

NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 615
HOUSE BILL 1010

AN ACT TO REPEAL CHAPTER 257 OF THE SESSION LAWS OF 1967 (H. B. 641), TO MERGE THE RICHMOND COUNTY SCHOOL ADMINISTRATIVE UNIT, THE HAMLET CITY SCHOOL ADMINISTRATIVE UNIT AND THE ROCKINGHAM CITY SCHOOL ADMINISTRATIVE UNIT INTO ONE SCHOOL ADMINISTRATIVE UNIT UNDER ONE BOARD OF EDUCATION TO ADMINISTER ALL THE PUBLIC SCHOOLS IN RICHMOND COUNTY AND TO ESTABLISH A BOARD OF EDUCATION.

The General Assembly of North Carolina do enact:

Section 1. That Chapter 257 of the Session Laws of 1967 (H. B. 641), be, and the same is hereby, repealed.

Sec. 2. Effective on the day that the Richmond County Board of Education, hereinafter established and provided for, shall take office the Hamlet City School Administrative Unit and the Rockingham City School Administrative Unit shall be consolidated and merged with the Richmond County School Administrative Unit, and all of the public schools of all of the school administrative units heretofore existing shall be administered and operated by the Richmond County Board of Education, hereinafter established. On the same day that the members of the Board of Education of Richmond County shall take office, as above set forth, all of the public school buildings, public school facilities, all property, both real and personal, all books and records, all financial balances, funds, moneys, and everything connected with the public schools of the Hamlet City School Administrative Unit and the Rockingham City School Administrative Unit shall be, and are hereby, on said date, transferred to the Richmond County School Administrative Unit, and all such properties, buildings and facilities, including liabilities, shall be administered and controlled by the Board of Education of Richmond County, and title to same is hereby transferred on said date to the Board of Education of Richmond County, including all claims, demands and liabilities. The transfer herein provided shall not affect any uncompleted contracts with superintendents, principals, teachers and all other clerical personnel and employees.

Sec. 3. Within 90 days from the effective date of this Act the Board of County Commissioners of Richmond County shall call and hold an election for the purpose of electing a Board of Education for Richmond County which shall have complete administration, control and management of all the public schools in Richmond County, including the public schools previously located in the Hamlet City Administrative Unit and the Rockingham City Administrative Unit. The election shall

be held on a nonpartisan basis, and if a written ballot is used, the names of all candidates for membership on the Board of Education of Richmond County shall be printed on one ballot, or if voting machines are used, the names of all candidates shall be arranged, if possible, on said voting machines as a nonpartisan group, along with any other information that may be necessary, and no reference shall be made to the party affiliation of any candidate. In addition to the candidates hereinafter named who shall be printed on the ballot or designated on the voting machines, any other eligible elector of Richmond County may become a candidate for membership on the said Board of Education by filing a notice of candidacy with the Board of County Commissioners of Richmond County, giving his or her name and age, and certifying that said person filing said notice is an eligible elector of Richmond County. The said notice shall be filed with the Board of County Commissioners of Richmond County at least 30 days prior to the date of said election, and said election shall be conducted under the rules and laws as set forth in Article 14 of Chapter 115 of the General Statutes, as amended, and especially as set forth in the rules governing elections as contained in Section 115-122 of the General Statutes. In addition to the persons who may file as candidates under the procedure set forth above, there shall be placed on the ballot or set forth on the voting machines the names of certain individuals who shall be voted upon, as follows: B. B. Covington, Harold Williams, Lawrence Crouch, Jimmy L. Maske, Ben T. Smith, James H. Pittman, Worth G. Walker, Dr. G. S. Haltiwanger, Robert E. Hutchinson, Jack Land, Dr. W. M. Pearce, Dr. G. L. Cloninger, Jr., Gratton L. White, Mrs. Hugh O. Queen and David Adeimy. Any of the individuals above named may withdraw their names from use in said election by filing notice of such withdrawal with the Board of County Commissioners of Richmond County on or before 30 days from the date of the holding of said election. If by reason of the withdrawal of the names of persons who do not desire to be candidates in said election or if by reason of failure to file notice of candidacy as herein provided there shall be an insufficient number of persons as candidates for membership on said Board of Education, then the Board of County Commissioners of Richmond County shall name a sufficient number of persons as candidates to the end that the eligible electors of Richmond County shall have a reasonable choice as to the members who shall constitute said Board of Education. The said candidates shall be voted upon by the electors of Richmond County at large, and the three candidates receiving the highest number of votes shall hold office until the first Monday in December, 1974, and the next three candidates in descending order receiving the highest number of votes shall hold office until the first Monday in December, 1972, and the next three candidates in descending order receiving the highest number of votes shall hold office until the first Monday in December, 1970, thus constituting the Board of Education of Richmond County as consisting of nine members. The members of said Board of Education of Richmond County elected in this first election shall be inducted into office on the first Monday of the week following the said election, or as soon thereafter as practicable. At the primary to be held in the year 1970, for the nomination of county officers of Richmond County, there shall be elected three members of the Board of Education of Richmond County, and the candidates for

the three positions shall be placed upon one ticket without reference to party affiliation or if voting machines are used, shall be placed in a group on said voting machines as nearly as possible without any partisan designation, and said candidates shall be voted upon by the electors of Richmond County at large. The filing or giving of notice of candidacy shall be followed as set forth above except that said notice of candidacy shall be filed with the Board of Elections of Richmond County, and the three candidates receiving the highest number of votes shall be declared to be elected, and thereafter as the terms of office of the members of the Board of Education expire they shall be elected in the same manner and at the appropriate primary, and all members so elected, including those elected in 1970, shall serve for terms of six years and shall be inducted into and take office on the first Monday in December following their election. The said election shall be conducted under the laws and regulations applying to county officers and as set forth in Chapter 163 of the General Statutes, as amended. All members elected to the Board of Education of Richmond County shall hold office until their successors are elected and qualified.

Sec. 4. If by reason of death, disability, resignation or similar cause a vacancy should occur in the membership of the Board of Education, either with the Board named in Section 2 of this Act or thereafter, said vacancy shall be filled by the remaining members of the Board. A person selected to fill a vacancy shall serve the remainder of the unexpired term of the person creating or causing the vacancy. All vacancies shall be filled within 30 days after the vacancy occurs. In the event the vacancy is not filled within 30 days, the vacancy shall be filled by the State Board of Education in accordance with Chapter 115 of the General Statutes of North Carolina.

Sec. 5. The Richmond County Board of Education, as herein established, shall have the power and authority to exercise all of the powers and duties vested in County Boards of Education and as contained in Chapter 115 of the General Statutes, as amended. The said Board of Education in preparing its budget for review and approval of the Board of County Commissioners shall have authority to request as a part of its budget funds with which to pay its members such per diem as may be agreed upon and reimbursement for travel and necessary expenses incurred in performance of official duties. At the proper time the said Board of Education of Richmond County shall have the authority to elect a superintendent and such assistant or associate superintendents and other personnel as shall be required for the official administration and operation of the public schools of said consolidated or merged school unit.

Sec. 6. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 7. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 26th day of May, 1967.