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) | | | |
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| | Sponsors: | | | |
| | Referred to: | | | |
| | June 18, 2002 | | | |
| 1 | A BILL TO BE ENTITLED | | | |
| 2 | AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL TEACHERS. | | | |
| 3 | The General Assembly of North Carolina enacts: | | | |
| 4 | SECTION 1. Chapter 115C of the General Statutes is amended by adding a | | | |
| 5 | new section to read: | | | |
| 6 | " <u>§ 115C-302.2. Job sharing by classroom teachers.</u> | | | |
| 7 | (a) The General Assembly finds that there is a shortage of qualified classroom | | | |
| 8 | teachers available in certain areas of certification, grade levels, and geographical areas | | | |
| 9 | of the State. The elimination of administrative and fiscal limitations on job-sharing | | | |
| 10 | arrangements would make teaching an attractive option for well-qualified classroom | | | |
| 11 | teachers who do not wish to work full time. | | | |
| 12 | (b) <u>A 'classroom teacher in a job-sharing position' is a person who:</u> | | | |
| 13 | (1) Is employed by a local board of education as a public school teacher | | | |
| 14 | for fifty percent (50%) of the teacher workweek, as defined by that | | | |
| 15 | local board of education; | | | |
| 16 | (2) Is paid on the teacher salary schedule; | | | |
| 17 | (3) Spends at least seventy percent (70%) of his or her work time in | | | |
| 18 | classroom instruction; and | | | |
| 19 | (4) Is sharing a teacher position with one other employee of that local | | | |
| 20 | board of education who meets the requirements of subdivisions (1) | | | |
| 21 | through (3) of this subsection. | | | |
| 22 | The term does not include certified instructional support personnel or certified | | | |
| 23 | school services personnel such as guidance counselors, media coordinators, | | | |
| 24 | psychologists, social workers, audiologists, speech and language pathologists, and | | | |
| 25 | nurses. | | | |
| 26 | (c) The State Board of Education shall adopt rules to facilitate job sharing by | | | |
| 27 | classroom teachers. These rules shall provide that a classroom teacher in a job-sharing | | | |
| 28 | position shall receive paid legal holidays, annual vacation leave, sick leave, and | | | |

GENERAL ASSEMBLY OF NORTH CAROLINA

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| 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 is plainly required by the context, shall have the following meanings: 7 9 (25) (Effective until January 1, 2003) "Teacher" shall mean any teacher, helping teacher, classroom teacher in a job-sharing position as defined in G.S. 115C-302.2(b). librarian, principal, supervisor, superintendent of public instruction, or any full-time employee of Department of Public Instruction, president, dean or teacher, or any full-time employee in any educational institution supported by and under the control of the State: Provided, that the term 'teacher' shall not include any part-time, temporary, or substitute teacher or employee, employee except for a classroom teacher in a job-sharing position_and shall not include those participating in an optional retirement program provided for in G.S. 135-5.1. In all cases of doubt, the Board of Trustees, hereinafter [hereinbefore] defined, shall determine whether any person is a teacher as defined in this Chapter. On and after August 1, 2001, a person who is a nonimigrant alien and who otherwise meets the requirements of this subdivision shall not be excluded from the definition of "teacher" shall mean any teacher, helping teacher, classroom teacher in a job-sharing position as defined in G.S. 115C-302.2(b). librarian, principal, supervisor, superintendent of public schools or any full-time employee, city or county, superintendent of public instruction, or any full-time employee in any teacher, helping teacher, classroom teacher in a job-sharing position as defined in G.S. 115C-302.2(b). librarian, principal, supervisor, superintendent of public schools or any full-time e | 1 2 | the Teachers' an | on a pro rata basis. Such a teacher shall also receive service credit under d State Employees' Retirement System as provided in G.S. 135-4(b) and |
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GENERAL ASSEMBLY OF NORTH CAROLINA

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| SECTION 3. G.S. 135-4(b) reads as rewritten: |
| "(b) The Board of Trustees shall fix and determine by appropriate rules and |
| regulations how much service in any year is equivalent to one year of |
| service, but in no case shall more than one year of service be creditable |
| for all services in one year. Service rendered for the regular school |
| year in any district shall be equivalent to one year's service. Service |
| rendered by a classroom teacher in a job-sharing position shall be |
| credited at the rate of one-half year for each regular school year of |
| employment, but the salary credited shall be that of the full-time |
| position." |
| SECTION 4. G.S. 135-40.2 is amended by adding a new subsection to read: |
| "(a2) A classroom teacher in a job-sharing position as defined in G.S. |
| <u>115C-302.2(b)</u> shall be eligible for coverage under the Plan, on a partially contributory |
| basis, subject to the provisions of G.S. 135-40.3. If these employees elect to participate |
| in the Plan, the employing unit shall pay fifty percent (50%) of the Plan's total |
| noncontributory premiums. Individual employees shall pay the balance of the total |
| noncontributory premiums not paid by the employing unit." |
| SECTION 5. This act becomes effective January 1, 2003. |
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