

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

H.B. 362  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30186-MT-32

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

Sponsors: Representative Elmore.

Referred to:

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  
35 leave days between local school administrative units. The local school  
36 administrative unit shall credit a teacher who has separated from



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1 ~~service and is reemployed within 60 months from the date of~~  
2 ~~separation with all personal leave accumulated at the time of~~  
3 ~~separation. Local school administrative units shall not advance~~  
4 ~~personal leave.~~

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

6 a. Teachers using personal leave on teacher workdays shall receive full  
7 salary.

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

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