

GENERAL ASSEMBLY OF NORTH CAROLINA  
1985 SESSION

CHAPTER 796  
HOUSE BILL 1487

AN ACT TO MERGE THE PITT COUNTY AND GREENVILLE CITY SCHOOL  
ADMINISTRATIVE UNITS.

The General Assembly of North Carolina enacts:

Section 1. The existing Pitt County School Administrative Unit and the existing Greenville City School Administrative Unit shall be merged. The resulting consolidated school unit shall be known as the Pitt County School Administrative Unit. The merger shall take effect July 1, 1986, if by that date the United States Attorney General has precleared this act under Section 5 of the Voting Rights Act. If this act has not been precleared by that date, the merger shall take effect upon preclearance.

Sec. 2. There is established the Interim Pitt County Board of Education (the "Interim Board") to consist of the following 15 members:

Group A (from the county board): Mark W. Owens, Jr., James W. A. Black, Ferrell L. Blount, III, J. Beverly Congleton, Jr., Walter E. Gaskins, Robert A. Halstead, Sr., Anne M. McGaughey, Stephen W. Tripp.

Group B (from the city board): George E. Williams, Erma S. Carr, Frank D. Grooms, Stephen G. (Jack) Wall.

Group C (Alfreida Jordan Parker, Matthew Donovan Phillips, David Lee Shackelford.

The Interim Board shall elect a Chair and Vice-Chair from among its members.

Sec. 3. The Interim Board shall take office immediately upon preclearance of this act by the United States Attorney General under Section 5 of the Voting Rights Act, if such preclearance is given before July 1, 1986. If preclearance is not given by that date, the Interim Board shall not take office, but the consolidated Pitt County Board of Education shall take office upon merger as provided in Section 4.

If the Interim Board takes office before the merger, it shall immediately assume authority and responsibility for:

- (1) Supervising, coordinating, acquiring, contracting for and constructing all new school buildings to be built within the boundaries of the existing two school units; and
- (2) Making contracts, hiring personnel, and adopting policies and procedures for the 1986-87 and subsequent school years; and
- (3) Preparing and submitting to the Pitt County Board of Commissioners all necessary budgets for school purposes. Otherwise, the existing Pitt

County and Greenville City Boards of Education shall continue to administer their respective school units until the merger.

Sec. 4. Upon merger, the existing Pitt County and Greenville City Boards of Education and the Interim Board, if it has taken office, are abolished and replaced by the consolidated Pitt County Board of Education. The consolidated Pitt County Board of Education shall consist of the 15 members named in Section 2 and shall have all the powers and responsibilities previously provided for the Pitt County, Greenville City and Interim Boards and provided by State law generally for county boards of education.

Sec. 5. The members of the consolidated Pitt County Board of Education designated in Section 4 shall serve for terms to expire on December 7, 1987, at which time they shall be replaced by members to be elected in November 1987. The election schedule for that election shall be the same as for municipal, nonpartisan plurality elections. The November 1987 election shall be held according to a method of election enacted by the 1987 General Assembly. Subsequent elections under the plan enacted in 1987 shall be held in 1990 and later years at the time set by G.S. 115C-37(a) for election of county boards of education.

Sec. 6. The consolidated Pitt County Board of Education shall prepare and recommend to the General Assembly a plan for electing members of the consolidated board in 1987 and subsequent years. The Board shall make its recommendation by the time the 1987 General Assembly convenes for its regular session. The Plan shall provide for nonpartisan plurality elections, shall comply with Section 5 of the Voting Rights Act, and shall provide that:

- (1) All members will be elected from single-member districts by the voters of the district only, or that some members will be elected from single-member districts and some elected at-large from unnumbered seats; and
- (2) Black citizens will have an opportunity to elect candidates of their choice for at least the same proportion of seats as the proportion of minority representatives on the board established by Section 2.

The plan may provide for staggered terms, but, if so, it shall provide that all at-large seats shall be elected at the same time.

Sec. 7. All meetings of the consolidated Pitt County Board of Education to consider or deliberate on the plan to be recommended to the General Assembly for election of the consolidated board, and the meetings of any committees established by the Board for this purpose, shall be open to the public. The Board may, however, meet in executive session to discuss with its attorneys whether the proposed method of election meets applicable requirements of federal and State law. Before adopting a plan to recommend to the General Assembly, the Board shall hold at least one hearing at which the general public has an opportunity to express its views on the proposed plan.

Sec. 8. Vacancies on the Interim Board shall be filled as follows:

- (1) A vacancy in Group A shall be filled with the same person the existing Pitt County Board of Education names to fill the vacancy on that board.

- (2) A vacancy in Group B shall be filled with a person named by the existing Greenville City Board of Education from its members.
- (3) A vacancy in Group C shall be filled with a person chosen by a committee consisting of the remaining members of Group C or their successors and one member each of the existing Pitt County and Greenville City Boards of Education named by those boards.

Sec. 9. Vacancies on the consolidated Pitt County Board of Education which occur prior to December 7, 1987, shall be filled by the remaining members of the Board as follows:

- (1) For a vacancy in Group A, the replacement shall reside in the residency district from which the member of the existing Pitt County Board of Education who is being replaced was elected.
- (2) For a vacancy in Group B, the replacement shall reside within the boundaries of the Greenville City School Administrative Unit.
- (3) For a vacancy in Group C, the replacement shall be a person recommended by a committee consisting of the remaining members of Group C or their successors and one member each of Group A and B chosen by the members in those groups.

Sec. 10. At the time of merger, the title to all property of the existing Pitt County Board of Education and the existing Greenville City Board of Education vests in the consolidated Pitt County Board of Education established by Section 4. All claims and demands of every kind which the two boards may have at the time of merger shall pass and be transferred to the consolidated Pitt County Board of Education and that Board shall have the same authority to enforce those claims and demands as the existing Pitt County and Greenville City Boards would have had if they continued to exist. Any obligations and liabilities of the existing Pitt County and Greenville City Boards of Education shall become the obligations and liabilities of the consolidated Pitt County Board of Education at the time of merger, and those obligations and liabilities may be enforced against that Board to the same extent they might be enforced against the existing boards had they continued to exist.

Sec. 11. At the time of merger the following local acts concerning the Pitt County and Greenville City Boards of Education are repealed: Chapters 89 and 656, Session Laws of 1965; Chapter 360, Session Laws of 1971; Chapter 44, Session Laws of 1977; Chapter 856, Session Laws of 1979.

Sec. 12. Chapters 2 and 495 of the Session Laws of 1985 are repealed.

Sec. 13. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 16th day of June, 1986.