

1973 S.C. Op. Atty. Gen. 274 (S.C.A.G.), 1973 S.C. Op. Atty. Gen. No. 3604, 1973 WL 21059

Office of the Attorney General

State of South Carolina

Opinion No. 3604

August 22, 1973

**\*1 Employees of the State Board for Technical and Comprehensive Education are not entitled to the provisions of Section 22.2(D) of the 1971 Cumulative Supplement to the Code of Laws of South Carolina, 1962 (In-State Tuition).**

Personnel Director

State Board for Technical and Comprehensive Education

You have requested that this office advise you as to whether full-time faculty and administrative employees employed by the State Board for Technical and Comprehensive Education and by the individual Technical Education Centers throughout the State are covered under Title 22, Section 2.2(D) of the Code of Laws of South Carolina, 1962, 1971 Cumulative Supplement. Subparagraph (D) states

Full-time faculty and administrative employees of State institutions, and the husbands and wives, of such employees, shall be excluded from the operation of this section.

The section refers to in-state tuition for employees of the said State institution. This particular Code section does not define State institutions, however, Section 22–21– of the Code of Laws of South Carolina, 1962, 1971 Cumulative Supplement does define a State institution as being

The University of South Carolina, in Columbia, Clemson University in Clemson, The Citadel, The Medical College of South Carolina, Winthrop College, and South Carolina State College.

Construing the two statutes *pari materia*, it is the opinion of this office that only those State institutions as defined in Section 22–21, supra are entitled to exclusion from the residency requirements set forth in Section 22–2.2.

The only manner in which full-time faculty and administrative employees of the State Board could come within the provisions of the exclusionary section, would be by specific statutory authorization.

Timothy G. Quinn

Senior Assistant Attorney General

1973 S.C. Op. Atty. Gen. 274 (S.C.A.G.), 1973 S.C. Op. Atty. Gen. No. 3604, 1973 WL 21059