

1 16 NCAC 06C .0410 is proposed for adoption as follows:

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3 **16 NCAC 06C .0410 VOLUNTARY SHARED LEAVE**

4 (a) As used in this Rule, the following definitions shall apply:

5 (1) "Donor" means an employee donating leave.

6 (2) "Eligible recipient" means an employee receiving donated leave who meets the requirements of
7 Paragraph (d) of his Rule.

8 (b) This Rule shall govern the use of voluntary shared leave by employees of local boards of education pursuant to
9 G.S. 115C-12.2. Each local board of education ("local board") may adopt additional policies to govern the use of
10 voluntary shared leave, provided such policies are consistent with this Rule.

11 (c) Donors

12 (1) A full-time or part-time permanent employee may donate accumulated paid leave to an eligible
13 recipient.

14 (1) Each donation of leave time shall be to a designated eligible recipient, rather than a general pool.
15 The donation shall be in writing and signed by the donor.

16 (2) A donor may donate sick leave, vacation leave, or bonus leave to an eligible recipient who is
17 immediate family member and is employed by a local board, a North Carolina community college,
18 or a State agency.

19 (3) A donor may donate vacation or bonus leave to an eligible recipient if the recipient is employed by
20 the same local board as the donor, or to an eligible recipient if the recipient is an employee of a
21 North Carolina community college or state agency and is an immediate family member of another
22 employee of the same local board as the donor.

23 (4) A donor may donate sick leave to an eligible recipient who is not an immediate family member and
24 is employed by the same local board or another local board, provided that the donor shall not donate
25 more than five days of sick leave per year to any one eligible recipient.

26 (5) A donor shall not, by donating leave, reduce their balance of accumulated leave time to less than
27 half the amount of leave time that employee would otherwise earn in a school year.

28 (6) A donor shall not receive any form of compensation for donated leave.

29 (7) The minimum donation of leave shall be four hours or one half-day.

30 (c) Eligible Recipients

31 (1) Eligible recipients shall be limited to full-time and part-time permanent employees who:

32 (A) Have a serious medical condition that renders the employee unable to perform the
33 employee's professional duties for a prolonged period, or has an immediate family member
34 with such a condition who requires the employee's continuous supervision and care; and

35 (B) Have exhausted all other available paid leave except personal leave available under G.S.
36 115C-302.1(d) and extended sick leave available under 16 NCAC 06C .0402(l).

- 1 (2) An employee cannot use donated leave for work time for which the employee is receiving disability
2 benefits or workers' compensation benefits.
- 3 (3) To apply for donated leave, an eligible employee must provide the local school administrative unit
4 ("LSAU") with:
- 5 (A) Medical documentation of the serious medical condition, signed by the employee or family
6 member's treating physician; and
- 7 (B) An authorization for the treating physician or medical provider to release to the LSAU all
8 medical information related to the serious medical condition. The release shall be signed
9 by the employee or immediate family member, or by that person's legal guardian or health
10 care power of attorney.
- 11 (4) The local superintendent or designee shall approve or deny each request for donated leave. The local
12 superintendent or designee shall determine how many days of donated leave the recipient may use,
13 provided that the employee may not use donated leave for the same condition for more than twelve
14 months from the initial date that the employee used donated leave.
- 15 (5) An eligible recipient shall not receive more than 20 days of sick leave from donors who are not
16 immediate family members in any one fiscal year.
- 17 (6) Donated sick leave shall be credited toward the recipient's sick leave balance but shall not count as
18 creditable service toward retirement.
- 19 (7) Any donated leave time that the recipient does not use before returning to work shall revert to the
20 donor(s).

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22 History Note: Authority G.S. 115C-12(8); 115C-12.2;
23 Eff. July 1, 2026.