The preamble to North Carolina’s Constitution

“We, the people of the State of North Carolina, grateful to Almighty God, the Sovereign Ruler of Nations, for the preservation of the American Union and the existence of our civil, political and religious liberties, and acknowledging our dependence upon Him for the continuance of those blessings to us and our posterity, do, for the more certain security thereof and for the better government of this State, ordain and establish this Constitution.”

The North Carolina Civic Education Consortium is a program of the School of Government at the University of North Carolina at Chapel Hill. The Consortium works with schools, governments, and community organizations to prepare North Carolina’s young people to be active, responsible citizens. For more information, visit our Web site at www.civics.org

What is the history of North Carolina’s Constitution?

North Carolina has had three Constitutions in its history as a state. The North Carolina Constitution of 1776 and its Declaration of Rights outlined the new state government and ensured the basic rights of North Carolina citizens. This Constitution was replaced in 1868 when the United States required all states to eliminate slavery and to swear allegiance to the American Union. Our current Constitution was adopted in 1970 and took effect in 1971.
Article IV: The Judicial Branch
The North Carolina judicial power is vested in a General Court of Justice composed of an Appellate Division, a Superior Court Division, and a District Court Division.
• The Appellate Division consists of the Supreme Court and the Court of Appeals.
• The Supreme Court reviews cases appealing decisions made in lower courts.
• The Supreme Court has exclusive authority to make rules for the appellate division.
• The Court of Appeals hears cases appealing decisions made in Superior and District Courts.
• The Superior Court Division has “original jurisdiction” throughout the state.
• The District Court Division represents the local courts.
• The General Assembly makes rules for the Superior and District Courts.

Article V: Finance
• No poll tax can be levied by the General Assembly, a county, a city, or a town.
• The income tax rate cannot exceed 10 percent.
• The General Assembly cannot contract debts depending on a tax or the State's credit without the support of qualified voters; except for certain purposes.
• The General Assembly cannot give or lend money without the support of qualified voters except for certain purposes.
• The Constitution ensures that local governments have the same limitations.
• Every act of the General Assembly that levies a tax must state the reason for the tax, and the revenue cannot be applied to any other purpose.

Article VI: Suffrage and Elections
Qualifications for Voting in NC
• Must be a US citizen.
• Must be at least 18 years old.
• Must have lived in NC for at least 1 year.
• Must have resided in the election district for at least 30 days preceding the election.
• Must be free of a felony conviction.
• Must be registered as required by law.
• Must be able to read and write any section of the Constitution in the English language.

Elections
• All elections are by ballot.
• Every qualified voter in NC who is at least 21 years old is eligible for election to public office, except as identified in the NC Constitution.
• All persons elected to a public office must take an Oath of Office.

Article VII: Local Government
• The General Assembly organizes and sets the boundaries of counties, cities, and towns.
• The General Assembly gives powers and duties to counties, cities, and towns as allowed by the NC Constitution as it sees fit.
• The General Assembly adheres to restrictions on the incorporation of cities and towns.
• The Constitution requires that a sheriff be elected in every county in NC.
• Local government formed by the merger of a county and a city has the powers of both.

Article VIII: Corporations
• The General Assembly provides for the chartering and organization of all corporations, except those permitted by special act.
• The General Assembly can repeal the charter of any corporation at any time.

Article IX: Education
• NC provides for a “general and uniform system of free public schools.”
• NC schools must be in operation at least 9 months of every year.
• NC schools must provide equal opportunities for all students.
• The General Assembly may assign local governments responsibility for the financial support of NC schools.
• The governing boards of local governments may use local revenues to support NC schools.
• All children in NC should attend public school unless educated in another school.
• The State Board of Education is made up of the Lt Governor, the NC Treasurer, and 11 other members appointed by the Governor.
• The Superintendent of Public Instruction is the secretary and chief administrative officer of the State Board of Education.
• The State Board of Education supervises the public school system and manages the funds provided for its support.
• The General Assembly maintains a public university system.

Article X: Homesteads and Exceptions
• You have the right to keep a certain amount of real and personal property despite your debts.
• Individuals who perform work on your property have the right to sell your property if you do not pay them for the work performed.
• Married women can own and dispose of property just as their husbands can.

Article XI: Punishment, Correcions, and Charities
• Do no imprison a person for non-payment of a debt without restituting; reinstatement, community service; restraint on liberty, work programs, removal from office, and disqualification to hold office are the only acceptable punishments in North Carolina.
• Murder, arson, burglary, and rape are the only crimes punishable by death in NC.
• The State operates charitable, benevolent, penal, and correctional institutions and agencies necessary for the State and public good.
• The General Assembly provides for “the poor, the unfortunate, and the orphan.”

Article XII: Military Forces
• The Governor is commander-in-chief of the State's military forces, and the State may call upon these forces to “execute the law, suppress riots and insurrections, and repel invasion.”

Article XIII: Constitutional Amendments and Revisions
• A Convention of the People can be called if 2/3 of both houses of the House adopt, by a majority of qualified voters to call a Convention.
• Delegates to the Convention are selected by qualified voters and are equal in number to the General Assembly.
• Every new or revised amendment adopted by the Convention is submitted to qualified voters for ratification.
• The General Assembly can propose a new or revised amendment, but only if 3/5 of both the Senate and the House adopt an act to submit the proposal to the qualified voters of the State.

Article XIV: Miscellaneous
• Raleigh is the capital of North Carolina.
• The militia and boundaries of North Carolina shall remain as they are.
• General Statutes of North Carolina are applicable to every suit of local government unless exceptions exist.
• The taxes of NC continue to apply until lawfully altered.
• It is NC policy to conserve and to protect the State’s natural resources.

Exploring the Constitution
Classroom Activities for K-5
• Have each student sign a reproduced copy of the Constitution using a quill pen and ink; discuss some of the more famous signers of the Constitution (e.g., Ben Franklin), and have students write a thank-you note to one of these signers.
• Have students trace and cut out their handprint in red, blue, or white. On each handprint, have students write ways they can be good citizens. Use the handprints to make a large flag.
• Read the fable about the boy who cried wolf and apply it to classroom situations. Note: A more recent version of this story is the new movie titled Chicken Little. Students can view a clip from the movie and discuss freedom of speech.
• Conduct a poster contest for students to illustrate rights granted by specific amendments.
• Have a birthday party to celebrate the signing of the Constitution.

Classroom Activities for Middle and High School
• Discuss the parts of the Constitution; create a class Constitution.
• Ask students to answer questions from the US Immigration and Naturalization Test.
• Have students journal examples of citizenship they have seen in their homes, classrooms, communities, etc.
• Re-enact a debate between the Federalists and Anti-Federalists.
• Hold a class debate on rights guaranteed in the Constitution (e.g., “When may speech be limited?” or “How do my rights define me as an American?”)