

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 616

Education/Higher Education Committee Substitute Adopted 4/30/97

Short Title: Limit Appeals to School Boards.

(Public)

Sponsors:

Referred to:

April 1, 1997

A BILL TO BE ENTITLED
AN ACT TO LIMIT APPEALS TO LOCAL BOARDS OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-45(c) reads as rewritten:

"(c) Appeals to Board of Education and to Superior Court. ~~An appeal shall lie from the decision.~~ A person may appeal any one or more of the following decisions of all school personnel to the appropriate local board of ~~education.~~ education:

(1) The discipline of a student taken under G.S. 115C-391.

(2) An action, inaction, or decision that is claimed to violate federal law.

(3) An action, inaction, or decision that is claimed to substantially interfere with a student's ability to receive an education.

(4) A decision that may be appealed under G.S. 115C-305.

(5) Any other decision which by statute specifically provides for a right of appeal to the local board of education.

In addition, a local board of education may, in its discretion, grant a hearing regarding any decision of school personnel within a local school administrative unit.

In all ~~such~~ appeals to the board it ~~shall be~~ is the duty of the board of education to see that a proper notice is given to all parties concerned and that a record of the hearing is properly entered in the records of the board conducting the hearing.

1 The board of education may designate hearing panels composed of not less than two
2 members of the board to hear and act upon ~~such~~ appeals to the board in the name and on
3 behalf of the board of education.

4 An appeal shall lie from the decision of a local board of education to the superior
5 court of the State in any action of a local board of education affecting one's character or
6 right to teach.

7 This subsection shall not affect the rights of appeal under G.S. 115C-305."

8 Section 2. G.S. 115C-305 reads as rewritten:

9 "**§ 115C-305. Appeals to board of education and to superior court.**

10 ~~Appeals to the local board of education or to the superior court shall lie from~~ School
11 officials and school employees have a right to appeal the decisions of all school
12 personnel, including decisions affecting character or the right to teach, as provided in
13 G.S. ~~115C-45(e)-115C-45(c), to the local board of education or to superior court."~~

14 Section 3. This act is effective when it becomes law and applies to decisions
15 of school personnel made on or after August 1, 1997.