

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 605
SENATE BILL 621

AN ACT TO MERGE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN
ROBESON COUNTY, SUBJECT TO A REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. The existing Robeson County School Administrative Unit, the existing Fairmont City School Administrative Unit, the existing Lumberton City School Administrative Unit, the existing Red Springs City School Administrative Unit, and the existing St. Pauls City School Administrative Unit are merged effective July 1, 1989. The resulting consolidated county school administrative unit shall be known as the Public Schools of Robeson County.

Sec. 2. (a) There is established the Interim Board of Education for the Public Schools of Robeson County (the "Interim Board") to consist of 15 members appointed by the General Assembly in subsections (b) and (c) of this subsection.

(b) The following persons are appointed as members of the Interim Board in Class 1, with terms to expire June 30, 1990:

- (1) Seat 3 L. Gilbert Carroll;
- (2) Seat 4 Shirley Locklear;
- (3) Seat 6 Mary B. Carroll;
- (4) Seat 7 Millard Singletary;
- (5) Seat 9 McDuffie Cummings;
- (6) Seat 10 Burlester Campbell;
- (7) Seat 11 Aileen Holmes; and
- (8) Seat 12 Raymond Ammons.

(c) The following persons are appointed as members of the Interim Board in Class 2, with terms to expire June 30, 1992:

- (1) Seat 1 John Barker;
- (2) Seat 2 Angus Thompson;
- (3) Seat 5 Abner Harrington;
- (4) Seat 8 Dalton Brooks;
- (5) Seat 13 Pete Ivey;
- (6) Seat 14 David Green; and
- (7) Seat 15 Ray Lowery.

(d) John Barker shall be the chairman of the Interim Board and Dalton Brooks shall be the vice-chairman. In the event the office of chairman becomes vacant, the vice-chairman shall become chairman. In case of a vacancy in the office of vice-chairman, the Interim Board shall elect a vice-chairman from among its membership.

David Green shall be secretary of the Interim Board, provided that when an interim superintendent takes office, the interim superintendent shall be secretary.

Sec. 3. The Interim Board shall take office April 1, 1988. The Interim Board 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 five school units; and
- (2) Making contracts, hiring personnel, and adopting policies and procedures for the 1989-90 and subsequent school years; and
- (3) Preparing and submitting to the Robeson County Board of Commissioners all necessary budgets for school purposes beginning with that for the 1989-90 school year, as well as for its own operations prior to that school year. Otherwise, except as provided by Section 11.1 of this act, the existing Robeson County and Fairmont, Lumberton, Red Springs, and St. Pauls City Boards of Education shall continue to administer their respective school units until the merger.

Sec. 4. Upon merger, the existing Robeson County and Fairmont, Lumberton, Red Springs, and St. Pauls City Boards of Education and the Interim Board are abolished and replaced by the Board of Education for the Public Schools of Robeson County. The Board of Education for the Public Schools of Robeson County shall consist of the 15 members of the Interim Board as of the effective date of the merger, and shall have all the powers and responsibilities previously provided for the Robeson County, Fairmont City, Lumberton City, Red Springs City, St. Pauls City, and Interim Boards and provided by State law generally for county boards of education. From July 1, 1989, through June 30, 1992, the Board shall have 15 members. From and after July 1, 1992, the Board shall have 13 members.

Sec. 5. The eight members of the Board of Education for the Public Schools of Robeson County in Class 1 provided for in Section 2 of this act shall serve for terms to expire on June 30, 1990, at which time they shall be replaced by four members to be elected as provided by Section 5.1 of this act. The seven members of the Board of Education for the Public Schools of Robeson County in Class 2 provided for in Section 2 of this act shall serve for terms to expire on June 30, 1992, at which time they shall be replaced by five members to be elected as provided by Section 5.1 of this act.

Sec. 5.1. (a) Elections for the Board of Education for the Public Schools of Robeson County shall be held at the same time as the primary election for county officers as established by G.S. 163-1. The elections shall be conducted on a non-partisan basis, with the results determined by plurality in accordance with G.S. 163-292. Except as otherwise provided by this act, elections shall be held in accordance with the applicable provisions of Chapter 115C and Chapter 163 of the General Statutes.

(b) Robeson County is divided into electoral districts as set forth in subsection (c) of this section. Each candidate for an electoral district seat must reside in the district for which he is to be elected, and only the qualified voters of the district may vote for the election of that district seat.

(c) Districts:

- (1) District 1 consists of Lumberton Precincts 1, 2, 3, and 8, Census BNA9901p of Lumberton Township outside Lumberton City, and Enumeration District 433A of Lumberton Township (excepting that part within District 7).
 - (2) District 2 consists of Lumberton Precinct 6, Enumeration District 434A of Lumberton Township (excepting that part within District 7), Back Swamp Township, Enumeration Districts 447 and 448 of Union Township, and Enumeration Districts 461A and 461B of Fairmont Township.
 - (3) District 3 consists of Lumberton Precincts 4 and 5, Enumeration District 435A of Lumberton Township, Wisharts Township, Britts Township, and East Howellsville Township.
 - (4) District 4 consists of the remainder of Fairmont Township not in District 2, Orrum Township, Smyrna Township, Sterling Township, Marietta Township, and Gaddy Township.
 - (5) District 5 consists of Thompson Township, Rowland Township, Alfordsville Township, and Maxton Township.
 - (6) District 6 consists of Pembroke Township and Enumeration District 449 of Union Township.
 - (7) District 7 consists of Lumberton Precinct 7, the areas within Enumeration Districts 433A and 434A consisting of the right-of-way of North Carolina Highways 72/711 from the Raft Swamp Township Line to the Lumberton City Limits as of January 1, 1980, Raft Swamp Township, Burnt Swamp Township, Saddletree Township, Enumeration District 423 of Smiths Township, and Philadelphus Township.
 - (8) District 8 consists of Enumeration District 422 of Smiths Township, Red Springs Township, Rennert Township, and Shannon Township.
 - (9) District 9 consists of Lumber Bridge Township, Parkton Township, St. Pauls Township, and West Howellsville Township.
- (d) As used in subsection (d), enumeration districts are as found in the 1980 Federal Census. If any area in a Lumberton Precinct is in Enumeration Districts 433A, 434A, or 435 of Lumberton Township, then for the purpose of subsection (c) of this section that territory shall be in the district in which the enumeration district is located.
- (e) In 1990 and quadrennially thereafter, members shall be elected from districts 3, 5, 7, and 8 for four-year terms. In 1992 and quadrennially thereafter, members shall be elected from districts 1, 2, 4, 6, and 9 for four-year terms.

