

1975 WL 29092 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 21, 1975

*1 J. P. Strom
Chief
South Carolina Law Enforcement Division
P. O. Box 21398
Columbia, South Carolina 29221

Dear Chief Strom:

Thank you for your letter of April 7, 1975. This belated response is due to examinations. In any case, I will answer your questions posed forthwith.

Firstly, you queried as to whether seventeen (17) year old 'runaways' may be detained and returned to the parents by law enforcement agencies? You also ask if the same result would obtain if the subject is outside the State of South Carolina. Please find enclosed a copy of § 55-65 et seq. (Interstate Compact On Juveniles) Code of Laws of South Carolina, 1962, as amended. The Compact sets out procedure to be followed when seeking the return of runaways. It is suggested that particular attention be given to Article IV, subsection (c) and Article X. On the strength of § 55-65, it would appear that your first general inquiry may be answered in the affirmative. As per your second inquiry as to what age may a child quit school without parental consent, I refer you to § 21-757, Code of Laws of South Carolina, 1962, as amended. § 21-757 provides in part as follows:

'All parents or guardians shall cause their children or wards who are in the age groups seven to sixteen years, inclusive, to regularly attend a public or private school of this State . . .'

§ 21-757.2 sets out the exceptions. On the basis of § 21-757, it is transparent that sixteen (16) year olds may not quit school with or without parental consent save for the instances where the child falls within an exception enumerated in § 21-757.2. Please find enclosed a copy of the sections of the Compulsory Attendance Law of which reference has been made, The foregoing is intended for informational purposes only.

With kindest regards,

Herman L. Moore
Law Clerk

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