

GENERAL ASSEMBLY OF NORTH CAROLINA  
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HOUSE BILL DRH40030-MK-31A (01/07)

Short Title: School Calendar Modification. (Public)

Sponsors: Representatives Henson, Setzer, Corbin, and Presnell (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO PUBLIC SCHOOLS IN ADOPTING  
3 THEIR SCHOOL CALENDARS.

4 The General Assembly of North Carolina enacts:

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

6 "§ 115C-84.2. School calendar.

7 (a) School Calendar. – Each local board of education shall adopt a school calendar  
8 consisting of 215 days all of which shall fall within the fiscal year. A school calendar shall include  
9 the following:

10 (1) A minimum of ~~185 days or~~ 1,025 hours of instruction covering at least nine  
11 calendar months. The local board shall designate when ~~the~~ instructional days  
12 shall occur. The number of instructional hours in an instructional day may vary  
13 according to local board policy and does not have to be uniform among the  
14 schools in the administrative unit. Local boards may approve school  
15 improvement plans that include days with varying amounts of instructional  
16 ~~time.~~ time, including varying number of instructional hours in instructional days  
17 occurring in different semesters of the school year, and may vary the number of  
18 days per instructional semester if hours of instruction remain equivalent  
19 between semesters. If school is closed early due to inclement weather, the day  
20 and the scheduled amount of instructional hours may count towards the  
21 required minimum to the extent allowed by State Board policy. The school  
22 calendar shall include a plan for making up days and instructional hours missed  
23 when schools are not opened due to inclement weather. If a local board adopts a  
24 school calendar of less than 185 days of instruction, teachers employed for a  
25 10-month term who work or use annual leave or sick leave for the designated  
26 instructional days are deemed to have been employed the equivalent of 185  
27 days of instruction and shall be compensated as if they had worked those days.  
28 Annual leave, sick leave, workdays, holidays, salary, and longevity for teachers  
29 who are employed at schools with instructional calendars of less than 185 days  
30 shall be equivalent to those of other teachers employed for the same number of  
31 months, respectively.

32 ...

33 (d) Opening and Closing Dates. – Local boards of education shall determine the dates of  
34 opening and closing the public schools under subdivision (a)(1) of this section. Except for  
35 year-round schools, the opening date for students shall be no earlier than ~~the Monday closest to~~  
36 ~~August 26,~~ August 10, and the closing date for students shall be no later than the Friday closest to



1 June 11. ~~On a showing of good cause, the State Board of Education may waive the requirement~~  
2 ~~that the opening date for students be no earlier than the Monday closest to August 26 and may~~  
3 ~~allow the local board of education to set an opening date no earlier than the Monday closest to~~  
4 ~~August 19, to the extent that school calendars are able to provide sufficient days to accommodate~~  
5 ~~anticipated makeup days due to school closings. A local board may revise the scheduled closing~~  
6 ~~date if necessary in order to comply with the minimum requirements for instructional days or~~  
7 ~~instructional time. For purposes of this subsection, the term "good cause" means that schools in~~  
8 ~~any local school administrative unit in a county have been closed eight days per year during any~~  
9 ~~four of the last 10 years because of severe weather conditions, energy shortages, power failures, or~~  
10 ~~other emergency situations.~~

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

15 (e) Nothing in this section prohibits a local board of education from offering supplemental  
16 or additional educational programs or activities outside the calendar adopted under this section."

17 **SECTION 2.** G.S. 115C-174.12(a)(4) reads as rewritten:

18 "(4) All annual assessments of student achievement adopted by the State Board of  
19 Education pursuant to G.S. 115C-174.11(c)(1) and (3) and all final exams for  
20 courses shall be administered within the final 10 instructional days of the  
21 school year for year-long courses and within the final five instructional days of  
22 the semester for semester courses. Exceptions shall be permitted to  
23 accommodate a student's individualized education program and section 504 (29  
24 U.S.C. § 794) plans and for the administration of final exams for courses with  
25 national or international curricula required to be held at designated times. A  
26 local board of education that has implemented a school calendar that concludes  
27 the fall semester prior to December 31 shall be permitted to administer  
28 assessments prior to the conclusion of that semester."

29 **SECTION 3.** G.S. 115C-218.85(a)(1) reads as rewritten:

30 "(1) The school shall provide instruction each year for at least ~~185 days or~~ 1,025  
31 hours over nine calendar months."

32 **SECTION 4.** G.S. 115C-238.53(d) reads as rewritten:

33 "(d) A cooperative innovative high school approved under this Part shall provide instruction  
34 each school year for at least ~~185 days or~~ 1,025 instructional hours during nine calendar months,  
35 shall comply with laws and policies relating to the education of students with disabilities, and shall  
36 comply with Article 27 of this Chapter. The requirements of G.S. 115C-84.2 shall not apply to the  
37 school calendar of a program approved under this Part."

38 **SECTION 5.** G.S. 115C-238.66(1)d. reads as rewritten:

39 "d. The board of directors shall adopt a school calendar consisting of a  
40 minimum of ~~185 days or~~ 1,025 hours of instruction covering at least  
41 nine calendar months."

42 **SECTION 6.** G.S. 116-239.8(2)c. reads as rewritten:

43 "c. The board of trustees shall adopt a school calendar consisting of a  
44 minimum of ~~185 days or~~ 1,025 hours of instruction covering at least  
45 nine calendar months."

46 **SECTION 7.** The Joint Legislative Education Oversight Committee shall study local  
47 school administrative units that have successfully used calendar flexibility under G.S. 115C-84.2  
48 to hold semester exams prior to December 31 and shall report to the 2018 Regular Session of the  
49 2017 General Assembly on its findings and recommendations.

50 **SECTION 8.** This act is effective when it becomes law and applies beginning with the  
51 2017-2018 school year.