

INTRODUCED BY:

Referred to:

1 A BILL TO BE ENTITLED AN ACT TO ESTABLISH IN NORTH CAROLINA
2 A SCHOOL FOR PROFESSIONAL TRAINING IN MUSIC AND OTHER PERFORM-
3 ING ARTS FOR THE SOUTHERN REGION.

4 WHEREAS, North Carolina has established for itself
5 a position of leadership in support and development of the
6 arts, being the first State to establish and support a State
7 Symphony Orchestra, the first to establish an Art Museum, and
8 the first to support outdoor drama and special programs in
9 music and in the other arts, and it is fitting that North Caro-
10 lina should maintain her position of leadership in providing
11 for the promotion of matters of the human spirit; and

12 WHEREAS, there is no school in the South which offers
13 professional training to high school musicians or other perform-
14 ing artists, and no conservatory or similar type of school for
15 college students; and

16 WHEREAS, many of the rural children of the South are
17 deprived of the opportunity to receive intensive training in
18 the performing arts for which they are preeminently qualified;
19 and

20 WHEREAS, the cultural heritage of our Nation has
21 been greatly enhanced through the training given talented
22 artists in such schools as the New York High School of Perform-
23 ing Artists, the Juilliard School of Music, and the Curtis In-
24 stitute, and the lack of such training facilities in the South

1 is depriving many of our most talented young people of the
2 opportunity to receive training at the age when it would be
3 most effective to create interest and proficiency in the per-
4 forming arts; and

5 WHEREAS, there exist foundations which will support
6 the first regional performing arts training school to be
7 established in the South and which will match funds for five
8 years or more for its support; and

9 WHEREAS, one or more North Carolina communities stand
10 ready to provide land and buildings needed for the campus of
11 the school; and

12 WHEREAS, it is in the public interest of the people
13 of our State that a regional training school of about 400 to
14 600 students be established to provide North Carolina and other
15 states of the South with professional training for musicians
16 and others gifted in the performing arts; NOW, THEREFORE,
17 The General Assembly of North Carolina do enact:

18 Section 1. Chapter 116 of the General Statutes, as
19 amended, is hereby further amended by adding thereto a new
20 article which shall be designated Article 4, replacing the
21 article which was repealed by Chapter 1142, Session Laws of
22 1957, which article shall read as follows:

23 "Article 4.

24 "116-63. Policy.--It is hereby declared to be the
25 policy of the State to foster, encourage and promote, and to
26 provide assistance for, the cultural development of the citizens
27 of North Carolina, and to this end the General Assembly does
28 create and provide for a training center for instruction in the

1 performing arts.

2 "116-64. Establishment of school.--There is hereby
3 established, and there shall be maintained, a school for the
4 professional training of students having exceptional talent
5 in the performing arts which shall be defined as an educational
6 institution of the State, to serve the students of North Caro-
7 lina and other states, particularly other states of the South.

8 "116-65. Board of trustees to govern; appointment,
9 terms, officers, title, powers generally.--The school shall be
10 governed by a board of trustees consisting of twelve members,
11 appointed by the Governor, who will serve terms of six years,
12 except that, of the first board of trustees appointed pursuant
13 to this Act, four members of the said board of trustees shall
14 serve for terms of six years, four members shall serve for
15 terms of four years, and four members shall serve for terms of
16 two years, with all terms to commence on July 1 of the year in
17 which the members shall be appointed. The conductor of the
18 North Carolina Symphony shall be an ex officio member of the
19 board of trustees. In the event of a vacancy arising, the
20 Governor shall appoint a member to fill the vacancy for the un-
21 expired term.

