

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 1049

Short Title: Restore School Calendar Educ. Purpose Waiver. (Public)

Sponsors: Representatives Horn, S. Martin, Lucas, and Langdon (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Commerce and Job Development, if favorable, Education.

May 15, 2014

A BILL TO BE ENTITLED

AN ACT TO RESTORE THE SCHOOL CALENDAR EDUCATIONAL PURPOSE
WAIVER TO PROVIDE FLEXIBILITY TO LOCAL BOARDS OF EDUCATION FOR
CALENDAR MODIFICATIONS NECESSARY TO ACCOMMODATE SPECIFIC
PROGRAMS FOR A REASONABLE EDUCATIONAL PURPOSE, AS
RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON EDUCATION
INNOVATION.

The General Assembly of North Carolina enacts:

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

"(d) Opening and Closing Dates. – Local boards of education shall determine the dates of opening and closing the public schools under subdivision (a)(1) of this section. Except for year-round schools, the opening date for students shall be no earlier than the Monday closest to August 26, and the closing date for students shall be no later than the Friday closest to June 11. On a showing of good cause, the State Board of Education may waive the requirement that the opening date for students be no earlier than the Monday closest to August 26 and may allow the local board of education to set an opening date no earlier than the Monday closest to August 19, to the extent that school calendars are able to provide sufficient days to accommodate anticipated makeup days due to school closings. A local board may revise the scheduled closing date if necessary in order to comply with the minimum requirements for instructional days or instructional time. For purposes of this subsection, the term "good cause" means that schools in any local school administrative unit in a county have been closed eight days per year during any four of the last 10 years because of severe weather conditions, energy shortages, power failures, or other emergency situations.

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

The required opening and closing dates under this subsection shall not apply to any school that a local board designated as having a modified calendar for the 2003-2004 school year or to



1 any school that was part of a planned program in the 2003-2004 school year for a system of
2 modified calendar schools, so long as the school operates under a modified calendar."
3 **SECTION 2.** This act is effective when it becomes law and applies beginning with
4 the 2015-2016 school year.