

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 77\*

Short Title: Notice of School Replacement.

(Public)

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Sponsors: Representative Wainwright.

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Referred to: Education.

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January 31, 1995

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE LOCAL SCHOOL BOARDS TO PROVIDE THE NORTH  
2 CAROLINA HISTORICAL COMMISSION WITH NOTICE OF PLANS TO  
3 REPLACE OLD SCHOOL BUILDINGS BY SUBMITTING THE FEASIBILITY  
4 AND COST ANALYSES FOR REVIEW BY THE COMMISSION.  
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 115C-521(c) reads as rewritten:

8 "(c) The building of all new school buildings and the repairing of all old school  
9 buildings shall be under the control and direction of, and by contract with, the board of  
10 education for which the building and repairing is done. If a board of education is  
11 considering building a new school building to replace an existing school building, the  
12 board shall not invest any construction money in the new building unless it submits to the  
13 State Superintendent and the North Carolina Historical Commission an analysis that  
14 compares the costs and feasibility of building the new building and of renovating the  
15 existing building and that clearly indicates the desirability of building the new building.  
16 Boards of education shall also not invest any money in any new building that is not built  
17 in accordance with plans approved by the State Superintendent to structural and  
18 functional soundness, safety and sanitation, nor contract for more money than is made  
19 available for its erection. However, this subsection shall not be construed so as to  
20 prevent boards of education from investing any money in buildings that are being

1 constructed pursuant to a continuing contract of construction as provided for in G.S.  
2 115C-441(c1). All contracts for buildings shall be in writing and all buildings shall be  
3 inspected, received, and approved by the local superintendent and the architect before full  
4 payment is made therefor: Provided, that this subsection shall not prohibit boards of  
5 education from repairing and altering buildings with the help of janitors and other regular  
6 employees of the board.

7 In the design and construction of new school buildings and in the renovation of  
8 existing school buildings that are required to be designed by an architect or engineer  
9 under G.S. 133-1.1, the local board of education shall participate in the planning and  
10 review process of the Energy Guidelines for School Design and Construction that are  
11 developed and maintained by the Department of Public Instruction and shall adopt local  
12 energy-use goals for building design and operation that take into account local conditions  
13 in an effort to reduce the impact of operation costs on local and State budgets. In the  
14 design and construction of new school facilities and in the repair and renovation of  
15 existing school facilities, the local board of education shall consider the placement and  
16 design of windows to use the climate of North Carolina for both light and ventilation in  
17 case of power shortages. A local board shall also consider the installation of solar energy  
18 systems in the school facilities whenever practicable.

19 In the case of any school buildings erected, repaired, or equipped with any money  
20 loaned or granted by the State to any local school administrative unit, the State Board of  
21 Education, under any rules as it may deem advisable, may retain any amount not to  
22 exceed fifteen percent (15%) of the loan or grant, until the completed buildings, erected  
23 or repaired, in whole or in part, from the loan or grant funds, shall have been approved by  
24 a designated agent of the State Board of Education. Upon approval by the State Board of  
25 Education, the State Treasurer may pay the balance of the loan or grant to the treasurer of  
26 the local school administrative unit for which the loan or grant was made."

27 Sec. 2. This act is effective upon ratification and applies to cost and feasibility  
28 analyses submitted to the State Superintendent on or after that date.