

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 567
HOUSE BILL 572

AN ACT REQUIRING LOCAL BOARDS OF EDUCATION TO CHARGE TUITION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115-163 and G.S. 115C-366(a) as enacted by Chapter 423, Session Laws of 1981 are amended by deleting from the first sentence the word "residing" and by substituting therefor the word "domiciled"; by deleting from the second proviso the word "residing" and by substituting therefor the word "domiciled"; by deleting from the second proviso the phrase "either with or without the payment of tuition"; by deleting from the third proviso the phrase "either with or without the payment of tuition"; by deleting from the second paragraph the word "reside" and by substituting therefor the words "are domiciled"; and by deleting from subparagraph (2) the word "residence" and by substituting therefor the word "domicile".

Sec. 2. Article 19 of Chapter 115 of the General Statutes is amended by adding a new subsection 115-163.1 as follows:

"§ 115-163.1. Local boards of education; tuition charges. — (a) Local boards of education shall charge tuition to the following persons:

- (1) Persons of school age who are not domiciliaries of the State.
- (2) Persons of school age who are domiciliaries of the State but who do not reside within the school administrative unit or district.
- (3) Persons of school age who reside on a military or naval reservation located within the State and who are not domiciliaries of the State. Provided, however, that no person of school age residing on a military or naval reservation located within the State and who attends the public schools within the State may be charged tuition if federal funds designed to compensate for the impact on public schools of military dependent persons of school age are funded by the federal government at not less than fifty percent (50%) of the total per capita cost of education in the State, exclusive of capital outlay and debt service, for elementary or secondary pupils, as the case may be, of such school administrative unit.

(b) If the tuition charge for a student exceeds the amount of per capita local funding, that excess shall be remitted to the State Board of Education."

Sec. 3. The tuition required in Section 2 shall be determined by local boards of education each August 1 prior to the beginning of a new school year.

Sec. 4. G.S. 115-163.1 as enacted by Section 2 of this act is recodified effective July 1, 1981, as G.S. 115C-366.1.

Sec. 5. This act is effective upon ratification except that Section 4 shall become effective July 1, 1981.

In the General Assembly read three times and ratified, this the 12th day of June, 1981.