

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

S

1

SENATE BILL 1513

Short Title: School Calendar Law Changes.

(Public)

Sponsors: Senators Lucas; Carpenter, Carter, Forrester, Garrou, Garwood, Kinnaird, Lee, Phillips, Purcell, Robinson, Shaw of Cumberland, Weintin, and Wellons.

Referred to: Education/Higher Education.

May 30, 2000

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE LAW PERTAINING TO THE SCHOOL CALENDAR.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-84.2(a)(1) reads as rewritten:

"(a) School Calendar. – Each local board of education shall adopt a school calendar consisting of 220 days all of which shall fall within the fiscal year. A school calendar shall include the following:

- (1) A minimum of either 180 days ~~and~~ or 1,000 hours of instruction covering at least nine calendar months. The local board shall designate when the 180 instructional days shall occur. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the administrative unit. Local boards may approve school improvement plans that include days with varying amounts of instructional time. If school is closed early due to inclement weather, the day and the scheduled amount of instructional hours may count towards the required minimum to the extent allowed by State Board policy. The school calendar shall include a plan for making up ~~days and~~ instructional days, instructional hours

1 hours, or both, missed when schools are not opened due to inclement
2 weather.

3 One thousand hours shall be considered the equivalent to 180 days
4 for the purpose of computing the minimum number of instructional days
5 required by this subdivision and for the purpose of computing the
6 number of instructional days worked by teachers."

7 Section 2. G.S. 115C-84.2(c) reads as rewritten:

8 "(c) Emergency Conditions. –

9 (1) During any period of emergency in any section of the State where
10 emergency conditions make it necessary, the State Board of Education
11 may order general, and if necessary, extended recesses or adjournment
12 of the public schools.

13 (2) During any period of emergency or state of disaster which requires (i)
14 the evacuation of all or part of the population from any stricken or
15 threatened area or (ii) severe limitations on nonessential vehicular
16 traffic in or to the area, the Governor may order the closing of public
17 schools in the area. Hours or days the schools are closed pursuant to
18 this section shall be counted as instructional hours or days for students
19 and teachers. These hours or days do not have to be made up by
20 students or teachers and they do not affect teacher pay."

21 Section 3. G.S. 115C-302.1(c) reads as rewritten:

22 "(c) Vacation. – Included within the 10-month term shall be annual vacation leave
23 at the same rate provided for State employees, computed at one-twelfth of the annual rate
24 for State employees for each month of employment. Local boards shall provide at least
25 10 days of annual vacation leave at a time when students are not scheduled to be in
26 regular attendance. However, instructional personnel who do not require a substitute may
27 use annual vacation leave on days that students are in attendance. Vocational and
28 technical education teachers who are employed for 11 or 12 months may, with prior
29 approval of the principal, work on annual vacation leave days designated in the school
30 calendar and may use those annual vacation leave days during the eleventh or twelfth
31 month of employment.

32 On a day that pupils are not required to attend school due to inclement weather, but
33 employees are ~~required~~ given the option to report for a workday, a teacher may elect not
34 to report due to hazardous travel conditions and to take an annual vacation day or to make
35 up the day at a time agreed upon by the teacher and the teacher's immediate supervisor or
36 principal. On a day that school is closed to employees and pupils due to inclement
37 weather, a teacher shall work on the scheduled makeup day.

38 All vacation leave taken by the teacher will be upon the authorization of the teacher's
39 immediate supervisor and under policies established by the local board of education.
40 Annual vacation leave shall not be used to extend the term of employment.

41 Notwithstanding any provisions of this subsection to the contrary, no person shall be
42 entitled to pay for any vacation day not earned by that person."

43 Section 4. G.S. 115C-302.1(c1) reads as rewritten:

1 "(c1) Conversion of Leave. – Teachers may accumulate annual vacation leave days
2 without any applicable maximum until June 30 of each year. In order that only 30 days of
3 annual vacation leave carry forward to July 1, on June 30 of each year any teacher or
4 other personnel paid on the teacher salary schedule who has accumulated more than 30
5 days of annual vacation leave shall:

6 (1) Convert to either sick leave or to pay the excess accumulation that is the
7 result of the teacher having to forfeit annual vacation leave in order to
8 attend required workdays; and

9 (2) Convert to sick leave the remaining excess accumulation.

10 Local boards of education shall identify which days are accumulated due to the teacher
11 forfeiting annual vacation leave in order to attend ~~required~~-workdays. Actual payment for
12 excess accumulated annual vacation leave may be made after July 1."

13 Section 5. G.S. 115C-302.1(c2) reads as rewritten:

14 "(c2) Conversion of Leave Upon Separation of Service. – Upon separation
15 from service due to service retirement, resignation, dismissal, reduction in force, or death,
16 an employee shall be paid in a lump sum for accumulated annual vacation leave not to
17 exceed a maximum of 30 days. Employees going onto term disability may exhaust annual
18 leave rather than be paid in a lump sum.

19 Any teacher or other personnel paid on the teacher salary schedule who has more than
20 30 days of accumulated annual vacation leave at the time the person retires shall:

21 (1) Convert to either sick leave or to pay the excess accumulation that is the
22 result of the teacher having to forfeit annual vacation leave in order to
23 attend ~~required~~-workdays; and

24 (2) Convert to sick leave the remaining excess accumulation which may be
25 used for creditable service at retirement in accordance with G.S. 135-
26 4(e).

27 Local boards of education shall identify which days are accumulated due to the teacher
28 forfeiting annual vacation leave in order to attend required workdays."

29 Section 6. This act is effective when it becomes law. Section 2 of this act
30 applies to all school years beginning with the 2000-2001 school year. The remainder of
31 this act applies to all school years beginning with the 1999-2000 school year.