direct that the lines follow any particular boundaries, drawing them with reference to existing political or geographical lines would be useful. In any event, the boundaries chosen should be clearly stated on the petitions in the form of both a narrative and a map. The persons signing the petition will have to have notice of where the lines will fall.

If we may be of further assistance to you, please do not hesitate to contact us.

Yours very truly,

J. Emory Smith, Jr.  
Assistant Attorney General

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