

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 538
HOUSE BILL 162

AN ACT TO AMEND G.S. 115C-325.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-325(a)(4), as enacted by Chapter 423 of the 1981 Session Laws, is amended by rewriting the first sentence as follows:

"'Demote' means to reduce the compensation of a person who is classified or paid by the State Board of Education as a classroom teacher, or to transfer him to a new position carrying a lower salary, or to suspend him without pay to a maximum of 30 days; provided, however, that a suspension without pay pursuant to the provisions of G.S. 115C-325(f) shall not be considered a demotion."

Sec. 2. G.S. 115C-325, as enacted by Chapter 423 of the 1981 Session Laws, is amended by redesignating the succeeding subsections and adding a new subsection (g) as follows:

"(g) Suspension with pay. If a superintendent believes that cause may exist for dismissing or demoting a probationary or career teacher for any reasons specified in G.S. 115C-325(e)(1)b through G.S. 115C-325(e)(1)j, but that additional investigation of the facts is necessary and circumstances are such that the teacher should be removed immediately from his duties, the superintendent may suspend the teacher with pay for a reasonable period of time, not to exceed 90 days. The superintendent shall immediately notify the board of education of his action. If the superintendent has not initiated dismissal or demotion proceedings against the teacher within the 90-day period, the teacher shall be reinstated to his duties immediately and all records of the suspension with pay shall be removed from the teacher's personnel file at his request."

Sec. 3. G.S. 115C-325(o), as enacted by Chapter 423 of the 1981 Session Laws, is amended by rewriting the first sentence to read:

"(o) Appeal. Any teacher who has been dismissed or demoted pursuant to subsection (l) or (m) shall have the right to appeal from the decision of the board to the superior court for the judicial district in which the teacher is employed."

Sec. 4. This act shall become effective July 1, 1981.

In the General Assembly read three times and ratified, this the 10th day of June, 1981.