



State of North Carolina

Department of Justice
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REPLY TO: Thomas J Ziko
Education Section
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MICHAEL F. EASLEY
ATTORNEY GENERAL

December 11, 1996

Jo Ann Norris
Administrator
North Carolina Teaching
Fellows Program
3739 National Drive
Suite 210
Raleigh, NC 27612



Re Teaching Fellows Program, Service in Charter Schools,
N C Gen Stat §§ 115C-363 23A and 115C-238 29

Dear Jo Ann

On October 9, 1996, you wrote to ask whether a person who teaches in a charter school created pursuant to N C Gen Stat § 115C-238 29A et seq. is entitled to credit toward forgiveness of a loan made under the North Carolina Teaching Fellows Program. In my opinion, a person who teaches in a charter school created under G S § 115C-238 29A et seq. is entitled to such credit.

Pursuant to N C Gen Stat § 115C-363 23A(e), the North Carolina Teaching Fellows Commission is obligated to forgive a loan made under the Teaching Fellows Program

if, within seven years after graduation, the recipient teaches for four years at a **North Carolina public school** or at a school operated by the United States government in North Carolina

(Emphasis added) With respect to the "public school" status of charter schools, G S § 115C-29E(a) expressly provides that

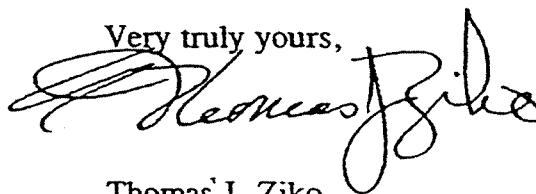
A charter school that is approved by the State shall be a public school within the local school administrative unit in which it is located.

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In light of this provision, it is my opinion that the General Assembly intended charter schools created under G S. § 115C-238 29 A et seq. to be public schools for purposes of the Teaching Fellows Program

This is an advisory letter. It has not been reviewed and approved in accordance with procedures for issuing an Attorney General's opinion

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas J. Ziko". The signature is fluid and cursive, with a large initial "T" and "Z".

Thomas J Ziko
Special Deputy Attorney General

cc Edwin M Speas, Jr
Julia Hoke
Laura E Crumpler ✓