

1976 S.C. Op. Atty. Gen. 426 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 4553, 1976 WL 23169

Office of the Attorney General

State of South Carolina

Opinion No. 4553

December 23, 1976

\*1 Dr. Marvin P. Busbee  
Chief Supervisor  
State Approving Section  
Department of Education  
1429 Senate Street  
Columbia, SC 29201

Dear Dr. Busbee:

You have requested an opinion of this Office with respect to interpretation to be given to Veterans Administration Regulations Sections 21–4250 through 4254. Specifically you want to know if Sections 21–4251 through 21–4254 are to be read in the alternative or conjunctively. Upon consideration and review, it would appear that Section 21–4251 imposes a threshold requirement which must first be met in order for Sections 21–4252, 4253 and 4254 to be applicable.

Section 21–4251 begins ‘A course offered . . . will be appropriate for enrollment of a veteran . . . only if it has been in operation for two years or more . . .’ Course is an all inclusive work including both accredited or nonaccredited courses. The remainder of Section 21–4251 deals with the definition of two (2) years relative to certain fact situations and the five exceptions from the two year rules. Sections 21–4253 and 4254 refer to accredited and non-accredited courses respectively. If a course is accredited it must meet the two year rule in addition to the requirements of Section 21–4253. If a course is non-accredited, it must meet the two year rule in addition to the standards imposed by Section 21–4254.

In conclusion, Section 21–4251 imposes a threshold requirement and the other Sections (4253 and 4254) are to be read in conjunction therewith. Accordingly, Section C of the State Standards should be similarly construed and the two year requirement of Section A is applicable to all courses.

Sincerely,

Kenneth L. Childs  
Assistant Attorney General

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