

**ORANGE COUNTY
BOARD OF EDUCATION**

AGENDA ITEM ABSTRACT

Meeting Date: February 11, 2013

AGENDA ITEM No. 13-02-20

ACTION ITEM: (Y/N) Y

SUBJECT: School Property Ownership and School Construction – Possible Legislation

INFO. CONTACT: Donna Coffey, Jonathan Blumberg **PHONE:** 919-732-8126

ATTACHMENTS: 1. Resolution in Opposition to School Property Transfer from Local School Boards to County Commissioners.

PURPOSE: The Board will consider adopting a Resolution opposing any proposed legislation transferring property, ownership and school construction from the Board of Education to the Board of County Commissioners.

BACKGROUND: NCSBA has learned that the North Carolina Association of County Commissioners (NCACC) has adopted a plank on their 2013-14 legislative agenda that supports providing counties with the option to acquire, own, and construct public school sites and facilities.

According to NCSBA, any legislation allowing counties to take ownership and control of school property away from their local school boards would strike at the heart of local school board authority. North Carolina General Statutes prescribe that the powers of general control and supervision of school systems are to be vested in local boards of education, not county commissions. Public school placement, design, and maintenance are integral components of the control and supervision authority that local boards of education have been statutorily assigned. Local boards of education must continue to have the basic powers of school property ownership and control. Transferring this responsibility would also continue to blur the lines of authority between school boards and county commissioners and increase inefficiency and bureaucratic hostilities. There are also practical implementation problems, such as how to determine whether those staff members employed by the school systems to manage facility needs would be shifted to the county commission staffs and, if so, how the transfer would occur.

FINANCIAL IMPACT: Unknown at this time.

RECOMMENDATION: The Superintendent recommends the Board of Education adopt a Resolution opposing any legislation that transfers control of school property.

**Orange County
Board of
Education**

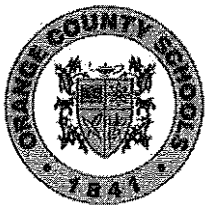
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**RESOLUTION IN OPPOSITION TO SCHOOL PROPERTY TRANSFER
FROM
LOCAL SCHOOL BOARDS TO COUNTY COMMISSIONERS**

WHEREAS, North Carolina General Statutes prescribe that the powers of general control and supervision of school systems are to be vested in local boards of education, not county commissioners; and

WHEREAS, Public school placement, design, and maintenance are integral components of the control and supervision authority that local boards of education have been statutorily assigned; and

WHEREAS, to maximize efficiency and maintain supervisory powers, local boards of education must continue to control basic powers of school property ownership; and

WHEREAS, as duly elected officers, local school boards members must continue to discharge their duties and responsibilities for the citizens of North Carolina.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

The Orange County Board of Education, for the reasons herein noted, opposes any proposed legislation that would authorize counties to assume control of school property and respectfully requests that the North Carolina General Assembly oppose any such legislation during its 2013 session.

This the 11th day of February, 2013.

Donna Coffey, Chair

G. Patrick Rhodes, Superintendent