

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1989**

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SENATE BILL 612  
Second Edition Engrossed 5/5/89

Short Title: Guilford School Merger.

(Local)

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Sponsors: Senators Chalk and Martin of Guilford.

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Referred to: Education.

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March 23, 1989

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

Section 1. The existing Guilford County School Administrative Unit, the existing Greensboro City School Administrative Unit, and the existing High Point City School Administrative Unit are merged effective July 1, 1991. The resulting consolidated school administrative unit shall be known as the Guilford County School Administrative Unit.

Sec. 2. (a) The Board of Education of the Guilford County School Administrative Unit shall be composed of nine members. These members shall be elected to office, one from each of the nine single-member districts established under subsection (f) of this section. The elections shall be nonpartisan.

The terms of office of members are staggered to allow for continuity on the Board. The initial election for the Guilford County Board of Education shall be held on the date for regular election of county officers in November 1990.

(b) In the initial election, five members shall be elected for two-year terms, and four members shall be elected for four-year terms. In 1990, members shall be elected from Districts 2, 4, 6, and 8 for four-year terms. In 1990, members shall be elected from Districts 1, 3, 5, 7, and 9 for two-year terms.

(c) The members elected in 1990 shall take the oath of office on December 1, 1990. At that time, this elected Board shall have and assume the powers and duties set forth in Section 4 of this act. On June 30, 1991, this Board shall have and assume all

1 duties granted by law and shall supersede the previous board or boards that had  
2 previously administered and governed the schools in Guilford County.

3 (d) The districts set out in subsection (f) of this section are devised and  
4 constituted to meet the requirements of the Voting Rights Act of 1965, as amended, and  
5 other applicable constitutional provisions. These districts shall remain the same until  
6 changed as provided by law and constitutional mandate.

7 (e) The qualified voters of each district shall elect the member of the board  
8 of education for that district. Candidates must reside in the district for which they seek  
9 to be elected. The candidate receiving the highest number of votes shall be elected,  
10 with the results determined in accordance with G.S. 163-292.

11 (f) The districts are as follows:

12 (1) District 1 consists of Bruce, Center Grove North, Center Grove South,  
13 Deep River, Friendship 1, Greensboro Precincts 10, 38, 39, 40, 41, and  
14 43, Monroe North, Oak Ridge, and Stokesdale.

15 (2) District 2 consists of Clay, Fentress, Gibsonville, Whitsett, Greene,  
16 Jefferson North, Madison North, Madison South, Monroe South,  
17 Washington North, and Washington South.

18 (3) District 3 consists of Greensboro Precincts 1, 3, 6, 19, 29, 44, 45, and  
19 Jefferson South.

20 (4) District 4 consists of Greensboro Precincts 4, 5, 7, 8, 25, 26, 30, and  
21 42.

22 (5) District 5 consists of Greensboro Precincts 2, 11, 12, 13, 14, 16, 17,  
23 28, 31, 33, and 35.

24 (6) District 6 consists of Greensboro Precincts 15, 18, 20, 21, 22, 23, 27,  
25 32, 34, and 37.

26 (7) District 7 consists of Friendship 2, Jamestown 1, Jamestown 2,  
27 Jamestown 3, Sumner North, Sumner South, Greensboro Precincts 24  
28 and 36, and High Point Precinct 19.

29 (8) District 8 consists of High Point Precincts 3, 5, 6, 7, 11, 12, 13, 21, 22,  
30 and Greensboro Precinct 9.

31 (9) District 9 consists of High Point Precincts 1, 2, 4, 8, 9, 10, 14, 15, 16,  
32 17, 18, 20, 23 and 24.

33 Sec. 3. Elections shall be determined by plurality and shall be held in  
34 accordance with the applicable provisions of Chapter 115C and Chapter 163 of the  
35 General Statutes, except that the Guilford County Board of Elections shall establish the  
36 candidate filing period.

37 Sec. 4. The Board shall take office December 1, 1990, and shall immediately  
38 assume authority and responsibility for:

39 (1) Supervising, coordinating, acquiring, contracting for and constructing  
40 all new school buildings to be built within the boundaries of the  
41 existing three units; and

42 (2) Making contracts, hiring personnel, and adopting policies and  
43 procedures for the 1991-92 and subsequent school years; and

1 (3) Preparing and submitting to the Guilford County Board of  
2 Commissioners all necessary budgets for school purposes beginning  
3 with that for the 1991-92 school year as well as for its own operations  
4 prior to that school year. Otherwise, except as provided by Section 9  
5 of this act, the existing Guilford County and Greensboro and High  
6 Point City Boards of Education shall continue to administer their  
7 respective school units until July 1, 1991.

