

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 167
HOUSE BILL 334

AN ACT TO AMEND THE PROCEDURE FOR JUDICIAL REVIEW OF PUPIL
ASSIGNMENT DECISIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115-179 is hereby rewritten to read as follows:

"§ 115-179. **Appeal from decision of board.** — A final decision of the local board of education pursuant to G.S. 115-178 shall be subject to judicial review in the manner provided by Article 4, Chapter 150A of the General Statutes: Provided, notwithstanding the provisions of G.S. 150A-45, a person seeking judicial review under this section shall not appeal the final decision of the local board of education to any state board, but shall file a petition for review in the superior court of the county where the final decision of the local board of education was made. If the court determines that the final decision of the local board of education should be set aside, then the court, notwithstanding the provisions of G.S. 150A-51, may enter an order so providing and adjudging that such child is entitled to attend the school as claimed by the appellant, or such other school as the court may find such child is entitled to attend, and in such case such child shall be admitted to such school by the local board of education concerned."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 2nd day of April,
1981.