

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

**SENATE BILL 301
RATIFIED BILL**

AN ACT TO CLARIFY CURRENT STATUTES ON WITHDRAWAL OF PARTICIPATING
UNITS FROM REGIONAL SCHOOLS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-238.62 reads as rewritten:

"§ 115C-238.62. Creation and expansion of regional school, schools, and withdrawal from regional schools by participating units.

(a) Resolution to Create a Regional School. – Any two or more local boards of education may create a regional school as provided in this Part. In order to create a regional school, each local board of education shall adopt a resolution stating its intent to create the regional school, which shall include the following:

- (1) Name of the regional school.
- (2) Names of all other local boards of education known to that local board of education adopting resolutions to create the regional school.
- (3) Identification of one of the named local school administrative units to serve as the finance agent for the regional school.
- (4) Identification of one of the named local school administrative units to provide, to the extent practicable, school food services to the regional school, if needed.

The local board of education shall develop a plan to provide transportation to the students domiciled in the district.

(b) Recognition of Regional School. – Each local board of education that adopts a resolution as provided in this section shall file a copy of the resolution with the State Board of Education. Upon receipt of resolutions from all local boards of education identified in each resolution for a named regional school, the State Board of Education shall approve the creation of the regional school.

(c) Expansion of Regional School. – A local board of education may adopt a resolution stating its intent to join an existing regional school, which shall include the name of the regional school and the names of all other local boards of education which have previously adopted resolutions to create the regional school. The local board of education shall file a copy of the resolution with the State Board of Education. Following receipt of the petition and after receiving comment from the regional school board of directors, the State Board of Education may approve the expansion of the regional school.

(d) Withdrawal From Regional School. – A participating unit may seek withdrawal from a regional school as follows:

- (1) Adoption of Resolution. – A participating unit may adopt a resolution requesting withdrawal from an existing regional school and submit a copy of the resolution to the regional school board of directors. The resolution shall include the following:

- a. The name of the regional school.
- b. The names of all participating units in the regional school.



- c. The withdrawal plan, including a time line for implementation that ensures that all students from the participating unit who are currently enrolled in the regional school may remain enrolled in the regional school until graduation.
- (2) Board of Directors Consideration of Resolution. – Upon receipt of a withdrawal resolution, the following shall occur:
- a. The board of directors shall, at its next meeting held more than 10 days after receipt of the resolution, provide an opportunity for public comment on the resolution.
 - b. Following public comment, the board of directors may conditionally approve the withdrawal resolution with a vote of at least two-thirds of the membership of the board of directors, subject to consideration by the State Board of Education.
 - c. Upon approval of a withdrawal resolution by the board of directors, the board of directors shall submit the approved resolution to the State Board of Education.
- (3) State Board of Education Consideration of Resolution. – Upon receipt of a withdrawal resolution conditionally approved by the board of directors, the following shall occur:
- a. The State Board of Education shall, at its next meeting held more than 10 days after receipt of the resolution, provide an opportunity for public comment on the resolution.
 - b. Following public comment, the State Board of Education may grant final approval of the withdrawal resolution by a majority vote of the State Board of Education and, upon final approval, shall authorize the participating unit to begin implementation of the withdrawal plan.
- (4) No Withdrawal Without Approval. – No participating unit that has created or joined a regional school may withdraw from the school except as provided in this subsection. A participating unit shall continue all of the following until that unit receives final approval for withdrawal from the State Board of Education:
- a. Receipt of allotments for student seats.
 - b. Transfer of local funds to the regional school.
 - c. Provision of transportation substantially similar to the transportation provided to students in the prior school year.
 - d. Compliance with all other requirements of this Part."

SECTION 2. This act applies to all participating units in regional schools. Any action by a local board of education to withdraw from a regional school or terminate participation in a regional school except as provided in this act is deemed null and void if that local board of education has previously adopted a resolution to create or join a regional school as provided in G.S. 115C-238.62 that was approved by the State Board of Education.

SECTION 3. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 23rd day of July, 2019.

s/ Ralph E. Hise
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives

Roy Cooper
Governor

Approved _____m. this _____ day of _____, 2019