

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

SESSION LAW 2011-49  
HOUSE BILL 17

AN ACT TO ALLOW THE WAYNE COUNTY BOARD OF EDUCATION TO FILL ITS OWN VACANCIES.

The General Assembly of North Carolina enacts:

**SECTION 1.** Section 5 of A PLAN TO PROVIDE FOR THE MERGER AND CONSOLIDATION OF THE GOLDSBORO CITY BOARD OF EDUCATION AND THE WAYNE COUNTY BOARD OF EDUCATION AND TO ESTABLISH ONE ADMINISTRATIVE BOARD OF EDUCATION FOR ALL THE PUBLIC SCHOOLS OF WAYNE COUNTY, approved by the Board of Commissioners of Wayne County on September 17, 1991, under G.S. 115C-68.1 and as ratified by Chapter 767 of the 1991 Session Laws, reads as rewritten:

"SECTION V

~~Vacancies occurring on the interim Wayne County Board of Education, for any reason, shall be filled by the Wayne County Board of Commissioners.~~ Vacancies occurring on the ~~permanent~~ board of education shall be filled by the Wayne County Board of ~~Commissioners~~ Education. In the event that a seat becomes vacant that is filled by an individual who was elected from a district, the Wayne County ~~Commissioners~~ Board of Education shall fill that vacancy with an individual who resides in the district. Prior to filling any vacancy under this section, the Board of Education may seek recommendations from the Board of Commissioners. If so requested, the Board of Commissioners shall make recommendations within 30 days. The person appointed to fill a vacancy on the permanent board shall serve until the next general election at which the individual could file for the primary. If the vacancy is filled after the filing period for the next general election has passed, the member shall serve until a person can be elected at the next following general election. The person so elected in either case shall take office on the first Monday in December after the general election in which he was elected. If the filing period or the next general election has passed, the member shall serve until the second following general election when the vacancy shall be filled by election if applicable."

**SECTION 2.** This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 21<sup>st</sup> day of April, 2011.

s/ Walter H. Dalton  
President of the Senate

s/ Thom Tillis  
Speaker of the House of Representatives

