

NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 583
SENATE BILL 334

AN ACT TO PROVIDE FOR THE NOMINATION AND ELECTION OF THE
MEMBERS OF THE BOARD OF EDUCATION OF GASTON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The Gaston County Board of Education shall consist of six members, and, for the purpose of electing members of said Board, said County is hereby divided into six districts bounded and described as follows:

- District No. 1. Riverbend Township
- District No. 2. Southpoint Township
- District No. 3. Dallas Township
- District No. 4. Gastonia Township
- District No. 5. Cherryville Township
- District No. 6. Crowders Mountain Township

Within 75 days from the effective date of this Act the Gaston County Board of Elections shall hold an election for the purpose of nominating one member of the Board of Education of Gaston County from each of the six Township Districts above set forth. Any eligible elector residing in any one of said Township Districts desiring to be elected to membership on said Board from his district shall file notice of his candidacy with the Gaston County Board of Elections at least 30 days prior to the date of said election and shall pay a filing fee of five dollars (\$5.00). The said notice of candidacy shall state the name, residence and district of said elector and such other information as the Gaston County Board of Elections may reasonably require. If in any of said Township Districts no eligible elector files a notice of candidacy, then the Board of Commissioners of Gaston County shall appoint a member to the Board of Education for said district. In said election all candidates shall be voted upon by the voters of Gaston County at large, and the person receiving the highest number of votes in each district shall be declared elected from his district and the members elected from each of the six districts shall constitute the Gaston County Board of Education. In the first election held under the provisions of this Act the three members receiving the largest number of votes in descending order at said election shall be elected for terms to expire upon the qualification of their successors who shall be elected at the time of the 1970 general election for county offices and the three members receiving the next highest number of votes in descending order shall be elected for terms to expire upon the qualification of

their successors who shall be elected at the time of the 1968 general election for county offices.

Thereafter, three members shall be elected biennially for four-year terms. Each member so elected shall hold office for the term for which elected and until his successor is elected and qualified. Elections subsequent to the initial election shall be held to coincide with the general elections for county offices, but shall be on a nonpartisan basis and no reference to any party affiliation shall appear in either the notice of candidacy or on the ballot. All elections under this Act shall be held according to the provisions of law applicable to the election of county officers in Gaston County and as provided by Chapter 163 of the General Statutes of North Carolina. Members of the initial Board of Education elected under this Act shall take office on the first Monday of the month next following their election, and members subsequently elected shall take office at the time other county officers elected in the general election take office. In case of a vacancy on the Board of Education caused by death, resignation, change of residence, removal, failure to qualify, or otherwise, or for any other cause whatsoever, such vacancy shall be filled for the unexpired term by the remaining elected members of the Gaston County Board of Education by the appointment of some qualified person who is a resident of the district in which such vacancy occurs.

Sec. 2. The Board of Education of Gaston County shall appoint local school committees or advisory councils in accordance with Chapter 115 of the General Statutes except as the same is modified by this Act. The member of the Board of Education of Gaston County elected from each district shall, subject to the approval of the Board of Education, appoint the local school committee or advisory council for the special taxing areas within his district: Provided, however, that if a special taxing district shall overlap two or more such township districts the elected members of the Board of Education from such township districts shall, subject to the approval of the Board of Education, appoint the local school committee for such special taxing districts.

Sec. 3. The Board of Education of Gaston County shall elect a county superintendent of schools who shall serve for a term of two years, or until his successor is elected and qualified. The compensation of the members of the Board of Education of Gaston County is hereby fixed at fifteen dollars (\$15.00) per meeting per member not to exceed 12 meetings per year.

Sec. 4. The members of the Board of Education of Gaston County first elected pursuant to this Act shall take office on the first Monday of the month following said election, and members subsequently elected pursuant to this Act shall take office biennially thereafter at the time other county officers elected in the general election take office. In the event that the public schools of Gaston County shall, subsequent to the passage of this Act, be consolidated or merged to the end that there shall be only one Board of Education to administer all of the public schools in the County of Gaston, then this Act shall no longer be in force and effect, and the Board of Education of Gaston County, or such other Board of Education as is established and constituted, shall be elected in accordance with the provisions of such Act or legislation which authorizes and establishes such consolidation or merger of all the school units in Gaston County.

Sec. 5. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 6. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 24th day of May, 1967.