

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 362

Short Title: Revise Personal Leave Costs for Teachers. (Public)

Sponsors: Representatives Elmore, Torbett, Clemmons, and Gill (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - K-12, if favorable, State Personnel, if favorable, Rules, Calendar, and Operations of the House

March 24, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO PERMIT TEACHERS TO TAKE PERSONAL LEAVE WITH FULL SALARY
3 AS LONG AS THE TEACHER PROVIDES A REASON FOR THE REQUESTED LEAVE
4 AND TO REQUIRE TEACHERS TO PAY THE FULL COST OF A SUBSTITUTE
5 TEACHER ON CERTAIN DAYS IF THE TEACHER DOES NOT PROVIDE A REASON
6 FOR THE REQUESTED LEAVE.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 115C-302.1(d) reads as rewritten:

9 "(d) Personal Leave. – The following shall apply to personal leave:

10 (1) Calculation and Benefits. – Teachers earn personal leave at the rate of .20 days
11 for each full month of employment not to exceed two days per year. Personal
12 leave may be accumulated without any applicable maximum until June 30 of
13 each year. A teacher may carry forward to July 1 a maximum of five days of
14 personal leave; the remainder of the teacher's personal leave shall be converted
15 to sick leave on June 30. At the time of retirement, a teacher may also convert
16 accumulated personal leave to sick leave for creditable service towards
17 retirement. Teachers may transfer personal leave days between local school
18 administrative units. The local school administrative unit shall credit a teacher
19 who has separated from service and is reemployed within 60 months from the
20 date of separation with all personal leave accumulated at the time of
21 separation. Local school administrative units shall not advance personal leave.

22 (2) Use. – Personal leave may be used only upon the authorization of the teacher's
23 immediate supervisor. ~~A supervisor, as follows:~~

24 a. Unless the request is approved by the principal, a teacher shall not take
25 personal leave on the first day the teacher is required to report for the
26 school year, on a required teacher workday, on days scheduled for
27 State testing, or on the day before or the day after a holiday or
28 scheduled vacation day, unless the request is approved by the
29 principal day.

30 b. On all other days, days other than those referenced in sub-subdivision
31 a. of this subdivision, if the request is made at least five days in
32 advance, the request shall be automatically granted subject to the
33 availability of a substitute teacher, and the teacher cannot be required
34 to provide a reason for the request. ~~Teachers may transfer personal~~



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1 leave days between local school administrative units. The local school
2 administrative unit shall credit a teacher who has separated from
3 service and is reemployed within 60 months from the date of
4 separation with all personal leave accumulated at the time of
5 separation. Local school administrative units shall not advance
6 personal leave.

7 (3) Pay. – The cost of personal leave shall be assessed as follows:

8 a. Teachers using personal leave on teacher workdays shall receive full
9 salary.

10 b. Teachers using personal leave on ~~other days~~ days other than those
11 referenced in sub-subdivision a. of this subdivision shall receive full
12 salary as long as the teacher provides a reason for the request. If the
13 teacher does not provide a reason for the request, the teacher shall
14 receive full salary less the required substitute deduction. If, however,
15 full cost of hiring a substitute for the teacher. If no substitute is hired
16 for a teacher, the ~~any~~ substitute reduction shall be refunded to that
17 teacher."

18 **SECTION 2.** This act is effective when it becomes law and applies beginning with
19 the 2021-2022 school year.