

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 539

Short Title: School Playgrounds Available to Public. (Public)

Sponsors: Representatives Bryan, Bradford, B. Brown, and Szoka (Primary Sponsors).  
*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Judiciary IV, if favorable, Education - K-12.

April 6, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT AUTHORIZING LOCAL BOARDS OF EDUCATION TO MAKE OUTDOOR  
3 SCHOOL PROPERTY AVAILABLE TO THE PUBLIC FOR RECREATIONAL  
4 PURPOSES AND TO MAKE OTHER CONFORMING CHANGES.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 115C-524 reads as rewritten:

7 "§ 115C-524. **Repair of school property; use of buildings for other than school purposes.**

8 (a) Repair of school buildings is subject to the provisions of G.S. 115C-521(c) and (d).

9 (b) It shall be the duty of local boards of education and tax-levying authorities, in order  
10 to safeguard the investment made in public schools, to keep all school buildings in good repair  
11 to the end that all public school property shall be taken care of and be at all times in proper  
12 condition for use. It shall be the duty of all principals, teachers, and janitors to report to their  
13 respective boards of education immediately any unsanitary condition, damage to school  
14 property, or needed repair. All principals, teachers, and janitors shall be held responsible for the  
15 safekeeping of the buildings during the school session and all breakage and damage shall be  
16 repaired by those responsible for same, and where any principal or teacher shall permit damage  
17 to the public school buildings by lack of proper discipline of pupils, such principal or teacher  
18 shall be held responsible for such damage: Provided, principals and teachers shall not be held  
19 responsible for damage that they could not have prevented by reasonable supervision in the  
20 performance of their duties.

21 (c) Notwithstanding the provisions of G.S. 115C-263 and 115C-264, local boards of  
22 education may adopt rules and regulations under which they may enter into agreements  
23 permitting non-school groups to use school real and personal property, except for school buses,  
24 for other than school purposes so long as such use is consistent with the proper preservation  
25 and care of the public school property. No liability shall attach to any board of ~~education,~~  
26 ~~individually or collectively,~~ education or to any individual board member for personal injury  
27 suffered by reason of the use of such school property pursuant to such agreements.

28 (d) Local boards of education may make outdoor school property available to the public  
29 for recreational purposes, subject to any terms and conditions each board deems appropriate, (i)  
30 when not otherwise being used for school purposes and (ii) so long as such use is consistent  
31 with the proper preservation and care of the outdoor school property. No liability shall attach to  
32 any board of education or to any individual board member for personal injury suffered by  
33 reason of the use of such school property."

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