22 "The board of trustees shall elect annually from their
23 number a chairman and a vice chairman. The board shall also
24 elect a secretary and a treasurer, who may, but need not be,
25 a member of the board of trustees, and the offices of secre-
26 tary and treasurer may be held by the same person. The meet-
27 ing for the election of officers shall be held not earlier than
28 July 1 and not later than September 1 of each year. Officers

1 shall be elected to serve for terms of one year, and until
2 their successors are elected and qualified. The board of
3 trustees shall be known as 'The Trustees of (here insert
4 name of school)' and shall be a body corporate, with all the
5 powers usually conferred upon such bodies and necessary to
6 enable it to acquire, hold and transfer property, make contracts,
7 sue and be sued, and to exercise such other rights and privi-
8 leges as may be necessary for the management and administration
9 of the school, and for carrying out the provisions and purposes
10 of this article.

11 "116-66. Enumerated powers of board.--The trustees
12 of the said school shall have authority, in the exercise of
13 which they shall be advised and assisted by the State Board
14 of Education and the State Board of Higher Education, as the
15 level of training programs for high school and college students
16 in the school may require, and by the advisory board of the
17 school:

18 (1) To meet, as soon as practicable after appointment,
19 to consider sites which may be offered as a location
20 for the school. From all sites offered, the board
21 of trustees shall recommend to the Governor that
22 site considered most suitable as the location for
23 the said school, and shall, upon the Governor's ap-
24 proval of that site, or of some subsequently recom-
25 mended site, and pursuant to the authority herein
26 granted to it, establish the school at that approved
27 site.

28 (2) To select an appropriate name for the school which

- 1 shall be acceptable to the Governor and the ad-
2 visory board, and to supporting donors.
- 3 (3) To receive and accept private donations for such
4 purposes and upon such terms as the donor may pre-
5 scribe and which are consistent with the provisions
6 of this article.
- 7 (4) To employ a president, dean or other chief adminis-
8 trative officer of the school, who shall be prefer-
9 ably a noted composer or dramatist, upon such terms
10 and conditions as the trustees shall fix and deter-
11 mine.
- 12 (5) To employ, or to authorize the chief administrative
13 officer to employ, subject to the approval of the
14 trustees, all such other officers, teachers, in-
15 structors and employees as may be necessary for the
16 operation of the school and to prescribe their titles
17 and duties, the chief criteria to be their excellence
18 in the performing arts and their professional stand-
19 ing therein, rather than academic degrees and train-
20 ing.
- 21 (6) To prescribe, with the advice and approval of the
22 State Board of Education and the State Board of
23 Higher Education, as appropriate, and in consultation
24 with the advisory board of the school, the curricula
25 which shall be offered, and the certificates or de-
26 grees which shall be awarded upon satisfactory
27 completion of any given course of study.
- 28 (7) To do all things necessary or proper to comply with

1 any conditions which may be prescribed by the State
2 of North Carolina or the United States of America
3 in order to be eligible to receive monies or other
4 assistance appropriated or designated for the benefit
5 of such institutions.

6 (8) To fix tuition, fees, and other charges for students
7 attending or applying for attendance at the school.

8 (9) To prescribe and require the use of entrance examina-
9 tions, so that professional training shall be made
10 available only to those students who possess excep-
11 tional talent in the performing arts.

12 (10) In conformity with the provisions of Article I of
13 Chapter 143 of the General Statutes, entitled 'The
14 Executive Budget Act', to provide for an adequate
15 system of accounting for all funds and property re-
16 ceived, held, managed, expended or used by the school,
17 and to require persons directly responsible for the
18 handling of such funds to be adequately bonded.

19 (11) To utilize, pursuant to agreement with institutions
20 of higher education or with any local administrative
21 school unit, existing facilities and such academic
22 non-arts courses and programs of instruction which
23 will be needed by the students of the school, and,
24 in their discretion, to employ personnel jointly
25 with any such unit on a cooperative, cost sharing
26 basis.

27 (12) To hold in trust for the State of North Carolina
28 title to all property which may be acquired by the

1 said board for the benefit of the school.

