

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 1443
Education/Higher Education Committee Substitute Adopted 8/15/02
House Committee Substitute Favorable 9/5/02

Short Title: Facilitate Job Sharing by Teachers.

(Public)

Sponsors:

Referred to:

June 18, 2002

A BILL TO BE ENTITLED

AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL TEACHERS.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-302.2. Job sharing by classroom teachers.

(a) The General Assembly finds that there is a shortage of qualified classroom teachers available in certain areas of certification, grade levels, and geographical areas of the State. The elimination of administrative and fiscal limitations on job-sharing arrangements would make teaching an attractive option for well-qualified classroom teachers who do not wish to work full time.

(b) A 'classroom teacher in a job-sharing position' is a person who:

- (1) Is employed by a local board of education as a public school teacher for fifty percent (50%) of the teacher workweek, as defined by that local board of education;
- (2) Is paid on the teacher salary schedule;
- (3) Spends at least seventy percent (70%) of his or her work time in classroom instruction; and
- (4) Is sharing a teacher position with one other employee of that local board of education who meets the requirements of subdivisions (1) through (3) of this subsection.

The term does not include certified instructional support personnel or certified school services personnel such as guidance counselors, media coordinators, psychologists, social workers, audiologists, speech and language pathologists, and nurses.

(c) The State Board of Education shall adopt rules to facilitate job sharing by classroom teachers. These rules shall provide that a classroom teacher in a job-sharing position shall receive paid legal holidays, annual vacation leave, sick leave, and

1 personal leave on a pro rata basis. Such a teacher shall also receive service credit under
2 the Teachers' and State Employees' Retirement System as provided in G.S. 135-4(b) and
3 insurance benefits as provided in Article 3 of Chapter 135 of the General Statutes."

4 **SECTION 2.** G.S. 135-1(25) reads as rewritten:

5 **"§ 135-1. Definitions.**

6 The following words and phrases as used in this Chapter, unless a different meaning
7 is plainly required by the context, shall have the following meanings:

8 ...

9 (25) (Effective until January 1, 2003) "Teacher" shall mean any teacher,
10 helping teacher, classroom teacher in a job-sharing position as defined
11 in G.S. 115C-302.2(b), librarian, principal, supervisor, superintendent
12 of public schools or any full-time employee, city or county,
13 superintendent of public instruction, or any full-time employee of
14 Department of Public Instruction, president, dean or teacher, or any
15 full-time employee in any educational institution supported by and
16 under the control of the State: Provided, that the term "teacher" shall
17 not include any part-time, temporary, or substitute teacher or
18 ~~employee, employee except for a classroom teacher in a job-sharing~~
19 ~~position,~~ and shall not include those participating in an optional
20 retirement program provided for in G.S. 135-5.1. In all cases of doubt,
21 the Board of Trustees, hereinafter [hereinbefore] defined, shall
22 determine whether any person is a teacher as defined in this Chapter.
23 On and after August 1, 2001, a person who is a nonimmigrant alien
24 and who otherwise meets the requirements of this subdivision shall not
25 be excluded from the definition of "teacher" solely because the person
26 holds a temporary or time-limited visa.

27 (25) (Effective January 1, 2003) "Teacher" shall mean any teacher, helping
28 teacher, classroom teacher in a job-sharing position as defined in G.S.
29 115C-302.2(b), librarian, principal, supervisor, superintendent of
30 public schools or any full-time employee, city or county,
31 superintendent of public instruction, or any full-time employee of
32 Department of Public Instruction, president, dean or teacher, or any
33 full-time employee in any educational institution supported by and
34 under the control of the State: Provided, that the term "teacher" shall
35 not include any part-time, temporary, or substitute teacher or
36 ~~employee, employee except for a classroom teacher in a job-sharing~~
37 ~~position,~~ and shall not include those participating in an optional
38 retirement program provided for in G.S. 135-5.1 or G.S. 135-5.4. In all
39 cases of doubt, the Board of Trustees, hereinbefore defined, shall
40 determine whether any person is a teacher as defined in this Chapter.
41 On and after August 1, 2001, a person who is a nonimmigrant alien
42 and who otherwise meets the requirements of this subdivision shall not
43 be excluded from the definition of "teacher" solely because the person
44 holds a temporary or time-limited visa.

1 "

2 **SECTION 3.** G.S. 135-4(b) reads as rewritten:

3 "(b) The Board of Trustees shall fix and determine by appropriate rules and
4 regulations how much service in any year is equivalent to one year of
5 service, but in no case shall more than one year of service be creditable
6 for all services in one year. Service rendered for the regular school
7 year in any district shall be equivalent to one year's service. Service
8 rendered by a classroom teacher in a job-sharing position shall be
9 credited at the rate of one-half year for each regular school year of
10 employment, but the salary credited shall be that of the full-time
11 position."

12 **SECTION 4.** G.S. 135-40.2 is amended by adding a new subsection to read:

13 "(a2) A classroom teacher in a job-sharing position as defined in G.S.
14 115C-302.2(b) shall be eligible for coverage under the Plan, on a partially contributory
15 basis, subject to the provisions of G.S. 135-40.3. If these employees elect to participate
16 in the Plan, the employing unit shall pay fifty percent (50%) of the Plan's total
17 noncontributory premiums. Individual employees shall pay the balance of the total
18 noncontributory premiums not paid by the employing unit."

19 **SECTION 5.** This act becomes effective January 1, 2003.