

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 359
Committee Substitute Favorable 3/29/07

Short Title: Restore Flexibility to the School Calendar.

(Public)

Sponsors:

Referred to:

February 26, 2007

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE DEFINITION OF EDUCATIONAL PURPOSE IN THE
2 SCHOOL CALENDAR LAW TO PROVIDE FOR THREE SYSTEMWIDE
3 WAIVERS: (I) TO ALIGN THE CALENDAR WITH THAT OF A COMMUNITY
4 COLLEGE OR UNIVERSITY IN THE GEOGRAPHIC AREA, (II) TO ADJUST
5 THE EXAMINATION SCHEDULE TO BENEFIT STUDENTS OR TO
6 ACCOMMODATE ADVANCED PLACEMENT AND INTERNATIONAL
7 BACCALAUREATE EXAMINATIONS, AND (III) TO ACCOMMODATE
8 IMPLEMENTATION OF BLOCK SCHEDULES; AND TO ALLOW ANY
9 WAIVERS GRANTED BY THE STATE BOARD OF EDUCATION FOR AN
10 EDUCATIONAL PURPOSE TO BE EFFECTIVE SO LONG AS THE
11 EDUCATIONAL PURPOSE EXISTS.
12

13 The General Assembly of North Carolina enacts:

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

15 "(d) Opening and Closing Dates. – Local boards of education shall determine the
16 dates of opening and closing the public schools under subdivision (a)(1) of this section.
17 Except for year-round schools, the opening date for students shall not be before August
18 25, and the closing date for students shall not be after June 10.

19 On a showing of good cause, the State Board of Education may waive ~~this~~
20 ~~requirement~~ the opening and closing dates set forth in this subsection to the extent that
21 school calendars are able to provide sufficient days to accommodate anticipated makeup
22 days due to school closings. A local board may revise the scheduled closing date if
23 necessary in order to comply with the minimum requirements for instructional days or
24 instructional time. For purposes of this subsection, the term "good cause" means that
25 schools in any local school administrative unit in a county have been closed eight days
26 per year during any four of the last 10 years because of severe weather conditions,
27 energy shortages, power failures, or other emergency situations.

28 The State Board also may waive ~~this requirement~~ the opening and closing dates set
29 forth in this subsection for an educational purpose. The term "educational purpose"

1 means a local school administrative unit establishes a need to adopt a different calendar
2 ~~for~~ (i) for a specific school to accommodate a special program offered generally to the
3 student body of that school, (ii) for a school that primarily serves a special population of
4 students, ~~or~~ (iii) for a defined program within a ~~school~~.school, (iv) on a systemwide
5 basis to align the calendar with that of a community college or university in the
6 geographic area, (v) on a systemwide basis to adjust the examination schedule to benefit
7 students or to accommodate Advanced Placement and International Baccalaureate
8 examinations, or (vi) on a systemwide basis to accommodate implementation of block
9 schedules. The State Board may grant the waiver for an educational purpose for that
10 specific school or defined program or on a systemwide basis to the extent that the State
11 Board finds that the educational purpose is reasonable, the accommodation is necessary
12 to accomplish the educational purpose, and the request is not an attempt to circumvent
13 the opening and closing dates set forth in this subsection. ~~The waiver requests for~~
14 educational purposes shall not be used to accommodate system wide class scheduling
15 preferences. A waiver granted for an educational purpose under this subsection shall
16 remain in effect so long as the educational purpose for which that waiver was granted
17 continues to exist.

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

23 **SECTION 2.** This act is effective when it becomes law and applies
24 beginning with the 2007-2008 school year.