

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 989

Education/Higher Education Committee Substitute Adopted 5/12/93

House Committee Substitute Favorable 7/20/93

Short Title: Safe Schs. Partnership Act.

(Public)

Sponsors:

Referred to:

April 27, 1993

A BILL TO BE ENTITLED

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.

1 (3) The employer may require that the employee furnish written
2 verification from the child's school that the employee attended or was
3 otherwise involved at that school during the time of the leave.

4 For the purpose of this section, 'school' means any (i) public school, (ii) private
5 church school, church of religious charter, or nonpublic school described in Parts 1 and
6 2 of Article 39 of Chapter 115C of the General Statutes that regularly provides a course
7 of grade school instruction, (iii) preschool, and (iv) child day care facility as defined in
8 G.S. 110-86(3).

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

13 (c) An employee who is demoted or discharged or who has had an adverse
14 employment action taken against him or her in violation of this section may bring a civil
15 action within one year from the date of the alleged violation against the employer who
16 violates this section and obtain either of the following:

17 (1) Any wages or benefits lost as a result of the violation; or

18 (2) An order of reinstatement without loss of position, seniority, wages, or
19 benefits.

20 The burden of proof shall be upon the employee."

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

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

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

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