

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 630
SENATE BILL 547

AN ACT TO CLARIFY THE RESPONSIBILITY OF THE STATE BOARD OF EDUCATION FOR THE STATE'S SCHOOL TRANSPORTATION SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-12 is amended by adding a new subdivision to read:

"(17) Power to provide for school transportation programs.

The State Board of Education is authorized and empowered to promulgate such policies, rules, and regulations as it may deem necessary and desirable for the operation of a public school transportation system by each local administrative unit in the State. Such policies, rules, and regulations shall include, but are not limited to, fund allocations and fiscal support to assure the effective and efficient use of funds appropriated by the General Assembly in support of the school transportation system. Nothing herein shall be construed to affect in any way or to lessen in any way the full and complete authority of local boards of education to assign pupils to schools in accordance with G.S. 115C-366."

Sec. 2. The first sentence of G.S. 115C-239 is rewritten to read:

"Each local board of education is hereby authorized to acquire, own, lease, contract and operate school buses for the transportation of pupils enrolled in the public schools of such local school administrative unit, and of persons employed in the operation of such schools in accordance with rules and regulations adopted by the State Board of Education under the authority of G.S. 115C-12(17) and within the limitations set forth in G.S. 115C-239 to 115C-246, 115C-248 to 115C-254 and 115C-256 to 115C-259."

Sec. 3. G.S. 115C-240(a) is rewritten to read:

"(a) The State Board of Education shall promulgate rules and regulations for the operation of a public school transportation system."

Sec. 4. G.S. 115C-240(d) is rewritten to read:

"(d) The State Board of Education shall assist local boards of education by establishing guidelines and a framework through which local boards may establish, review and amend school bus routes prepared pursuant to G.S. 115C-246. The State Board of Education shall also assist local boards of education with reference to the acquisition and maintenance of school buses or any other question which may arise in connection with the organization and operation of school bus transportation systems of local boards."

Sec. 5. G.S. 115C-240(e) is amended by deleting the word "all" from the first sentence, by deleting the word "All" at the beginning of the second sentence and by adding at the end of the subsection a new sentence to read:

"If there is evidence of inequitable or inefficient use of funds, the State Board of Education shall be empowered to review school bus routes established by local boards pursuant to G.S. 115C-246 as well as other factors, affecting the cost of the transportation of pupils by school bus."

Sec. 6. G.S. 115C-240(f) is amended by deleting the first sentence and by rewriting the second sentence to read:

"The respective local boards shall use such funds for the purposes of replacing, maintaining, insuring, and operating public school buses and service vehicles in accordance with the provisions of G.S. 115C-239 to 115C-246, 115C-248 to 115C-254 and 115C-256 to 115C-259 and for no other purpose, but in the making of expenditures for such purposes shall be subject to rules and regulations promulgated by the State Board of Education."

Sec. 7. The first sentence of G.S. 115C-242(5) is rewritten to read:

"Local boards of education, under rules and regulations adopted by the State Board of Education, may permit the use and operation of school buses for the transportation of pupils and instructional personnel as the board deems necessary to serve the instructional programs of the schools."

Sec. 8. This act shall become effective July 1, 1983.

In the General Assembly read three times and ratified, this the 27th day of June, 1983.