

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 261

Short Title: State Bd. of Educ./Membership Restrictions. (Public)

Sponsors: Representatives Wainwright, Glazier, Yongue, Jeffus (Primary Sponsors); and Lucas.

Referred to: Education, if favorable, State Government/State Personnel.

February 23, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE RESTRICTIONS ON SERVICE ON THE STATE BOARD OF
3 EDUCATION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-10 reads as rewritten:

6 "**§ 115C-10. Appointment of Board.**

7 The State Board of Education shall consist of the Lieutenant Governor, the State Treasurer,
8 and 11 members appointed by the Governor, subject to confirmation by the General Assembly
9 in joint session. Not more than ~~one two~~ public school ~~employee-employees~~ paid from State or
10 local funds may serve as ~~an appointive member-members~~ of the State Board of Education. No
11 spouse of any public school employee paid from State or local funds and ~~no employee of the~~
12 ~~Department of Public Instruction or his spouse, no spouse of any employee of the Department~~
13 ~~of Public Instruction~~ may serve as an appointive member of the State Board of Education. Of
14 the appointive members of the State Board of Education, one shall be appointed from each of
15 the eight educational districts and three shall be appointed as members at large. Appointments
16 shall be for terms of eight years and shall be made in four classes. Appointments to fill
17 vacancies shall be made by the Governor for the unexpired terms and shall not be subject to
18 confirmation.

19 The Governor shall transmit to the presiding officers of the Senate and the House of
20 Representatives, on or before the sixtieth legislative day of the General Assembly, the names of
21 the persons appointed by him and submitted to the General Assembly for confirmation;
22 thereafter, pursuant to joint resolution, the Senate and the House of Representatives shall meet
23 in joint session for consideration of an action upon such appointments."

24 **SECTION 2.** G.S. 14-234 is amended by adding a new subsection to read:

25 "(d6) This section does not apply to employment contracts between the State Board of
26 Education and its chief executive officer."

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

