

March 2, 2005

H 448. COMPLAINTS AGAINST SCHOOL BOARD MEMBERS. TO ESTABLISH A FAIR AND ORDERLY PROCESS FOR THE DISPOSITION OF COMPLAINTS AGAINST LOCAL SCHOOL BOARD MEMBERS. Current GS 115C-39 requires that local boards of education investigate complaints that board members are incapable of or are not discharging the duties of office or are guilty of any immoral or disreputable conduct, and requires that member's office be declared vacant if charges are found to be true. Act reorganizes section, establishes more detailed procedures for processing complaints, and authorizes persons to submit to the State Board of Education evidence that a local school board member: (1) is incapable or is willfully failing to discharge the duties of member's office; or (2) has engaged in illegal, immoral, or disreputable conduct, but only conduct that substantially interferes with the member's ability to discharge office's duties. Provides that entry of a plea of guilty or nolo contendere to, or the conviction of, a felony or Class 1 or 2 misdemeanor is presumptive evidence of that conduct. Requires that the chair of the State Board of Education determine if evidence received would, if true, establish listed grounds for removal, or refer evidence to the full Board for this determination. Authorizes chair or Board to also consider evidence of member's illegal conduct that occurred prior to the time member took office. Upon a finding that evidence, if true, would establish grounds for removal of member, chair or Board is directed to refer matter to local board of education, which must conduct a hearing at which the member may be represented by counsel, present evidence, and examine and cross-examine witnesses. If, at the conclusion of the hearing, the complaint against the local school board member is found to be true, the local board of education is required to declare the member's office vacant. Makes technical corrections.

Intro. by Glazier.

Ref. to Education

GS 115C

May 12, 2005

H 448. COMPLAINTS AGAINST SCHOOL BOARD MEMBERS. Intro. 3/2/05. House committee substitute makes the following changes to 1st edition. Modifies proposed GS 115C-39(a1)(2) to provide that conviction of any Class 1 misdemeanor (was, any Class 1 or 2 misdemeanor) is presumptive evidence of illegal, immoral, or disreputable conduct. Makes technical change.

May 31, 2005

H 448. COMPLAINTS AGAINST SCHOOL BOARD MEMBERS. Intro. 3/2/05. House amendment makes the following changes to 2nd edition. Amends proposed new GS 115C-39 (a1)(2) by adding to grounds for complaint against a school board member evidence that the member has been convicted of a Class A1 misdemeanor.

July 7, 2006

H 448. COMMUNITY COLLEGES EXEMPT FROM SMOKING LAWS (NEW). Filed 3/1/05. Senate committee substitute deletes all provisions of the 3rd edition and replaces it with *AN ACT TO EXEMPT COMMUNITY COLLEGES FROM THE LAW GOVERNING SMOKING RESTRICTIONS*. Enacts new GS 143-599(10) to add community colleges to the list of State buildings that may be designated as nonsmoking areas.

July 21, 2006

SL 2006-133 (H 448). COMMUNITY COLLEGES EXEMPT FROM SMOKING LAWS. AN ACT TO EXEMPT COMMUNITY COLLEGES FROM THE LAW GOVERNING SMOKING RESTRICTIONS. Summarized in *Daily Bulletin* 7/7/06. Enacted July 19, 2006. Effective July 19, 2006.