8 Sec. 5. (a) The terms of the Guilford County and Greensboro City Boards of  
9 Education members elected in 1986 who are in office on January 1, 1990, shall be  
10 extended through June 30, 1991. The terms of all other members of the Guilford  
11 County and Greensboro City Boards of Education and all the members of the High  
12 Point City Board of Education in office on January 1, 1990, shall expire June 30, 1991.

13 (b) Upon merger, the existing Guilford County and Greensboro and High Point  
14 City Boards of Education are abolished and replaced by the new Guilford County Board  
15 of Education. The Board shall have all the powers and responsibilities previously  
16 provided for the Guilford County, Greensboro City and High Point City Boards and  
17 provided by State law generally for county boards of education.

18 Sec. 6. Vacancies on the new Guilford County Board of Education shall be  
19 filled by the remaining members of the Board for the remainder of the unexpired term.  
20 The Board must appoint a resident of the district where the vacancy exists.

21 Sec. 7. At the time of the merger, the title to all property of the existing  
22 Guilford County Board of Education, the existing Greensboro City Board of Education  
23 and the existing High Point City Board of Education vests in the Guilford County Board  
24 of Education established by Section 5 of this act. All claims and demands of every kind  
25 which the three boards may have at the time of merger shall pass and be transferred to  
26 the Guilford County Board of Education and that Board shall have the same authority to  
27 enforce those claims and demands as the existing Guilford County and Greensboro and  
28 High Point City Boards would have if they continued to exist. Any obligations and  
29 liabilities of the existing Guilford County and Greensboro and High Point City Boards  
30 of Education shall become the obligations and liabilities of the Guilford County Board  
31 of Education at the time of merger, and those obligations and liabilities may be enforced  
32 against that Board to the same extent they might be enforced against the existing boards  
33 had they continued to exist.

34 Sec. 8. An existing school tax of thirty cents (30¢) per one hundred dollars  
35 (\$100.00) of valuation currently in effect in Guilford County shall continue in full force  
36 and effect until changed on a county-wide basis as provided by law.

37 Sec. 9. During the period beginning December 1, 1990, and ending with the  
38 abolition of those boards on July 1, 1991, the existing Guilford County Board of  
39 Education, the Greensboro City Board of Education, and the High Point City Board of  
40 Education may not enter into any contract for a capital outlay item, or appropriate any  
41 money for such item, or grant or increase any local salary supplement, or sell, lease,  
42 trade or otherwise encumber any property, real or personal, of any of the merged boards  
43 of education, without the approval of the new Guilford County Board of Education.

1           Sec. 10. The Board of Commissioners of Guilford County shall provide  
2 adequate funding for the operations of the new Guilford County Board of Education  
3 between December 1, 1990, and June 30, 1991.

4           Sec. 11. (a) Sections 1 through 10 of this act shall become effective only if  
5 approved by the qualified voters of Guilford County in an election to be held on  
6 September 12, 1989. The question on the ballot shall be:

7           "[] FOR consolidation of the three school administrative units in Guilford  
8 County into one administrative unit.

9           "[] AGAINST consolidation of the three school administrative units in  
10 Guilford County into one administrative unit."

11          (b) The election shall be conducted by the Guilford County Board of Elections in  
12 accordance with Chapter 163 of the General Statutes. If a majority of the voters voting  
13 in the election vote in favor of the question, Sections 1 through 10 of this act shall  
14 become effective; otherwise, they shall not become effective.

15          (c) If a majority of the voters voting in the election vote in favor of the question,  
16 and Sections 1 through 10 of this act have not been approved under Section 5 of the  
17 Voting Rights Act of 1965 by the time of opening of candidate filing for the Guilford  
18 County Board of Education, the Guilford County Board of Elections, with the approval  
19 of the United States Department of Justice, may delay the opening and closing dates for  
20 filing of the old Guilford County Board of Education scheduled to be elected in 1990.  
21 This is necessary because the previously scheduled election is not cancelled until  
22 Sections 1 through 10 of this act are approved under Section 5 of the Voting Rights Act.

23          Sec. 12. (a) Submission of Sections 1 through 10 of this act under Section 5 of  
24 the Voting Rights Act shall be made jointly by the attorneys for the three merging units  
25 under G.S. 120-30.9G.

26          (b) Submission of Section 11 of this act under Section 5 of the Voting Rights Act  
27 of 1965, and any decisions made under Sections 2 and 3 of this act by the Guilford  
28 County Board of Elections shall be made by the County Attorney of Guilford County  
29 under G.S. 120-30.9E.

30          Sec. 13. (a) Any student enrolled in a given school at the time of merger will  
31 have the option, if otherwise qualified, of continuing to attend that school, if  
32 operational, until completion of the grades at that school.

33          (b) Any pupil assignment plan drawn after merger shall provide that every  
34 reasonable effort be made to assign children to the school nearest their home consistent  
35 with maintaining a unitary school system.

36          Sec. 14. This act is effective upon ratification.