

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE DRH10593-LE-160* (1/29)

Short Title: School Calendar Flexibility/Some LEAs.

(Local)

Sponsors: Representative Haire.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE REQUIRED SCHOOL OPENING AND CLOSING DATES IN
3 CERTAIN 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, and the closing~~
9 ~~date for students shall not be after June 10~~ August 11 unless August 11 is a Saturday or
10 Sunday, in which case the opening date for students shall not be before the Monday following
11 August 11. The closing date for students shall be no more than 291 calendar days after the
12 opening date. On a showing of good cause, the State Board of Education may waive this
13 requirement to the extent that school calendars are able to provide sufficient days to
14 accommodate anticipated makeup days due to school closings. A local board may revise the
15 scheduled closing date if necessary in order to comply with the minimum requirements for
16 instructional days or instructional time. For purposes of this subsection, the term "good cause"
17 means that schools in any local school administrative unit in a county have been closed eight
18 days per year during any four of the last 10 years because of severe weather conditions, energy
19 shortages, power failures, or other emergency situations.

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

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

34 **SECTION 2.** This act applies only to local school administrative units located in
35 the counties of Cherokee, Clay, Graham, Jackson, Macon, and Swain.



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SECTION 3. This act becomes effective July 1, 2009, and expires July 1, 2015.