

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1001

Short Title: Encourage School Building Renovations.

(Public)

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Sponsors: Representatives Jack Hunt; Bowman, Ellis, Fussell, Gamble, Hall, Holt, Judy Hunt, James, Lutz, Ramsey, Rogers, Stamey, and R. Thompson.

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Referred to: Education.

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April 19, 1993

A BILL TO BE ENTITLED

AN ACT TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO RENOVATE  
OLD SCHOOL BUILDINGS INSTEAD OF REPLACING THEM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-521 reads as rewritten:

**"§ 115C-521. Erection of school buildings.**

(a) It shall be the duty of local boards of education to provide classroom facilities adequate to meet the requirements of G.S. 115C-47(10) and 115C-301. Local boards of education shall submit their long-range plans for meeting school facility needs to the State Board of Education by January 1, 1988, and every five years thereafter. In developing these plans, local boards of education shall consider the costs and feasibility of renovating old school buildings instead of replacing them.

(b) It shall be the duty of the boards of education of the several local school administrative school units of the State to make provisions for the public school term by providing adequate school buildings equipped with suitable school furniture and apparatus. The needs and the cost of ~~such~~ those buildings, equipment, and apparatus, shall be presented each year when the school budget is submitted to the respective tax-levying authorities. The boards of commissioners shall be given a reasonable time to provide the funds which they, upon investigation, shall find to be necessary for providing their respective units with buildings suitably equipped, and it shall be the duty of the several boards of county commissioners to provide funds for the same.

Upon determination by a local board of education that the existing permanent school building does not have sufficient classrooms to house the pupil enrollment anticipated

1 for ~~such~~ the school, ~~then such~~ the local board of education ~~is authorized to~~ may acquire  
2 and ~~utilize~~ use as temporary classrooms for the operation of ~~such~~ the school, relocatable  
3 or mobile classroom units, whether built on the lot or not, which units and method of  
4 use shall meet the approval of the School Planning Division of the State Board of  
5 Education, and which units shall comply with all applicable requirements of the North  
6 Carolina State Building Code and of the local building and electrical codes applicable to  
7 the area in which ~~such~~ the school is located. These units shall also be anchored in a  
8 manner required to assure their structural safety in severe weather. The acquisition and  
9 installation of ~~such~~ these units shall be subject in all respects to the provisions of  
10 Chapter 143 of the General Statutes. The provisions of Chapter 87, Article 1, of the  
11 General Statutes, shall not apply to persons, firms or corporations engaged in the sale or  
12 furnishing to local boards of education and the delivery and installation upon school  
13 sites of classroom trailers as a single building unit or of relocatable or mobile  
14 classrooms delivered in less than four units or sections.

15 (c) The building of all new ~~schoolhouses~~ school buildings and the repairing of all  
16 old ~~schoolhouses~~ school buildings shall be under the control and direction of, and by  
17 contract with, the board of education in which ~~such~~ the building and repairing is done.  
18 Boards of education shall not invest any money in any new building unless they submit  
19 to the State Superintendent an analysis that compares the costs and feasibility of  
20 building the new building and of renovating an old building and that clearly indicates  
21 the desirability of building the new building. Boards of education shall also not invest  
22 any money in any new building that is not built in accordance with plans approved by  
23 the State Superintendent to structural and functional soundness, safety and sanitation,  
24 nor contract for more money than is made available for its erection. However, this  
25 subsection shall not be construed so as to prevent boards of education from investing  
26 any money in buildings that are being constructed pursuant to a continuing contract of  
27 construction as provided for in G.S. 115C-441 (c1). All contracts for buildings shall be  
28 in writing and all buildings shall be inspected, received, and approved by the local  
29 superintendent and the architect before full payment is made therefor: Provided, that  
30 this subsection shall not prohibit boards of education from repairing and altering  
31 buildings with the help of janitors and other regular employees of ~~said~~ the board.

32 In the design and construction of new school facilities and in the repair and  
33 renovation of existing school facilities, the local board of education shall consider the  
34 placement of windows to use the climate of North Carolina for both light and ventilation  
35 in case of power shortages. A local board shall also consider the installation of solar  
36 energy systems in the school facilities whenever practicable.

37 In the case of any school buildings erected, repaired, or equipped with any money  
38 loaned or granted by the State to any local school administrative unit, the State Board of  
39 Education, under ~~such~~ any rules as it may deem advisable, may retain any amount not to  
40 exceed fifteen percent (15%) of ~~said~~ the loan or grant, until ~~such~~ the completed  
41 buildings, erected or repaired, in whole or in part, from ~~such~~ the loan or grant funds,  
42 shall have been approved by a designated agent of the State Board of ~~Education~~.

1 ~~Upon such~~ Education. Upon approval by the State Board of Education, the State  
2 Treasurer ~~is authorized to~~ may pay the balance of the loan or grant to the treasurer of the  
3 local school administrative unit for which ~~said the~~ loan or grant was made.

4 (d) Local boards of education shall make no contract for the erection or repair of  
5 any school building unless the site upon which it is located is owned in fee simple by  
6 the ~~said the~~ board: Provided, that the board of education of a local school administrative  
7 unit, with the approval of the board of county ~~commissioners is authorized to~~  
8 commissioners, may appropriate funds to aid in the establishment of a school facility  
9 and the operation thereof in an adjoining local school administrative unit when a written  
10 agreement between the boards of education of the administrative units involved has  
11 been reached and the same recorded in the minutes of ~~said the~~ boards, whereby children  
12 from the administrative unit making ~~such the~~ appropriations shall be entitled to attend  
13 the school so established.

14 In all cases where title to property has been vested in the trustees of a special charter  
15 district which has been abolished and has not been reorganized, title to ~~such the~~ property  
16 shall be vested in the local board of education of the county embracing ~~such the~~ former  
17 special charter district."

18 Sec. 2. This act becomes effective July 1, 1993, and applies to all plans for  
19 meeting school facility needs developed after July 1, 1993, and all plans for building  
20 school buildings submitted to the State Superintendent of Public Instruction after July 1,  
21 1993.