Sec. 7.1. In 1990, the General Assembly shall appoint four members of the Board of Education for the Public Schools of Robeson County, two for four-year terms beginning July 1, 1990, and two for two-year terms beginning July 1, 1990. In 1992 and biennially thereafter, the General Assembly shall appoint two members of the Board of Education for the Public Schools of Robeson County for four-year terms.

Sec. 8. Vacancies on the Interim Board shall be filled by appointment of the Interim Board to serve until the General Assembly fills the vacancy.

Sec. 9. Vacancies on the Board of Education for the Public Schools of Robeson County shall be filled by the remaining members of the Board, except in the case of appointments made by the General Assembly under Section 7.1 of this act the appointee shall serve until the remainder of the unexpired term or until the General Assembly fills the vacancy, whichever occurs first. In the case of a district seat, the Board must appoint a resident of that district.

Sec. 10. At the time of merger, the title to all property of the existing Robeson County Board of Education, the existing Fairmont City Board of Education, the existing Lumberton City Board of Education, the existing Red Springs City Board of Education, and the existing St. Pauls City Board of Education vests in the Board of Education for the Public Schools of Robeson County 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 Board of Education for the Public Schools of Robeson County and that Board shall have the same authority to enforce those claims and demands as the existing Robeson County and Fairmont, Lumberton, Red Springs and St. Pauls City Boards would have had if they continued to exist. Any obligations and liabilities of the existing Robeson County and Fairmont, Lumberton, Red Springs and St. Pauls City Boards of Education shall become the obligations and liabilities of the Board of Education for the Public Schools of Robeson County 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. No supplemental school tax shall be levied or remain in effect in Robeson County after the effective date of the merger except on a countywide basis.

Sec. 11.1. During the period beginning March 8, 1988, and ending with the abolition of those boards on July 1, 1989, the Robeson County Board of Education, the Fairmont City Board of Education, the Lumberton City Board of Education, the Red Springs City Board of Education and the St. Pauls City Board of Education may not enter into any contract for a capital outlay item, or appropriate any money for such item, or grant or increase any local salary supplement, without the approval of the Interim Board.

Sec. 12. The Robeson County Board of Commissioners shall provide adequate funding for the operations of the Interim Board between April 1, 1988, and June 30, 1989.

Sec. 12.1. (a) The Interim Board of Education shall employ an interim superintendent of schools, to be paid from funds provided by the Robeson County Board of Commissioners, to serve as chief executive officer to the Interim Board, and to organize and plan for the operation of county school administrative unit to be known as the Public Schools of Robeson County.

(b) The interim superintendent shall be provided by the Robeson County Board of Commissioners with an office, secretary, and necessary expenses to operate that office.

Sec. 12.2. (a) State and county funds budgeted within the Public Schools of Robeson County by the Board of County Commissioners and the Board of Education for the Public Schools of Robeson County shall be allocated among the public schools without regard to which administrative unit that school had previously been located in, and without special preference to any school.

(b) The schedule for salary supplements shall be without regard to the school in which the teacher is teaching or which local school administrative unit the teacher taught.

(c) Notwithstanding subsection (a) of this section, if State funds are provided for personnel, and not enough funds are provided to have such personnel at all schools where the function can be provided, the assignment of such personnel by the county board of education shall be done on a fair and equitable basis.

Sec. 12.3. It is the intent of the General Assembly that student assignments made under this act shall be done with an effort to maximize the community school concept.

Sec. 13. The Robeson County Board of Commissioners shall provide local funding to the Public Schools of Robeson County for the following school years at at least the designated percentage of the average local funding per ADM in the remainder of the State, in accordance with the most recent figures available from the State Board of Education as of January 1 of the year in which the budget is adopted:

1989-90	70%
1990-91	75%
1991-92 and thereafter	80%.

Sec. 14. Sections 1 through 13 of this act shall become effective only if approved by the qualified voters of Robeson County in an election to be held on March 8, 1988. The question on the ballot shall be:

- FOR consolidation of the five school administrative units in Robeson County into the Public Schools of Robeson County.
- AGAINST consolidation of the five school administrative units in Robeson County into the Public Schools of Robeson County.

The election shall be conducted by the Robeson County Board of Elections in accordance with Chapter 163 of the General Statutes. If a majority of the qualified voters voting in the election vote in favor of the question, Sections 1 through 13 of this act shall become effective. Otherwise, they shall not become effective.

Sec. 15. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 13th day of July, 1987.