

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 509
SENATE BILL 989

AN ACT TO REQUIRE EMPLOYERS TO GRANT LEAVE AT A MUTUALLY AGREED UPON TIME TO EMPLOYEES FOR INVOLVEMENT AT THEIR CHILDREN'S SCHOOLS, TO ENCOURAGE SCHOOLS TO IMPLEMENT PARENT INVOLVEMENT AND CONFLICT RESOLUTION PROGRAMS, AND TO DIRECT LOCAL BOARDS OF EDUCATION TO REEVALUATE THEIR SCHOOL SAFETY POLICIES IN LIGHT OF 1993 LEGISLATION.

The General Assembly of North Carolina enacts:

Section 1. Article 3 of Chapter 95 of the General Statutes is amended by adding a new section to read:

"§ 95-28.3. Leave for parent involvement in schools.

(a) It is the belief of the General Assembly that parent involvement is an essential component of school success and positive student outcomes. Therefore, employers shall grant four hours per year leave to any employee who is a parent, guardian, or person standing in loco parentis of a school-aged child so that the employee may attend or otherwise be involved at that child's school. However, any leave under this section is subject to the following conditions:

- (1) The leave shall be at a mutually agreed upon time between the employer and the employee.
- (2) The employer may require an employee to provide the employer with a written request for the leave at least 48 hours before the time desired for the leave.
- (3) The employer may require that the employee furnish written verification from the child's school that the employee attended or was otherwise involved at that school during the time of the leave.

For the purpose of this section, 'school' means any (i) public school, (ii) private church school, church of religious charter, or nonpublic school described in Parts 1 and 2 of Article 39 of Chapter 115C of the General Statutes that regularly provides a course of grade school instruction, (iii) preschool, and (iv) child day care facility as defined in G.S. 110-86(3).

(b) Employers shall not discharge, demote, or otherwise take an adverse employment action against an employee who requests or takes leave under this section. Nothing in this section shall require an employer to pay an employee for leave taken under this section.

(c) An employee who is demoted or discharged or who has had an adverse employment action taken against him or her in violation of this section may bring a civil

action within one year from the date of the alleged violation against the employer who violates this section and obtain either of the following:

- (1) Any wages or benefits lost as a result of the violation; or
- (2) An order of reinstatement without loss of position, seniority, wages, or benefits.

The burden of proof shall be upon the employee."

Sec. 2. Beginning with the 1994-95 school year, a school is encouraged to include a comprehensive parent involvement program as part of its building-level plan under G.S. 115C-238.3. The State Board of Education shall develop a list of recommended strategies that it determines to be effective, which building level committees may use to establish parent involvement programs designed to meet the specific needs of their schools. The Board shall make the list available to local school administrative units and school buildings by the beginning of the 1994-95 school year.

Sec. 3. Beginning with the 1994-95 school year, a school is encouraged to review its need for a comprehensive conflict resolution program as part of the development of its building-level plan under G.S. 115C-238.3. If a school determines that this program is needed, it may select from the list developed by the State Board of Education under G.S. 115C-81(a4) or may develop its own materials and curricula to be approved by the local board of education.

Sec. 4. Local boards of education shall, no later than December 1, 1993, reevaluate and update their policies related to school safety so they reflect changes authorized by the 1993 General Assembly. In particular, boards shall ensure they have clear policies governing the conduct of students, which state the consequences of violent or assaultive behavior, possessions of weapons, and criminal acts committed on school property or at school-sponsored functions. The State Board shall develop guidelines to assist local boards in this process.

Sec. 5. Section 1 of this act becomes effective December 1, 1993, and applies to acts committed on or after that date. The remaining sections of this act are effective upon ratification.

In the General Assembly read three times and ratified this the 24th day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives