

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 768
SENATE BILL 656

AN ACT TO PROVIDE THAT UPON MERGER OF TWO SCHOOL ADMINISTRATIVE UNITS WITHIN CERTAIN COUNTIES WHEREIN ONE OF THE MERGING UNITS HAS VOTED A SUPPLEMENTAL SCHOOL TAX, THE GEOGRAPHIC AREA SUBJECT TO THE TAX SHALL BE EXPANDED WITHOUT VOTER APPROVAL TO INCLUDE THE ENTIRE GEOGRAPHIC AREA ENCOMPASSED BY THE NEW SCHOOL ADMINISTRATIVE UNIT RESULTING FROM THE MERGER; AND, IF THE STATESVILLE CITY SCHOOL ADMINISTRATIVE UNIT IS MERGED WITH THE IREDELL COUNTY SCHOOL ADMINISTRATIVE UNIT, TO MAKE A CONFORMING CHANGE TO THE DISTRIBUTION OF LIQUOR STORE PROFITS OF THE STATESVILLE ABC SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-512. Expansion of existing supplemental school tax area pursuant to merger of school administrative units in certain counties.

(a) This section shall apply to counties that have three school administrative units located entirely within the county, only one of which units has a supplemental school tax in effect that is levied exclusively by the elected school board of the administrative unit.

(b) If a school administrative unit in a county to which this section applies merges with another school administrative unit in the county, and one of the merging units has previously voted a supplemental school tax that is in effect prior to and at the time of the merger, then the geographic area subject to the supplemental school tax in effect prior to the merger shall be expanded to include the entire geographic area encompassed by the new school administrative unit resulting from the merger. The levy and collection of and the expenditure of revenues from the tax shall be expanded as herein provided without approval of the voters of the geographic area directly affected by the merger, and shall be used for purposes provided in G.S. 115C-501(a).

(c) Notwithstanding levying authority in existence prior to the merger, the board of county commissioners shall, upon merger of the administrative units, have the exclusive authority to levy the supplemental tax expanded in accordance with this section, provided that the tax shall be levied at a rate not to exceed the rate of the supplemental school tax in effect prior to the merger of the school administrative units."

Sec. 2. If the Statesville City Board of Education is merged with the Iredell County Board of Education, then effective for any distributions made after the effective date of the merger, Section 6.3(2) of the Charter of the City of Statesville, being Chapter 289 of the 1977 Session Laws, reads as rewritten:

"(2) Twenty-five percent (25%) shall be turned over to the ~~Board of Education of the City of Statesville~~ Iredell County Board of Education."

Sec. 3. To facilitate the transfer of students among the local school administrative units in Iredell County, the following factors shall, in addition to other considerations, be the measure of a child's attendance in a particular school in a particular administrative unit:

- (1) Distance from school,
- (2) Time spent on school buses,
- (3) Availability of programs or the lack of programs,
- (4) Whether other members of the same family are attending the school in question and whether the school to which transfer is sought can accommodate additional students, and
- (5) Distance to school which interferes with the student's participation in extracurricular activities.

The best interest of the student shall be paramount among all factors and considerations regarding student transfers.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 11th day of August, 1989.