

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 647
HOUSE BILL 1097

AN ACT TO REWRITE G.S. 115-157 TO PROVIDE 10 MONTHS EMPLOYMENT FOR ALL REGULAR STATE ALLOTTED TEACHERS; 12 MONTHS EMPLOYMENT FOR ALL SUPERVISORS AND CLASSIFIED PRINCIPALS; 10 MONTHS EMPLOYMENT FOR JANITORS AND MAIDS; AND TO APPROPRIATE FUNDS TO PROVIDE FOR THESE PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115-157 is hereby rewritten to read as follows:

"§ 115-157. **Pay of school officials and other employees.** — School officials and other employees shall be paid promptly when their salaries are due provided the legal requirements for their employment and service have been met. All school officials and other employees employed by any administrative unit or school district, who are to be paid from local funds, shall be paid promptly as provided by law and as State allotted school officials and other employees are paid.

Public school employees paid from State funds shall be paid as follows:

(a) Academic teachers. Regular State allotted teachers shall be employed for a period of 10 calendar months and shall be paid monthly at the end of each calendar month of service. Included within the 10 calendar months employment shall be 1.25 days of annual vacation leave for each month of the 10 months service which shall be designated by each county and city board of education at a time when students are not scheduled to be in regular attendance. Included within the 10 calendar months employment each county and city board of education shall designate the same or an equivalent number of legal holidays occurring within the period of employment for academic teachers as those designated by the State Personnel Council for State Employees. Within policy adopted by the State Board of Education, each county and city board of education shall develop rules and regulations designating what additional portion of the 10 calendar months not devoted to classroom teaching, holidays, or annual leave, shall apply to service rendered before the opening of the school term, during the school term, and after the school term and to fix and regulate the duties of State allotted teachers during said period, but in no event shall the total number of work days exceed 200 days. County and City Boards of Education shall consult with the employed public school personnel in the development of the 10 calendar months schedule.

(b) Occupational education teachers. State allotted man months of service to county and city boards of education as provided by the State Board of Education shall be used for the employment of teachers of occupational education for a term of employment as determined by the county and city boards of education and teachers so employed shall be paid on a calendar month basis at the end of each calendar month of service for the term of their employment. Included within their term of employment shall be the same rate of annual vacation leave and legal holidays provided under the same conditions as set out in paragraph (a) above, but in no event shall the total work days for a 10-month employee exceed 200 days in a 10 month schedule and the work week shall constitute five days for all occupational teachers regardless of the employment period.

(c) Supervisors and classified principals. State allotted supervisors and classified principals shall be employed for a term of twelve calendar months and shall be paid monthly at the end of each calendar month of service for the term of their employment. Included within their term of employment shall be provided the same rate of annual vacation leave and legal holidays as set out in paragraph (a) above, said annual leave to be taken as determined by each county and city board of education.

(d) Superintendents and other employees on an annual basis. The salaries of superintendents and others employed on an annual basis shall be paid monthly on the basis of each calendar month of service. Included within their term of employment shall be provided the same rate of annual vacation leave and legal holidays as set out in paragraph (a) above, said annual leave to be taken as determined by each county and city board of education.

(e) Other school Employees. Other school employees paid on an hourly or other basis shall be paid at a time as determined by each county and city board of education and expenditures from State funds shall be within allocations made by the State Board of Education and in accordance with rules and regulations approved by the State Board of Education concerning allocations of State funds. Included within the term of employment shall be provided for full-time employees the same rate of annual vacation leave and legal holidays as set out in paragraph (a) above and said vacation leave shall be taken under policies determined by each county and city board of education.

(f) The provisions for annual vacation leave and holidays referred to in this section shall apply only to such persons employed by the county and city boards of education during the days designated by each county and city board of education as vacation days. Vacation days shall not be used for extending the term of employment of individuals and shall not be cumulative from one fiscal year to another fiscal year.

(g) Each county and city board of education shall sustain any loss by reason of an over payment to any school official or other employee paid from State funds.

(h) All of the foregoing provisions of this section shall be subject to the requirement that at least fifty dollars (\$50.00) or other minimum amount required by Federal Social Security Laws, of the compensation of each school employee covered by the Teachers' and State Employees' Retirement System or otherwise eligible for Social Security coverage, shall be paid in each of the four quarters of the calendar year."

Sec. 2. Implementation of the provisions of Section 1 of this act is dependent upon the availability of funds.

Sec. 3. G.S. 115-142.1 is hereby repealed.

Sec. 4. G.S. 115-142.2 is hereby repealed.

Sec. 5. This act shall become effective July 1, 1973.

In the General Assembly read three times and ratified, this the 22nd day of May, 1973.