

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 616

Short Title: Limit Appeals to School Boards.

(Public)

Sponsors: Senator Horton.

Referred to: Education/Higher Education.

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~~ following decisions of all school personnel to the appropriate local board of ~~education.~~ education:

(1) The suspension, dismissal, or demotion of career teachers and career school administrators, as provided by G.S. 115C-325;

(2) The suspension of students for more than 10 days, as provided by G.S. 115C-391(c), (d), and (d1);

(3) The assignment of students to schools as provided by G.S. 115C-369; and

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

In all such appeals it shall be 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 in the name and on behalf of the
3 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 All other decisions of school personnel are final and are not subject to appeal or
8 judicial review: Provided, however, a local board of education may, in its discretion,
9 grant a hearing regarding any decision of school personnel within a local school
10 administrative unit."

11 Section 2. This act is effective when it becomes law and applies to decisions
12 of school personnel made on or after August 1, 1997.