

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 895
May 5, 2021
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH10443-MTa-123

Short Title: Extended-Year Teacher Contracts.

(Public)

Sponsors: Representative Meyer.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR EXTENDED-YEAR CONTRACTS FOR INITIALLY
3 LICENSED TEACHERS, MENTOR TEACHERS, TEACHERS IN LOW-PERFORMING
4 SCHOOLS, AND CERTAIN VETERAN TEACHERS.

5 Whereas, students who are struggling in school need an extended school year and
6 individualized instructional support; and

7 Whereas, students and teachers would benefit from additional opportunities for
8 teachers to participate in professional development; and

9 Whereas, teachers have limited time to engage in professional development during
10 the school year because their time is largely committed to working with students; and

11 Whereas, teachers need more time to learn from other teachers in the context of
12 teacher-designed and teacher-led professional development; and

13 Whereas, effective professional development requires learning that is situated in
14 teachers' actual practice and focused on students' thinking and work instead of separated from
15 teaching and learning by time and location; and

16 Whereas, communities of practice are essential to providing teachers with
17 opportunities to lead, learn from, and collaborate with their professional peers; and

18 Whereas, transformative learning takes time to become established, and professional
19 development that is sustained over the course of an academic year provides that time; and

20 Whereas, teacher evaluations should provide meaningful feedback to teachers; and

21 Whereas, the teacher evaluation process can incorporate professional development in
22 order to improve teacher performance; and

23 Whereas, teachers should be compensated for participating in professional activities
24 by way of an extended contractual year; and

25 Whereas, the General Assembly supports providing compensation for teachers in
26 accordance with advanced teaching roles; and

27 Whereas, extended-year teacher contracts and advanced teaching roles can
28 complement one another to improve teacher performance and student achievement; Now,
29 therefore,

30 The General Assembly of North Carolina enacts:

31 **SECTION 1.** G.S. 115C-302.1 reads as rewritten:

32 "**§ 115C-302.1. Salary.**

33 (a) Prompt Payment. – Teachers shall be paid promptly when their salaries are due
34 provided the legal requirements for their employment and service have been met. All teachers
35 employed by any local school administrative unit who are to be paid from local funds shall be
36 paid promptly as provided by law and as State-allotted teachers are paid.



1 (b) ~~Salary Payments.~~ Payments Under Terms of Contracts. – State-allotted teachers shall
2 be paid ~~for a term of 10 months~~ as follows:

3 (1) Extended-year contract teachers. – Teachers designated as extended-year
4 contract teachers as provided in G.S. 115C-306.1 shall be paid for a term of
5 11 months.

6 (2) Career and technical education teachers. – Except for career and technical
7 education agriculture teacher personnel positions as provided for in this
8 ~~subsection, subdivision,~~ State-allotted months of employment for career and
9 technical education to local boards shall be used for the employment of
10 teachers of career and technical education for a term of employment to be
11 determined by the local boards of education. Beginning with the 2018-2019
12 school year, career and technical education agriculture teacher personnel
13 positions serving students in grades nine through 12 shall be for a term of
14 employment for 12 calendar months. A local board of education may fund
15 these positions using any combination of State funds, local funds, or any other
16 funds available to the local board.

17 (3) 10-month term teachers. – All other teachers shall be paid for a term of 10
18 months.

19 Each local board of education shall establish a set date on which monthly salary payments to
20 State-allotted teachers shall be made. This set pay date may differ from the end of the month of
21 service. The daily rate of pay for teachers shall equal midway between one twenty-first and one
22 twenty-second of the monthly rate of pay. Except for teachers employed in a year-round school
23 ~~or school,~~ paid in accordance with a year-round calendar, or ~~both,~~ employed on an extended-year
24 contract, the initial pay date for teachers shall be no later than August 31 and shall include a full
25 monthly payment. Subsequent pay dates shall be spaced no more than one month apart and shall
26 include a full monthly payment.

