

Chapter 115C.

Elementary and Secondary Education.

SUBCHAPTER I. GENERAL PROVISIONS.

Article 1.

Definitions and Preliminary Provisions.

§ 115C-1. General and uniform system of schools.

A general and uniform system of free public schools shall be provided throughout the State, wherein equal opportunities shall be provided for all students, in accordance with the provisions of Article IX of the Constitution of North Carolina. Tuition shall be free of charge to all children of the State, and to every person of the State less than 21 years old, who has not completed a standard high school course of study. There shall be operated in every local school administrative unit a uniform school term of nine months, without the levy of a State ad valorem tax therefor. (1955, c. 1372, art. 1, s. 1; 1963, c. 448, s. 24; 1971, c. 704, s. 1; c. 1231, s. 1; 1981, c. 423, s. 1; 1983 (Reg. Sess., 1984), c. 1034, s. 21; 1985, c. 780, s. 1.)

§ 115C-2. Administrative procedure.

All action of agencies taken pursuant to this Chapter, as agency is defined in G.S. 150B-2, is subject to the requirements of the Administrative Procedure Act, Chapter 150B of the General Statutes. (1981, c. 423, s. 1; 1987, c. 827, s. 1.)

§ 115C-3. Access to information and public records.

Except as otherwise provided in this Chapter, access to information gathered and public records made pursuant to the provisions of this Chapter must be in conformity with the requirements of Chapter 132 of the General Statutes. (1981, c. 423, s. 1.)

§ 115C-4. Open meetings law.

Meetings of governmental bodies held pursuant to the provisions of this Chapter must be in conformity with the requirements of Article 33C of Chapter 143 of the General Statutes. (1981, c. 423, s. 1.)

§ 115C-5. Definitions.

As used in this Chapter unless the context requires otherwise:

- (1) The State Board of Education may be referred to as the "Board" or as the "State Board."
- (2) The governing board of a city administrative unit is "the _____ city board of education."
- (3) The governing board of a county administrative unit is "the _____ county board of education."
- (3a) **(Effective until July 1, 2024)** The governing body of a public school unit is the following:
 - a. For a local school administrative unit, the local board of education.
 - b. For a charter school, the nonprofit corporation board of directors.
 - c. For a regional school, the regional school board of directors.
 - d. For a school operated under Article 9C of this Chapter, the State Board of Education.

- e. For a school operated under Article 29A of Chapter 116 of the General Statutes, the chancellor of the constituent institution.
- (3a) **(Effective July 1, 2024)** The governing body of a public school unit is the following:
- a. For a local school administrative unit, the local board of education.
 - b. For a charter school, the nonprofit corporation board of directors.
 - c. For a regional school, the regional school board of directors.
 - d. For a school operated under Article 9C of this Chapter, the board of trustees.
 - e. For a school operated under Article 29A of Chapter 116 of the General Statutes, the chancellor of the constituent institution.
- (4) The term "school district" means any district defined by G.S. 115C-69.
- (5) "Local board" or "board" means a city board of education, county board of education, or a city-county board of education.
- (6) "Local school administrative unit" means a subdivision of the public school system which is governed by a local board of education. It may be a city school administrative unit, a county school administrative unit, or a city-county school administrative unit.
- (7) The executive head of a school shall be called "principal."
- (7a) **(Effective until July 1, 2024)** Public school unit. – Any of the following:
- a. A local school administrative unit.
 - b. A charter school.
 - c. A regional school.
 - d. A school providing elementary or secondary instruction operated by one of the following:
 - 1. The State Board of Education, including schools operated under Article 9C of this Chapter.
 - 2. The University of North Carolina under Article 29A of Chapter 116 of the General Statutes.
- (7a) **(Effective July 1, 2024)** Public school unit. – Any of the following:
- a. A local school administrative unit.
 - b. A charter school.
 - c. A regional school.
 - d. A school providing elementary or secondary instruction operated by The University of North Carolina under Article 29A of Chapter 116 of the General Statutes.
 - e. Schools for the deaf and blind operated under Article 9C of this Chapter.
- (8) The executive officer of a local school administrative unit shall be called "superintendent." "Superintendent" means the superintendent of schools of a public school system or, in his absence, the person designated to fulfill his functions.
- (9) "Supervisor" means a person paid on the supervisor salary schedule who supervises the instructional program in one or more schools and is under the immediate supervision of the superintendent or his designee.
- (10) The term "tax-levying authority" means the board of county commissioners of the county or counties in which an administrative unit is located or such other

unit of local government as may be granted by local act authority to levy taxes on behalf of a local school administrative unit. (1955, c. 664; c. 1372, art. 1, ss. 8, 9; 1965, c. 584, s. 2; 1967, c. 223, s. 1; 1971, c. 883; c. 1188, s. 2; 1973, c. 315, s. 1; c. 782, ss. 1-30; 1975, c. 437, s. 10; 1979, c. 864, s. 2; 1981, c. 423, s. 1; 1985 (Reg. Sess., 1986), c. 975, s. 2; 1997-456, s. 27; 2019-51, s. 1; 2020-56, s. 6(a), (b); 2021-180, s. 7.14(g), (h); 2023-10, s. 2(a).)

§ 115C-6. Reserved for future codification purposes.

§ 115C-7. Reserved for future codification purposes.

§ 115C-8. Reserved for future codification purposes.

§ 115C-9. Reserved for future codification purposes.