

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 664\*

Short Title: Teacher Ass't Leave Flexibility.

(Public)

Sponsors: Senators Gunter; Perdue, Johnson, Gulley, Allran, Seymour, Ballance, Edwards, Marshall, Hartsell, Speed, Hoyle, Martin of Pitt, and Jordan.

Referred to: Education/Higher Education.

March 31, 1993

A BILL TO BE ENTITLED

AN ACT TO PERMIT TEACHER ASSISTANTS AND OTHER INSTRUCTIONAL PERSONNEL WHO DO NOT REQUIRE A SUBSTITUTE TO TAKE VACATION LEAVE WHEN STUDENTS ARE IN ATTENDANCE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-316(a)(3) reads as rewritten:

"(3) Notwithstanding any provisions of this section to the contrary no person shall be entitled to pay for any vacation day not earned by that person. The first 10 days of annual leave earned by a 10- or 11-month employee during any fiscal year period shall be scheduled to be used in the school calendar adopted by the respective local boards of education. Vacation days shall not be used for extending the term of employment of individuals. Ten- or 11-month employees may accumulate annual vacation leave days as follows: annual leave may be accumulated without any applicable maximum until June 30 of each year. On June 30 of each year, any of these employees with more than 30 days of accumulated leave shall have the excess accumulation cancelled so that only 30 days are carried forward to July 1 of the same year. All vacation leave taken by these employees ~~will~~ shall be upon the authorization of their immediate supervisor and under policies established by the local board of education. Vacation leave for instructional personnel who do not require a substitute shall not be restricted to days that students are not in attendance. An employee

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1                   shall be paid in a lump sum for accumulated annual leave not to  
2                   exceed a maximum of 240 hours when separated from service due to  
3                   resignation, dismissal, reduction in force, death or service retirement.  
4                   If the last day of terminal leave falls on the last workday in the month,  
5                   payment shall be made for the remaining nonworkdays in that month.  
6                   Employees retiring on disability retirement may exhaust annual leave  
7                   rather than be paid in a lump sum. The provisions of this subdivision  
8                   shall be accomplished without additional State and local funds being  
9                   appropriated for this purpose. The State Board of Education shall  
10                  adopt rules and regulations for the administration of this subdivision."

11                  Sec. 2. This act becomes effective July 1, 1993.