27 Teachers may be prepaid on the monthly pay date for days not yet worked. A teacher who
28 fails to attend scheduled workdays or who has not worked the number of days for which the
29 teacher has been paid and who resigns, is dismissed, or whose contract is not renewed shall repay
30 to the local board any salary payments received for days not yet worked. A teacher who has been
31 prepaid and continues to be employed by a local board but fails to attend scheduled workdays
32 may be subject to dismissal under G.S. 115C-325 or G.S. 115C-325.4 or other appropriate
33 discipline.

34 Any individual teacher who is not employed in a year-round school may be paid in 12
35 monthly installments if the teacher so requests on or before the first day of the school year. The
36 request shall be filed in the local school administrative unit which employs the teacher. The
37 payment of the annual salary in 12 installments instead of 10 or 11 shall not increase or decrease
38 the teacher's annual salary nor in any other way alter the contract made between the teacher and
39 the local school administrative unit. Teachers employed for a period of less than 10 months shall
40 not receive their salaries in 12 installments.

41 Notwithstanding this subsection, the term "daily rate of pay" for the purpose of
42 G.S. 115C-12(8) or for any other law or policy governing pay or benefits based on the teacher
43 salary schedule shall not exceed one twenty-second of a teacher's monthly rate of pay.

44 ~~(b1) The State Board of Education shall maintain the same policies related to masters pay~~
45 ~~for teachers that were in effect for the 2008-2009 fiscal year.~~

46 ...

47 (c) Vacation. – Included within the ~~10-month term~~ term of employment shall be annual
48 vacation leave at the same rate provided for State employees, computed at one-twelfth of the
49 annual rate for State employees for each month of employment. Local boards shall provide at
50 least 10 days of annual vacation leave at a time when students are not scheduled to be in regular
51 attendance. However, instructional personnel who do not require a substitute may use annual

1 vacation leave on days that students are in attendance. ~~Career and technical education teachers~~
 2 Teachers who are employed for 11 or 12 months may, with prior approval of the principal, work
 3 on annual vacation leave days designated in the school calendar and may use those annual
 4 vacation leave days during the eleventh or twelfth month of employment. Local boards of
 5 education may adopt policies permitting instructional personnel employed for 11 or 12 months
 6 in year-round schools to, with the approval of the principal, take vacation leave at a time when
 7 students are in attendance; local funds shall be used to cover the cost of substitute teachers.

8 On a day that pupils are not required to attend school due to inclement weather, but employees
 9 are required to report for a workday, a teacher may elect not to report due to hazardous travel
 10 conditions and to take an annual vacation day or to make up the day at a time agreed upon by the
 11 teacher and the teacher's immediate supervisor or principal. On a day that school is closed to
 12 employees and pupils due to inclement weather, a teacher shall work on the scheduled makeup
 13 day.

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

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

19 ...

20 (e) Teachers in Year-Round Schools. – Compensation for teachers employed in
 21 year-round schools shall be the same as ~~teachers paid for a 10-month term, other teachers~~
 22 employed for the same number of months, but those days may be scheduled over 12 calendar
 23 months. Annual leave, sick leave, workdays, holidays, salary, and longevity for teachers who are
 24 employed at year-round schools shall be equivalent to those of other teachers employed for the
 25 same number of months, respectively. Teachers paid for a term of 10 or 11 months in year-round
 26 schools shall receive their salary in 12 equal installments.

27"

28 **SECTION 2.** Article 20 of Chapter 115C of the General Statutes is amended by
 29 adding a new section to read:

30 "**§ 115C-306.1. Extended-year teacher contracts.**

31 (a) Definitions. – As used in this section, the following definitions apply:

- 32 (1) Extended-year contract. – A contract providing for a term of employment of
 33 11 months during the school year.
 34 (2) IL teacher. – A teacher who holds a current North Carolina teaching license
 35 in any of the following classes:
 36 a. A three-year initial professional license.
 37 b. A three-year limited license.
 38 c. A one-year residency license.
 39 d. A one-year emergency license.
 40 (3) LPS teacher. – A teacher assigned by a local board of education to teach at a
 41 school identified as low performing as provided in G.S. 115C-105.37.
 42 (4) Mentor teacher. – A teacher designated by the local board of education as a
 43 mentor teacher. A mentor teacher may include a teacher in an advanced
 44 teaching role pursuant to G.S. 115C-311.
 45 (5) Veteran teacher. – A teacher who meets all of the following requirements:
 46 a. Holds a current five-year North Carolina continuing professional
 47 license for teaching.
 48 b. Has at least six years of licensed teaching experience.
 49 c. Is not an IL teacher, a mentor teacher, or an LPS teacher.

