

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 328\*

Short Title: GPAC/Staff Dev./Protect Leave.

(Public)

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Sponsors: (by request) Representatives Diamont, Blue, Barnes, Hackney, Hensley, H. Hunter, G. Miller, Nesbitt, and Robinson.

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Referred to: Education.

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February 25, 1993

A BILL TO BE ENTITLED

1 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT  
2 PERFORMANCE AUDIT COMMITTEE TO REWARD TEACHERS FOR  
3 TAKING COURSES IN THEIR CONTENT AREA.  
4

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 115C-302(a)(3) reads as rewritten:

7 "(3) Notwithstanding any provisions of this section to the contrary no  
8 person shall be entitled to pay for any vacation day not earned by that  
9 person. The first 10 days of annual vacation leave earned by a teacher  
10 during any fiscal year period shall be scheduled to be used in the  
11 school calendar adopted by the respective local boards of education.  
12 Vacation days shall not be used for extending the term of employment  
13 of individuals. Teachers may accumulate annual vacation leave days  
14 as follows: annual leave may be accumulated without any applicable  
15 maximum until June 30 of each year. On June 30 of each year, any  
16 teachers with more than 30 days of accumulated leave shall have the  
17 excess accumulation cancelled so that only 30 days are carried forward  
18 to July 1 of the same year. All vacation leave taken by the teacher will  
19 be upon the authorization of his immediate supervisor and under  
20 policies established by the local board of education. If a teacher would  
21 otherwise have excess accumulated annual leave cancelled on June 30  
22 of a year because the school calendar and the policies adopted by the  
23 local board of education do not permit the teacher to take the annual

1                    leave and to participate in five days of staff development in the  
2                    teacher's content area, the teacher may take the lesser of the number of  
3                    days that would be cancelled or five days of staff development in the  
4                    teacher's content area when students are scheduled to be in regular  
5                    attendance. An employee shall be paid in a lump sum for accumulated  
6                    annual leave not to exceed a maximum of 240 hours when separated  
7                    from service due to resignation, dismissal, reduction in force, death, or  
8                    service retirement. If the last day of terminal leave falls on the last  
9                    workday in the month, payment shall be made for the remaining  
10                   nonworkdays in that month. Employees retiring on disability  
11                   retirement may exhaust annual leave rather than be paid in a lump  
12                   sum. The provisions of this subdivision shall be accomplished without  
13                   additional State and local funds being appropriated for this purpose.  
14                   The State Board of Education shall adopt rules and regulations for the  
15                   administration of this subdivision."

16                   Sec. 2. There is appropriated from the General Fund to the Department of  
17                   Public Education, Aid to Local School Administrative Units, the sum of fifteen million  
18                   dollars (\$15,000,000) for the 1993-94 fiscal year and the sum of fifteen million dollars  
19                   (\$15,000,000) for the 1994-95 fiscal year to provide substitute teachers when teachers  
20                   are participating in staff development activities when students are scheduled to be in  
21                   regular attendance, as authorized in Section 1 of this act.

22                   Sec. 3. This act becomes effective July 1, 1993.