

1 (1/12) of the annual rate for State employees for each calendar month
2 of employment; which shall be provided by each local board of
3 education at a time when students are not scheduled to be in regular
4 attendance. Included within the 10 calendar months employment each
5 local board of education shall designate the same or an equivalent
6 number of legal holidays occurring within the period of employment
7 for academic teachers as those designated by the State Personnel
8 Commission for State employees; on a day that employees are required
9 to report for a workday but pupils are not required to attend school due
10 to inclement weather, a teacher may elect not to report due to
11 hazardous travel conditions and to take one of his annual vacation days
12 or to make up the day at a time agreed upon by the employee and his
13 immediate supervisor or principal. Within policy adopted by the State
14 Board of Education, each local board of education shall develop rules
15 and regulations designating what additional portion of the 10 calendar
16 months not devoted to classroom teaching, holidays, or annual leave
17 shall apply to service rendered before the opening of the school term,
18 during the school term, and after the school term and to fix and
19 regulate the duties of state-allotted teachers during said period, but in
20 no event shall the total number of workdays exceed 200 days. Local
21 boards of education shall consult with the employed public school
22 personnel in the development of the 10-calendar-months schedule.

- 23 (2) Occupational Education Teachers. – State-allotted months of
24 employment to local boards of education as provided by the State
25 Board of Education shall be used for the employment of teachers of
26 occupational education for a term of employment as determined by the
27 local boards of education. Salary payments to these occupational
28 education teachers shall be made monthly at the end of each calendar
29 month of service: Provided, that local boards shall not reduce the term
30 of employment for any vocational agriculture teacher personnel
31 position that was 12 calendar months for the 1982-83 school year for
32 any school year thereafter: Provided, that any individual teacher
33 employed for a term of 10 calendar months may be paid in 12 monthly
34 installments if the teacher so requests on or before the first day of the
35 school year. Such request shall be filed in the administrative unit
36 which employs the teacher. The payment of the annual salary in 12
37 installments instead of 10 shall not increase or decrease said annual
38 salary nor in any other way alter the contract made between the teacher
39 and the said administrative unit. Included within their term of
40 employment shall be the same rate of annual vacation leave and legal
41 holidays provided under the same conditions as set out in subdivision
42 (1) above, but in no event shall the total workdays for a 10-month
43 employee exceed 200 days in a 10-month schedule and the workweek

1 shall constitute five days for all occupational teachers regardless of the
2 employment period.

3 Occupational education teachers who are employed for 11 or 12
4 months may, with prior approval of the principal, work on annual
5 leave days designated in the school calendar and take those annual
6 leave days during the 11th or 12th month of employment.

7 No deductions shall be made from salaries of teachers of vocational
8 agriculture and home economics whose salaries are paid in part from
9 State and federal vocational funds while in attendance upon
10 community, county and State meetings called for the specific purpose
11 of promoting the agricultural interests of North Carolina, when such
12 attendance is approved by the superintendent of the administrative unit
13 and the State Director of Vocational Education.

14 (3) Notwithstanding any provisions of this section to the contrary no
15 person shall be entitled to pay for any vacation day not earned by that
16 person. The first 10 days of annual vacation leave earned by a teacher
17 during any fiscal year period shall be scheduled to be used in the
18 school calendar adopted by the respective local boards of education.
19 Vacation days shall not be used for extending the term of employment
20 of individuals. Teachers may accumulate annual vacation leave days as
21 follows: annual leave may be accumulated without any applicable
22 maximum until June 30 of each year. On June 30 of each year, any
23 teachers with more than 30 days of accumulated leave shall have the
24 excess accumulation ~~cancelled~~ converted to sick leave so that only 30
25 days are carried forward to July 1 of the same year. All vacation leave
26 taken by the teacher will be upon the authorization of his immediate
27 supervisor and under policies established by the local board of
28 education. An employee shall be paid in a lump sum for accumulated
29 annual leave not to exceed a maximum of 240 hours when separated
30 from service due to resignation, dismissal, reduction in force, death, or
31 service retirement. If the last day of terminal leave falls on the last
32 workday in the month, payment shall be made for the remaining
33 nonworkdays in that month. Employees retiring on disability
34 retirement may exhaust annual leave rather than be paid in a lump
35 sum. Except as otherwise provided by law, The the provisions of this
36 subdivision shall be accomplished without additional State and local
37 funds being appropriated for this purpose. The State Board of
38 Education shall adopt rules and regulations for the administration of
39 this subdivision.

40 (4) Each local board of education shall sustain any loss by reason of an
41 overpayment to any teacher paid from State funds.

42 (5) All of the foregoing provisions of this section shall be subject to the
43 requirement that at least fifty dollars (\$50.00), or other minimum
44 amount required by federal social security laws, of the compensation

- 1 of each school employee covered by the Teachers' and State
2 Employees' Retirement System or otherwise eligible for social security
3 coverage shall be paid in each of the four quarters of the calendar year.
4 (6) The State Board of Education, in fixing the State standard salary
5 schedule of teachers as authorized by law, shall provide that teachers
6 who entered the armed or auxiliary forces of the United States after
7 September 16, 1940, and who left their positions for such service shall
8 be allowed experience increments for the period of such service as
9 though the same had not been interrupted thereby, in the event such
10 persons return to the position of teachers, principals and
11 superintendents in the public schools of the State after having been
12 honorably discharged from the armed or auxiliary forces of the United
13 States."
14 Sec. 2. This act becomes effective July 1, 1991.