

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**HOUSE DRH50353-LE-227 (3/18)**

Short Title:   Modify School Calendar Law/3 County LEAs.

(Local)

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Sponsors:    Representative Burr.

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Referred to:

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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. On a showing of  
10 good cause, the State Board of Education may waive this requirement to the extent that school  
11 calendars are able to provide sufficient days to accommodate anticipated makeup days due to  
12 school closings. A local board may revise the scheduled closing date if necessary in order to  
13 comply with the minimum requirements for instructional days or instructional time. For  
14 purposes of this subsection, the term "good cause" means that schools in any local school  
15 administrative unit in a county have been closed eight days per year during any four of the last  
16 10 years because of severe weather conditions, energy shortages, power failures, or other  
17 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 Union, Stanly, and Montgomery County  
33 School Administrative Units.

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

