

1975 WL 29733 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
April 21, 1975

***1 RE: Schools—general & Schools—applications for admission, transfer, etc. & Schools—funds, State and Federal**

Mr. Isaac Anderson, Jr.
Legal Researcher
Office of Planning
Department of Education
Room 1006
Rutledge Building
1429 Senate Street
Columbia, SC 29201

Dear Isaac:

In answer to your request for an opinion as to implications of the memorandum of HEW concerning students from private schools taking a course or courses at a public school while a full-time student at a private school, any such opinion should come from the Federal agencies implementing Title VI of the 1965 Civil Rights Amendment. According to the memorandum you sent to me from the attorneys of HEW, they believe that such a course offering would be in violation of the Civil Rights Act unless the specific private school was in compliance with Title VI. (See letter from Director Lloyd R. Henderson, dated September 26, 1974.)

In conclusion, the implication of this memorandum from HEW is that all such applications for courses from a student enrolled in a private school should be cleared through HEW's Office of Civil Rights for compliance with Title VI of the Civil Rights Act. As suggested in your letter, I would likewise recommend that all this information be distributed to your district superintendents and program officers for their information.

Please contact me if I can be of any further assistance or provide any further clarification.

Sincerely,

Hardwick Stuart, Jr.
Assistant Attorney General

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