

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

2

HOUSE BILL 1136
Committee Substitute Favorable 4/24/03

Short Title: Job Sharing Permitted for Media Coordinators.

(Public)

Sponsors:

Referred to:

April 10, 2003

A BILL TO BE ENTITLED
AN ACT TO FACILITATE JOB SHARING BY MEDIA COORDINATORS IN THE
PUBLIC SCHOOLS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-302.2 reads as rewritten:

"§ 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~~" 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; instruction or work within the employee's area of certification; 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 includes media coordinators. The term does not include other 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

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

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

6 "(25) "Teacher" shall mean any teacher, helping teacher, ~~classroom~~-teacher
7 in a job-sharing position as defined in G.S. 115C-302.2(b) except for a
8 beneficiary in that position, ~~librarian~~, media coordinator, principal,
9 supervisor, superintendent of public schools or any full-time
10 employee, city or county, superintendent of public instruction, or any
11 full-time employee of Department of Public Instruction, president,
12 dean or teacher, or any full-time employee in any educational
13 institution supported by and under the control of the State: Provided,
14 that the term "teacher" shall not include any part-time, temporary, or
15 substitute teacher or employee except for a ~~classroom~~-teacher in a
16 job-sharing position, and shall not include those participating in an
17 optional retirement program provided for in G.S. 135-5.1 or G.S.
18 135-5.4. In all cases of doubt, the Board of Trustees, hereinbefore
19 defined, shall determine whether any person is a teacher as defined in
20 this Chapter. On and after August 1, 2001, a person who is a
21 nonimmigrant alien and who otherwise meets the requirements of this
22 subdivision shall not be excluded from the definition of "teacher"
23 solely because the person holds a temporary or time-limited visa.
24 Notwithstanding the foregoing, the term "teacher" shall not include
25 any nonimmigrant alien employed in elementary or secondary public
26 schools (whether employed in a full-time, part-time, temporary,
27 permanent, or substitute teacher position) and participating in an
28 exchange visitor program designated by the United States Department
29 of State pursuant to 22 C.F.R. Part 62."

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

31 "(b) The Board of Trustees shall fix and determine by appropriate rules and
32 regulations how much service in any year is equivalent to one year of service, but in no
33 case shall more than one year of service be creditable for all services in one year.
34 Service rendered for the regular school year in any district shall be equivalent to one
35 year's service. Service rendered by a ~~classroom~~-teacher in a job-sharing position shall be
36 credited at the rate of one-half year for each regular school year of employment."

37 **SECTION 4.** G.S. 135-40.2(a2) reads as rewritten:

38 "(a2) A ~~classroom~~-teacher in a job-sharing position as defined in G.S.
39 115C-302.2(b) shall be eligible for coverage under the Plan, on a partially contributory
40 basis, subject to the provisions of G.S. 135-40.3. If these employees elect to participate
41 in the Plan, the employing unit shall pay fifty percent (50%) of the Plan's total
42 noncontributory premiums. Individual employees shall pay the balance of the total
43 noncontributory premiums not paid by the employing unit."

1 **SECTION 5.** Nothing in this act shall be construed to require local school
2 administrative units to place part-time employees in job-sharing positions or to hire
3 employees in job-sharing positions.

4 **SECTION 6.** Sections 1 through 4 of this act become effective January 1,
5 2004. The remainder of this act is effective when it becomes law.