1 **(b) Extended-Year Contracts.** – Local boards of education shall, in awarding contracts to
2 teachers as provided in Part 3 of Article 22 of this Chapter, provide for extended-year contracts
3 as follows:

4 **(1) Mandatory extended-year contracts.** – The local board of education shall
5 award mandatory extended-year contracts to all IL teachers and all LPS
6 teachers. IL teachers and LPS teachers shall not be eligible to receive
7 10-month contracts.

8 **(2) Optional extended-year contracts.** – The local board of education shall offer
9 optional extended-year contracts as follows:

10 a. To mentor teachers in any year that the teacher is designated as a
11 mentor teacher.

12 b. To veteran teachers one year out of each three-year period the teacher
13 is employed by the local board.

14 Mentor teachers and veteran teachers may accept the extended-year contract
15 or may request and be awarded a 10-month contract.

16 **(c) Designation of Mentor Teachers.** – The local board of education shall annually
17 designate up to ten percent (10%) of those teachers employed by the local board as mentor
18 teachers. The local board of education shall, at a minimum, use the following criteria in
19 designating mentor teachers:

20 **(1) Effectiveness in teaching and mentoring other teachers.**

21 **(2) Contribution to academic success of students.**

22 The local board of education shall use annual teacher evaluations and other research-based
23 metrics in designating mentor teachers.

24 **(d) Extended-Year Contract Duties.** – A teacher who is awarded and accepts an
25 extended-year contract shall be assigned, at a minimum, the following additional job duties in
26 the eleventh month of employment:

27 **(1) IL teachers.** – IL teachers shall work with mentor teachers to improve
28 professional skills and increase classroom effectiveness. IL teachers shall
29 participate in professional development and support extended school year
30 instruction for students performing below grade level.

31 **(2) Mentor teachers.** – Mentor teachers shall do at least one of the following:

32 a. Mentor and teach other teachers, including IL teachers.

33 b. Provide professional development to other teachers.

34 c. Support extended school year instruction for students performing
35 below grade level.

36 d. Engage in other professional collaborations to improve student
37 success.

38 **(3) LPS teachers.** – LPS teachers shall be assigned additional job duties in the
39 discretion of the local board of education, which may include teaching an
40 extended school instructional year or engaging in high-quality professional
41 development.

42 **(4) Veteran teachers.** – Veteran teachers shall be assigned additional job duties
43 related to the provision of high-quality professional development in the
44 discretion of the local board of education."

45 **SECTION 3.** G.S. 115C-325.3(a) reads as rewritten:

46 **"§ 115C-325.3. Teacher contracts.**

47 **(a) Length of Contract.** – A contract between the local board of education and a teacher
48 who has been employed by the local board of education for less than three years shall be for a
49 term of one school year. A new contract or renewal of contract between the local board of
50 education and a teacher who has been employed by the local board of education as a teacher for
51 three years or more shall be for a term of one, two, or four school years. A local board of

1 education may require by policy that the three years of employment be consecutive. A contract
2 or renewal of contract between the local board of education and a teacher shall include terms
3 permitting extended-year teacher contracts as provided in G.S. 115C-306.1."

4 **SECTION 4.** There is appropriated from the General Fund to the Department of
5 Public Instruction the sum of two hundred ninety-seven million dollars (\$297,000,000) in
6 recurring funds to provide extended-year teacher contracts to certain teachers in accordance with
7 G.S. 115C-306.1, as enacted by this act.

8 **SECTION 5.** This act becomes effective July 1, 2021, and applies beginning with
9 the 2021-2022 school year.