

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

S

3

SENATE BILL 139  
Education/Higher Education Committee Substitute Adopted 3/21/01  
Third Edition Engrossed 3/28/01

Short Title: Local Flex. Regarding Charter Sch. Teachers.

(Public)

Sponsors:

Referred to:

February 14, 2001

A BILL TO BE ENTITLED

AN ACT TO PERMIT LOCAL FLEXIBILITY WITH REGARD TO THE REHIRING  
OF TEACHERS WHO LEAVE PUBLIC SCHOOLS TO TEACH IN CHARTER  
SCHOOLS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-238.29F(e)(3) reads as rewritten:

"(e) Employees. –

...

(3) If a teacher employed by a local school administrative unit makes a written request for ~~an extended a~~ leave of absence to teach at a charter school, the local school administrative unit shall grant the leave. ~~The local school administrative unit shall grant a leave for any number of years requested by the teacher, shall extend the leave for any number of years requested by the teacher, and shall extend the leave at the teacher's request.~~ leave for one year. For the initial year of a charter school's operation, the local school administrative unit may require that the request for a leave of absence ~~or extension of leave~~ be made up to 45 days before the teacher would otherwise have to report for duty. ~~For subsequent years, After the initial year of a charter school's~~ operation, the local school administrative unit may require that the request for a leave of absence ~~or extension of leave~~ be made up to 90 days before the teacher would otherwise have to report for duty. A local board of education is not required to grant a request for a leave of absence or a request to extend or renew a leave of absence for a teacher who previously has received a leave of absence from that school board under this subdivision. A teacher who has career status under G.S. 115C-325 prior to receiving ~~an extended a~~ leave of absence to teach at a charter school may return to a public school in the local

1 school administrative unit with career status at the end of the leave of  
2 absence or upon the end of employment at the charter school if an  
3 appropriate position is available. If an appropriate position is  
4 unavailable, the teacher's name shall be placed on a list of available  
5 teachers and that teacher shall have priority on all positions for which  
6 that teacher is qualified in accordance with G.S. 115C-325(e)(2)."

7 **SECTION 2.** This act is effective when it becomes law and applies to  
8 requests under G.S. 115C-238.29F(e)(3) that are made on and after that date.