

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 1377  
Second Edition Engrossed 5/14/09  
PROPOSED SENATE COMMITTEE SUBSTITUTE H1377-PCS50968-RC-82

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 for a reason that is  
7 a mandatory reporting ground to the Licensure Section of the Department of  
8 Public Instruction and the employee chooses to resign without the written  
9 agreement of the superintendent, then:

10 a. The superintendent shall report the matter to the Licensure Section of  
11 the Department of Public Instruction.

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

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

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



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1                                    may request that the State Board of Education revoke the teacher's certificate  
2                                    for the remainder of that school year. A copy of the request shall be placed  
3                                    in the teacher's personnel file."

4                    **SECTION 2.** This act is effective when it becomes law and applies to career  
5 employees who resign on or after that date.