

GENERAL ASSEMBLY OF NORTH CAROLINA  
1987 SESSION

CHAPTER 534  
HOUSE BILL 333

AN ACT TO PROVIDE AN ADDITIONAL PROCEDURES FOR MERGER OF  
SCHOOL ADMINISTRATIVE UNITS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-68.1. **Merger of units in adjoining counties.**—(a) Boards of education of two contiguous counties, and all the city school administrative units located in those counties (at least one of which must be located in more than one county) may develop a plan for merger for the purpose of merging concurrently or in stages all or any combination or portion of the school administrative units in whole or in part in those counties into one or more administrative units upon approval by the State Board of Education of a written plan for merger submitted by a majority of the boards of education involved and bearing the approval of a majority of the tax-levying bodies for the school units. The plan shall be consistent with the General Statutes, shall contain provisions covering those items listed in G.S. 115C-67 and shall contain any other provision deemed necessary or appropriate by the local boards of education for the merger of school units in two or more counties. Any plan approved by a majority of the school administrative units and tax levying bodies, must prescribe the status of each of the school units in those counties.

In the event that the vote of the local boards of education on the approval of the plan is not unanimous, then the local board of education casting the dissenting vote, with the approval of its tax-levying body, may submit to the State Board of Education for approval an alternative written plan for the merger of a city school administrative unit, located in two counties, into each of the counties in which the city lies, but may not submit any other alternative.

The State Board of Education shall cooperate with the tax-levying bodies and the local Boards of Education. The State Board of Education shall not disapprove any plan on the basis that the plan may result in the merger of a city school administrative unit, located in two counties, into each of the counties in which the city lies, or on the basis that all systems in both counties may be merged into one system or on the basis that the plan represents any geographic combination or division of any existing city or county school administrative unit or units. Upon approval of an alternative plan by the State Board of Education, both plans must be placed on the ballot in the referendum as provided for in subsection (c).

(b) To be effective under this section, the plan or plans shall state that it is adopted under G.S. 115C-68.1.

(c) The plan for merger, including any arrangements for financing or taxing for the schools in the new local school administrative unit or units, shall be submitted for the approval of the majority of the voters of the two counties in a combined two-county referendum or election called for the purpose of approving these matters. Such elections or referendums shall be held under the provisions governing elections or referendums as set forth in G.S. 115C-507 and Chapter 163 of the General Statutes to the extent applicable. Each board of county commissioners shall have authority to have such election or referendum conducted by the board of elections of its county under the provisions set forth in G.S. 115C-507 and Chapter 163 of the General Statutes to the extent applicable, except that if two plans are placed on the ballot, then the board of elections shall provide a ballot which shall be prepared under the provisions as set forth in G.S. 163-140(b)(7) and which shall allow the voter to vote for only one of the plans, and the plan receiving the higher vote shall be approved."

Sec. 2. This act applies only to the Counties of Edgecombe and Nash, the Town of Tarboro and the City of Rocky Mount, and to the County School Administrative Units of Edgecombe and Nash, and to the City School Administrative Units of Rocky Mount and Tarboro.

Sec. 3. The plan or plans of merger provided in G.S. 115C-68.1 pursuant to this act shall be completed and submitted to the State Board of Education by the applicable boards and authorities set forth in Section 2 of this act no later than July 1, 1988, and the plan or plans for merger shall be prepared and approved by the State Board of Education and the applicable boards and authorities referred to in Section 2 of this act expeditiously and the referendum shall be held simultaneously in each county in conjunction with the general election in 1988. The State Board of Elections and the county boards of elections shall take the necessary action to implement the referendum referred to herein.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 2nd day of July, 1987.