

NORTH CAROLINA GENERAL ASSEMBLY
1979 SESSION

CHAPTER 1138
SENATE BILL 946

AN ACT TO AMEND THE PLAN OF CONSOLIDATION AND MERGER OF CRAVEN COUNTY BOARD OF EDUCATION AND NEW BERN CITY BOARD OF EDUCATION AND TO CREATE AND ESTABLISH ONE ADMINISTRATIVE UNIT FOR BOTH OF THE PUBLIC SCHOOL UNITS IN CRAVEN COUNTY.

The General Assembly of North Carolina enacts:

Section 1. The purpose of this act is to amend the "Plan of Consolidation and Merger of Craven County Board of Education and New Bern City Board of Education and to Create and Establish one Administrative Unit for Both of the Public School Units in Craven County," as filed with the Secretary of State under G.S. 115-74.1 on May 17, 1979, (the "Plan") and to facilitate merger and consolidation of the two units.

Sec. 2. The words "first Monday in December, 1980" in
line 6 of Section 3;
line 1 of Section 7;
line 1 of Section 8;
lines 9-10 of Section 8;
lines 19-20 of Section 8; and
lines 3-4 of Section 14

of the Plan hereby are deleted and replaced with the words "first day of July, 1981".

Sec. 3. The Plan hereby is amended by adding the following sections:

"Section 6A. The terms of office of each member of the Craven County Board of Education are hereby extended to midnight, June 30, 1981; and the terms of each member of the New Bern City Board of Education are hereby extended to midnight, June 30, 1981; and the administration and operation of all schools in the existing city and county administrative units shall continue to be the responsibility of and be carried on through midnight, June 30, 1981 by the city board and county board, respectively.

Section 6B. The New Bern-Craven County Board of Education, from the first Monday in December, 1980, through midnight, June 30, 1981, shall prepare for implementation and merger of the two administrative units and, among other powers which shall not hereby by implication be limited, shall have and exercise the following duties and powers:

- (1) To elect and enter into a contract with a superintendent, subject to approval of the State Superintendent of Public Instruction and the State Board of Education. The superintendent shall have all qualifications

provided by law for city or county superintendents of schools, including but not limited to those requirements set forth in G.S. 115-54;

- (2) To provide the superintendent with an appropriate office, to furnish adequately the superintendent's office and provide all necessary office supplies, and to provide sufficient clerical assistance and sufficient office machines and equipment necessary for performance of the superintendent's duties prescribed hereunder;
- (3) To prescribe for the superintendent such duties not in conflict with State law as the board determines necessary for implementation of the merger and consolidation of the county board and the city board;
- (4) To remove the superintendent in accordance with procedures set forth in G.S. 115-42 if need be and, upon removal, resignation, death or any other termination of the superintendent's employment, to appoint and to enter into a written contract with, a successor superintendent in accordance with the provisions of this section."

Sec. 4. Section 9 of the Plan hereby is deleted.

Sec. 5. The words "first Monday of December, 1980" in line 5 of Section 11 of the Plan hereby are deleted and replaced by the words "30th day of June, 1981".

Sec. 6. The Plan hereby is amended by adding the following sections:

"Section 19. The county board and city board shall cooperate immediately to prepare a budget for the New Bern-Craven County Board of Education for the period from December 1, 1980, through midnight, June 30, 1981, to effectuate the provisions hereof and shall submit such budget to the Craven County Board of Commissioners provided, however, that such budget shall in no way be deemed a 'budget' as defined in, and for the purposes of The School Budget and Fiscal Control Act, (G.S. 115-100.1, et. seq.).

Section 20. The county commissioners shall provide adequate funds to enable the New Bern-Craven County Board of Education to fulfill its duties and to exercise its powers hereunder."

Sec. 7. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 20th day of June, 1980.