

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE DRH80072-LB-118 (2/13)

Short Title: Local School Board Member Removal.

(Public)

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Sponsors: Representative Glazier.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO REPEAL THE LAW ALLOWING THE STATE BOARD OF  
EDUCATION TO REMOVE LOCAL SCHOOL BOARD MEMBERS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-39 reads as rewritten:

**"§ 115C-39. ~~Removal of board members; suspension~~ Suspension of duties by State Board.**

(a) ~~In case the State Board of Education has sufficient evidence that any member of a local board of education is not capable of discharging, or is not discharging, the duties of his office as required by law, or is guilty of immoral or disreputable conduct, the State Board of Education shall notify the chairman of such board of education, unless such chairman is the offending member, in which case all other members of such board shall be notified. Upon receipt of such notice there shall be a meeting of said board of education for the purpose of investigating the charges, and if the charges are found to be true, such board shall declare the office vacant: Provided, that the offending member shall be given proper notice of the hearing and that record of the findings of the other members shall be recorded in the minutes of such board of education.~~

(b) In the event the State Board of Education has appointed an interim superintendent under G.S. 115C-105.39 and the State Board determines that the local board of education has failed to cooperate with the interim superintendent, the State Board shall have the authority to suspend any of the powers and duties of the local board and to act on its behalf under G.S. 115C-105.39."

**SECTION 2.** This act is effective when it becomes law.