

1973 WL 27760 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 16, 1973

\*1 James R. Michael

Assistant Commissioner and Supervisory Officer

S. C. Commission on Higher Education

Rutledge Building

1429 Senate Street

Columbia, South Carolina 29201

Dear Commissioner Michael:

In answer to your request for an opinion on the residency status of foreign students for the purpose of paying tuition and fees, I am of the opinion that the residency of a foreign student who is on a scholarship does not need to be determined. Beginning in 1967, the annual appropriation act for the State has contained a provision authorizing the respective boards of trustees to adopt policies on non-resident fees of out-of-state students on scholarships. 1972 Act No. 1555, § 81, in part provides:

Provided, That the respective Boards of trustees are authorized to adopt policies for the abatement of any part or all of non-resident fees for out-of-state students who are recipients of scholarship aid.

Consequently, a board of trustees may waive any or all nonresident fees of foreign students who are on scholarships. Such fees would include tuition and other fees, since the academic and general maintenance and operation cost mentioned in § 81 of this Acts are equivalent to tuition.

Please contact me if I can provide any further assistance.

Sincerely,

Hardwick Stuart, Jr.

Assistant Attorney General

1973 WL 27760 (S.C.A.G.)

---

End of Document

© 2020 Thomson Reuters. No claim to original U.S. Government Works.