



SENATE BILL 301: Regional School Modifications.

2019-2020 General Assembly

Committee:		Date:	December 5, 2019
Introduced by:		Prepared by:	Kara McCraw Staff Attorney
Analysis of:	S.L. 2019-184		

OVERVIEW: *S.L. 2019-184 creates a process for withdrawal of participating units from a regional school. Participating units can adopt and submit a withdrawal resolution to the regional board of directors. If the board of directors conditionally approves the resolution with a two-thirds majority vote, the resolution can be given final approval by the State Board of Education.*

This act became effective August 1, 2019.

CURRENT LAW: G.S. 115C-238.62 establishes the process for the creation and expansion of regional schools. A regional school is created when two or more local boards of education adopt a resolution stating the intent to create a regional school, including the name of the school, the other local boards of education adopting a resolution, and identification of the local school administrative unit that will serve as the finance agent and provide school food services for the regional school. Once adopted, local boards of education must file the resolution with the State Board of Education (SBE), who must then approve the creation of the regional school.

A local board of education can also adopt an intent to join an existing regional school and file a copy of the resolution with the SBE. Following receipt of the petition, and after receiving comment from the regional school board of directors (BoD), the SBE can approve the expansion of the regional school.

BILL ANALYSIS: S.L. 2019-184 creates the following process for withdrawal from a regional school by a local board of education that is currently participating in the regional school (participating unit):

- **Adoption of Withdrawal Resolution:** The participating unit must adopt a resolution requesting withdrawal from the regional school, and submit the resolution to the regional school BoD. The resolution must include the name of the school, names of all participating units, and the withdrawal plan, including a timeline for implementation ensuring that all students from the participating unit currently enrolled in the regional school can remain enrolled until graduation.
- **BoD Consideration of Withdrawal Resolution:**
 - At the next meeting more than 10 days after receipt of the resolution, the regional school BoD must provide an opportunity for public comment on the resolution.
 - Following public comment, the regional school BoD can conditionally approve the withdrawal resolution with a vote of at least two-thirds of the membership.
 - Upon conditional approval, the regional school BoD must submit the resolution to the SBE.
- **SBE Consideration of Resolution:**
 - At the next meeting more than 10 days after receipt of the resolution, the SBE must provide an opportunity for public comment on the resolution.

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- Following public comment, the SBE can grant final approval of the withdrawal resolution by a majority vote and authorize the participating unit to begin implementation of the withdrawal plan.

The act clarifies that participating units cannot withdraw except through the newly created process. Until receipt of final approval from the SBE, the participating unit continues to receive allotments for student seats, transfer local funds to the regional school, provide transportation substantially similar to the transportation provided to students in the prior school year, and comply with all other requirements for regional schools.

S.L. 2019-184 applies to all participating units in regional schools. Any action by a local board of education to withdraw from a regional school or terminate participation in a regional school, except as provided in the act, is deemed null and void if that local board of education had previously adopted a resolution to create or join a regional school that was approved by the SBE.

EFFECTIVE DATE: The act became effective August 1, 2019.