

GENERAL ASSEMBLY OF NORTH CAROLINA  
1991 SESSION

CHAPTER 400  
SENATE BILL 225

AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ELECTED ON A  
DISTRICT BASIS SIMILAR POWER AS CITIES TO REDISTRICT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-37 is amended by adding a new subsection to read:

"(i) The local board of education shall revise electoral district boundaries from time to time as provided by this subsection. If district boundaries are set by local act or court order and the act or order does not provide a method for revising them, the local board of education shall revise them only for the purpose of (i) accounting for territory annexed to or excluded from the school administrative unit, and (ii) correcting population imbalances among the districts shown by a new federal census or caused by exclusions or annexations. After the General Assembly has ratified an act establishing district boundaries, the local board of education shall not revise them again until a new federal census of population is taken or territory is annexed to or excluded from the school administrative unit, whichever event first occurs. After the local board of education has revised district boundaries in conformity with this act, the local board of education shall not revise them again until a new federal census of population is taken or territory is annexed to or excluded from the school administrative unit, whichever event occurs first, except that the board may make an earlier revision of district boundaries it has drawn if it must do so to comply with a court order or to gain approval of a district-revision plan by the U.S. Justice Department under Section 5 of the Voting Rights Act. In establishing district boundaries, the local board of education shall use data derived from the most recent federal census."

Sec. 2. To improve the opportunity for minority citizens to elect candidates of their choice, the Montgomery County Board of Education, which presently consists of five members elected from residency districts, is authorized to alter the size of the board and the method by which board members are elected, subject to the following restrictions:

- (1) Elections shall continue to be nonpartisan.
- (2) Elections shall continue to be held at the time provided by general State law.
- (3) Members elected in 1988 and 1990 shall be entitled to serve the remainder of their terms.
- (4) Board members shall continue to serve four year terms, though initial terms of two years may be used for some or all seats as needed to stagger terms.

- (5) The size of the board may not be increased to more than seven members.
- (6) The board shall hold a public hearing on any proposed change and shall publish notice of the hearing and a description of the proposed change at least ten days before the hearing.
- (7) Any changes shall be made by adoption of a resolution.
- (8) A resolution adopted pursuant to this section shall be valid only if adopted by December 31, 1991.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 26th day of June, 1991.

---

James C. Gardner  
President of the Senate

---

Daniel Blue, Jr.  
Speaker of the House of Representatives