2 (13) To provide for the management of all the affairs of
3 the school, subject to the applicable laws of the
4 State, and particularly subject to the provisions
5 of the Executive Budget Act, and to provide for the
6 handling and expenditure of all monies whatsoever
7 belonging to, appropriated to, or in any way acquired
8 by the said institution or board of trustees; to pro-
9 vide for the erection of all buildings, the making of
10 all needed improvements and the maintenance of the
11 physical plant of said school.

12 (14) To confer and cooperate with the Southern Regional
13 Education Board and with other regional and national
14 organizations to obtain wide support and to establish
15 the school as the center in the South for the profes-
16 sional training and performance of artists.

17 (15) To perform such other acts and do such other things
18 as may be necessary or proper for the exercise of
19 the foregoing specific powers, including the adoption
20 and enforcement of all reasonable rules, regulations
21 and bylaws for the government and operation of the
22 school under this article and for the discipline of
23 students.

24 "116-67. Advisory board.--An advisory board, to con-
25 sist of at least ten members who shall have achieved
26 national, or international distinction as performers, play-
27 wrights, or composers, shall be appointed by the Governor, to
28 serve for terms of eight years each; provided, that of the

1 original advisory board, one-third shall be appointed for
2 terms of eight years, one-third shall be appointed for terms
3 of six years, and one-third shall be appointed for terms of
4 four years. The members of the advisory board shall be noti-
5 fied of all meetings of the board of trustees, and shall be
6 invited to attend such meetings and to advise and counsel with
7 the board of trustees, but the members of the advisory board
8 shall not be entitled to vote. Vacancies arising on the said
9 advisory board shall be filled by election of replacement mem-
10 bers by the advisory board, with the approval of the Governor,
11 for terms of eight years, or, if to fill a vacancy arising
12 during an unexpired term, for the remainder of the term of
13 the vacating member.

14 "116-68. Endowment fund.--The board of trustees is
15 authorized to establish a permanent endowment fund, and shall
16 perform such duties in relation thereto as are prescribed by
17 the provisions of G. S. 116-46(7).

18 "116-69. Purpose of school program.--The primary
19 purpose of the school shall be the professional training, as
20 distinguished from liberal arts instruction, of talented
21 students in the fields of music, drama, the dance, and allied
22 performing arts, at both the high school and college levels of
23 instruction, with emphasis placed upon performance of the arts,
24 and not upon academic studies of the arts. The said school
25 may also offer high school and college instruction in academic
26 subjects, and such other programs as are deemed necessary to
27 meet the needs of its students and of the State, consistent
28 with appropriations made and gifts received therefor, and may

SESSION 1963

1 cooperate, if it chooses, with other schools which provide
2 such courses of instruction. The school, on occasion, may
3 accept elementary grade students of rare talent, and shall
4 arrange for such students, in cooperation with an elementary
5 school, a suitable educational program.

6 "116-70. All of the powers, duties and responsi-
7 bilities herein conferred shall be subject to the provisions
8 of Article I, Chapter 143 of the General Statutes, entitled
9 'Executive Budget Act', and Article 2, Chapter 143 of the
10 General Statutes, entitled 'State Personnel Department'."

11 Sec. 2. Upon receipt of a firm commitment for the
12 gift of matching funds from other sources, the sum of \$75,000.00
13 shall be appropriated to the board of trustees from the
14 Contingency and Emergency Fund for the operation of the school
15 during the fiscal year 1963-64, and the sum of \$250,000.00 for
16 the operation of the school during the fiscal year 1964-65,
17 provided none of this appropriation shall be used to provide
18 capital costs of a campus, and further provided that such
19 appropriation shall be expended, in the operation of the school,
20 to the end that education at the school for high school students
21 from North Carolina shall be free.

22 Sec. 3. All laws and clauses of laws in conflict
23 with the provisions of this Act are hereby repealed.

24 Sec. 4. This Act shall be in full force and effect
25 from and after its ratification.

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