

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1377
Second Edition Engrossed 5/14/09
Senate Judiciary II Committee Substitute Adopted 7/6/10
Fourth Edition Engrossed 7/7/10

Short Title: Safe Schools Act.

(Public)

Sponsors:

Referred to:

April 9, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE SAFE SCHOOLS ACT.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 115C-325(o) reads as rewritten:

5 "(o) Resignation. –

6 (1) If a career employee has been recommended for dismissal under G.S. 115C-
7 325(e)(1) and the employee chooses to resign without the written agreement
8 of the superintendent, then:

9 a. The superintendent shall report the matter to the State Board of
10 Education.

11 b. The employee shall be deemed to have consented to (i) the placement
12 in the employee's personnel file of the written notice of the
13 superintendent's intention to recommend dismissal and (ii) the release
14 of the fact that the superintendent has reported this employee to the
15 State Board of Education to prospective employers, upon request.
16 The provisions of G.S. 115C-321 shall not apply to the release of this
17 particular information.

18 c. The employee shall be deemed to have voluntarily surrendered his or
19 her certificate pending an investigation by the State Board of
20 Education in a determination whether or not to seek action against
21 the employee's certificate. This certificate surrender shall not exceed
22 45 days from the date of resignation. Provided further that the
23 cessation of the certificate surrender shall not prevent the State Board
24 of Education from taking any further action it deems appropriate.
25 The State Board of Education shall initiate investigation within five
26 working days of the written notice from the superintendent and shall
27 make a final decision as to whether to revoke or suspend the
28 employee's certificate within 45 days from the date of resignation.

29 (2) A teacher, career or probationary, who is not recommended for dismissal
30 should not resign without the consent of the superintendent unless he or she
31 has given at least 30 days' notice. If ~~the~~ a teacher who is not recommended
32 for dismissal does resign without giving at least 30 days' notice, the board
33 may request that the State Board of Education revoke the teacher's certificate



1 for the remainder of that school year. A copy of the request shall be placed
2 in the teacher's personnel file."
3 **SECTION 2.** This act is effective when it becomes law and applies to career
4 employees who resign on or after that date.