

1979 WL 43093 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 28, 1979

***1 RE: Institutes of Higher Education**

Mr. Michael Humbert
Assistant Personnel Director
South Carolina School for the Deaf and the Blind
Spartanburg, South Carolina 29302

Dear Mr. Humbert:

You have recently asked this Office for its opinion as to whether the South Carolina School for the Deaf and the Blind is an institute for higher education. It is the opinion of this Office that your school is not an institute of higher education.

According to Section 59-105-5 of the 1976 Code of Laws of South Carolina, public higher education is defined as 'state-supported education in the post-secondary field, including comprehensive and technical education' and a public institution of higher learning is defined as 'any state-supported post-secondary educational institution and shall include technical and comprehensive educational institutions.' (Emphasis added). Inasmuch as the School for the Deaf and the Blind provides primary and secondary educations for its students, the school falls without the foregoing definitions. Moreover, the State supported institutes of higher learning are listed in [Sections 59-101-10](#), [59-101-20](#), [59-101-30](#) and 59-105-10 of the 1976 Code of Laws of South Carolina and the School for the Deaf and the Blind is not referred to in any of those sections.

For the reasons given, it is the opinion of this Office that the South Carolina School for the Deaf and the Blind is not an institute of higher education.

Sincerely,

Barbara J. Hamilton
State Attorney

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