

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

D

BILL DRAFT 2009-LE-182 [v.2] (1/29)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

3/9/2009 12:50:30 PM

Short Title: School Calendar Flexibility/3 LEAs.

(Local)

Sponsors: Representative Guice.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE REQUIRED SCHOOL OPENING AND CLOSING DATES IN
3 THREE LOCAL SCHOOL ADMINISTRATIVE UNITS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 115C-84.2(d) reads as rewritten:

6 "(d) Opening and Closing Dates. – Local boards of education shall determine the dates
7 of opening and closing the public schools under subdivision (a)(1) of this section. Except for
8 year-round schools, the opening date for students shall not be before August 25, the second
9 Monday of August, and the closing date for students shall not be after June 10, more than 42
10 weeks later. On a showing of good cause, the State Board of Education may waive this
11 requirement to the extent that school calendars are able to provide sufficient days to
12 accommodate anticipated makeup days due to school closings. A local board may revise the
13 scheduled closing date if necessary in order to comply with the minimum requirements for
14 instructional days or instructional time. For purposes of this subsection, the term "good cause"
15 means that schools in any local school administrative unit in a county have been closed eight
16 days per year during any four of the last 10 years because of severe weather conditions, energy
17 shortages, power failures, or other emergency situations.

18 The State Board also may waive this requirement for an educational purpose. The term
19 "educational purpose" means a local school administrative unit establishes a need to adopt a
20 different calendar for (i) a specific school to accommodate a special program offered generally
21 to the student body of that school, (ii) a school that primarily serves a special population of
22 students, or (iii) a defined program within a school. The State Board may grant the waiver for
23 an educational purpose for that specific school or defined program to the extent that the State
24 Board finds that the educational purpose is reasonable, the accommodation is necessary to
25 accomplish the educational purpose, and the request is not an attempt to circumvent the
26 opening and closing dates set forth in this subsection. The waiver requests for educational
27 purposes shall not be used to accommodate system-wide class scheduling preferences.

28 The required opening and closing dates under this subsection shall not apply to any school
29 that a local board designated as having a modified calendar for the 2003-2004 school year or to
30 any school that was part of a planned program in the 2003-2004 school year for a system of
31 modified calendar schools, so long as the school operates under a modified calendar."

32 SECTION 2. This act applies only to the Henderson, Polk, and Transylvania
33 County School Administrative Units.

34 SECTION 3. This act is effective when it becomes law.