NC COMMUNITY COLLEGES
CREATING SUCCESS

NORTH CAROLINA COMMUNITY COLLEGE SYSTEM
Peter Hans, President

18 June 2019

IMPORTANT INFORMATION

MEMORANDUM

TO: Members of the State Board of Community Colleges
Community College Presidents
Boards of Trustees Chairs
Community College Chief Academic Officers, Chief Admissions Officers, Basic Skills Directors, Business Officers, Continuing Education Officers, Customized Training Directors, Distance Learning, Chief Financial Officers, Continuing Education Officers, Financial Aid Officers, Personnel Directors, Student Development Administrators, Public Information Officers, Registrars, & Other Interested Parties

FROM: Jonathan R. Harris, *NCCCS General Counsel*

RE: **Proposed Amendment of 1C SBCCC 400.11 – "Leave Payouts"**

The State Board of Community Colleges ("SBCC") has initiated the rulemaking process to amend **1C SBCCC 400.11 – "Leave Payouts."** The proposed change will clarify that maximum unused leave payouts for part-time employees are to be prorated based on the 240-hour maximum for full-time employees.

The proposed amendment is published on the NC Community College System's website, www.nccommunitycolleges.edu, under "State Board Code." For your convenience, a copy of the proposed rule, with the changes indicated, is attached to this memorandum. Please post a copy of the proposed rule in prominent places so that all individuals affected by the proposed changes will be informed.

Any member of the public has the right to submit written comments on the proposed rule. Please note that any person who submits a public comment on behalf of their community college should comply with their college's local process for submitting comments on a proposed rule. **Written comments on the rule must be received by no later than 5:00 p.m. on 18 July 2019.** Any member of the public has the right to request a hearing on the proposed rules. **Requests for a hearing must be received by no later than 5:00 p.m. on 3 July 2019.** Written comments and requests for hearing shall be directed to the following address: Jonathan Harris, 200 W. Jones Street, 5001 Mail Service Center, Raleigh, NC 27699-5001 or by **email to publiccomments@nccommunitycolleges.edu**. Thank you for your attention to this matter.

CC19-027
E-mail Copy

Attachments

State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: 18 June 2019

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend 1C SBCCC 400.11 – "Leave Payouts"

Specify whether the SBCC proposes to adopt amend, or repeal a rule:	**Adopt (new rule)**	**Amend (change existing rule)**	**Repeal (delete entire rule)**
		X	

Rationale for proposed adoption, amendment or repeal:	To clarify that maximum unused leave payouts for part-time employees are to be prorated based on the 240-hour maximum for full-time employees.

Proposed Effective Date of Rule	September 1, 2019

1C SBCCC 400.11 is proposed for amendment as follows:

State Board of Community Colleges Code

TITLE 1. COMMUNITY COLLEGES

CHAPTER C. PERSONNEL

SUBCHAPTER 400. SALARIES AND BENEFITS

1C SBCCC 400.11 LEAVE PAYOUTS

Colleges shall only pay full-time employees for a maximum of 240 hours of unused annual ~~leave~~leave (prorated for part-time employees) plus any unused special leave authorized by the General Assembly that has a cash value and does not expire.

History Note: Authority G.S. 115D-5;

Eff. October 1, 2018

Amended Eff. _____

DRAFT