

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 488

Short Title: Additional Hearing Before School Reassignment. (Public)

Sponsors: Representatives Gulley, Stam (Primary Sponsors); and Current.

Referred to: Education.

March 6, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO PERMIT LOCAL BOARDS OF EDUCATION TO PROVIDE FOR AN
3 ADMINISTRATIVE INITIAL SCREENING OF REASSIGNMENT APPEALS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 115C-369 reads as rewritten:

6 "**§ 115C-369. Application for reassignment; notice of disapproval; hearing before**
7 **board.**

8 (a) The parent or guardian of any child, or the person standing in loco parentis to
9 any child, who is dissatisfied with the assignment made by a local board of education
10 may, within 10 days after notification of the assignment, or the last publication thereof,
11 apply in writing to the local board of education for the reassignment of the child to a
12 different public school. Application for reassignment shall be made on forms prescribed
13 by the local board of education pursuant to rules and regulations adopted by the board
14 of education. If the application for reassignment is disapproved, the local board of
15 education shall give notice to the applicant by registered or certified mail, and the
16 applicant may within five days after receipt of such notice apply to the local board for a
17 ~~hearing, and shall~~ hearing. The applicant shall be entitled to a prompt and fair hearing on
18 the question of reassignment of such child to a different school.

19 (b) The local board of education may designate hearing panels composed of not
20 less than two members of the board to hear such appeals in the name of the board of
21 ~~education-education, a hearing officer to hear such appeals for fact-finding and a~~
22 recommended decision, or both. If both are designated, an applicant must select the
23 entity to hold the hearing. The hearing panel's recommendations or the hearing officer's
24 recommended findings of fact and recommended decision shall be submitted to the
25 board of education for final determination.

26 (c) At the hearing the local board of education shall consider the best interest of
27 the child, the orderly and efficient administration of the public schools, the proper
28 administration of the school to which reassignment is requested and the instruction,
29 health, and safety of the pupils there enrolled, and shall assign said child in accordance

1 with such factors. The local board shall render prompt decision upon the hearing, and
2 notice of the decision shall be given to the applicant by registered or certified mail."

3 **SECTION 2.** This act is effective when it becomes law.