

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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HOUSE BILL 190\*  
Committee Substitute Favorable 4/11/01

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

(Public)

Sponsors:

Referred to:

February 21, 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.

The local school administrative unit that grants a leave of absence to a teacher under this subdivision shall give priority hiring

1                    ~~consideration to that~~ A teacher who has career status under G.S.  
2                    ~~115C-325 prior to receiving an extended leave of absence to teach~~  
3                    ~~at a charter school may return to a public school in the local school~~  
4                    ~~administrative unit with career status at the end of the leave of~~  
5                    ~~absence or teacher upon the end of that teacher's employment at the~~  
6                    charter school if an appropriate position is available. If an  
7                    appropriate position is ~~unavailable, the teacher's name shall be~~  
8                    ~~placed on a list of available teachers and not available,~~ that teacher  
9                    shall have priority on all positions that become available during the  
10                   next three consecutive years for which that teacher is  
11                   qualified in accordance with G.S. 115C-325(e)(2) qualified. If the local school  
12                   administrative unit offers the teacher a position for which the  
13                   teacher is qualified and the teacher refuses the position, the  
14                   administrative unit is no longer required to give priority hiring  
15                   consideration to that teacher."

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