



# HOUSE BILL 362: Revise Personal Leave Costs for Teachers.

2021-2022 General Assembly

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<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	May 5, 2021
<b>Introduced by:</b>	Reps. Elmore, Torbett, Clemmons, Gill	<b>Prepared by:</b>	Jason Moran-Bates Staff Attorney
<b>Analysis of:</b>	First Edition		

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**OVERVIEW:** *House Bill 362 would adjust the pay that teachers receive when using personal leave days as follows:*

- *If the teacher provides a reason for the leave request, the teacher will receive full salary.*
- *If the teacher does not provide a reason for the leave request, the teacher would receive full salary less the full cost of hiring a substitute teacher.*

**CURRENT LAW:** G.S. 115C-302.1(d) establishes the rate at which teachers earn personal leave days. Personal leave days can only be used with the authorization of the teacher's immediate supervisor. Teachers cannot take personal leave on the following days without approval by the principal:

- The first day the teacher is required to report for the school year.
- Required teacher workdays.
- Days scheduled for State testing.
- The day before or the day after a holiday or scheduled vacation day.

On any other days, if the leave request is made at least 5 days in advance, the request is automatically granted, subject to the availability of a substitute teacher. A teacher cannot be required to provide a reason for the leave request.

Teachers using personal leave on a teacher workday receive full salary. Teachers taking personal leave on any other day are paid full salary minus the required substitute deduction. If no substitute is hired, the substitute deduction is refunded to the teacher.

**BILL ANALYSIS:** HB 362 would allow teachers to receive full salary on any day that they take personal leave if the teachers provide a reason for the leave request. Except when taking personal leave on a teacher workday, a teacher who does not provide a reason for the leave request would receive full salary minus the full cost of hiring a substitute teacher. If no substitute is hired, the substitute reduction would be refunded to the teacher.

**EFFECTIVE DATE:** HB 362 would become effective when it becomes law and would apply beginning with the 2021-2022 school year.

*\*\*\*Samantha Yarborough of the Legislative Analysis Division substantially contributed to this summary.*

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