

# **Bond Case Briefs**

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## **SCHOOLS - NORTH CAROLINA**

### **Union County Bd. of Educ. v. Union County Bd. of Com'rs**

**Court of Appeals of North Carolina - April 7, 2015 - S.E.2d - 2015 WL 1529502**

School board brought action against county commissioners regarding adequacy of funding for public school system. The Superior Court entered judgment on jury verdict for school board. Commissioners appealed.

The Court of Appeals held that:

- Error in allowing board to communicate improper legal standard to determine funding was harmless;
- Court improperly allowed evidence outside scope of board's proposed budget at trial;
- Because much of board's evidence should not have been admitted, Court of Appeals would remand for new trial;
- Jury instruction defining amount legally necessary maintain school system was proper; but
- Jury instruction that suggested that if any student was not performing at grade level, the county was not providing a sound basic education, likely misled the jury.