

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 1167

Education/Higher Education Committee Substitute Adopted 4/22/99

Short Title: Excess Snow Days Excused/Public Sch.

(Public)

Sponsors:

Referred to:

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE LOCAL BOARDS OF EDUCATION AND THE STATE BOARD OF EDUCATION TO EXCUSE CERTAIN SCHOOL DAYS LOST TO INCLEMENT WEATHER.

The General Assembly of North Carolina enacts:

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

"§ 115C-84.2. School calendar.

(a) School Calendar. – Each local board of education shall adopt a school calendar consisting of 220 days all of which shall fall within the fiscal year. A school calendar shall include the following:

- (1) A minimum of 180 days and 1,000 hours of instruction covering at least nine calendar months. The local board shall designate when the 180 instructional days shall occur. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the administrative unit. Local boards may approve school improvement plans that include days with varying amounts of instructional time. If school is closed early due to inclement weather, the day and the scheduled amount of instructional hours may count towards the required minimum to the extent allowed

1 by State Board policy. The school calendar shall include a plan for
2 making up days and instructional hours missed when schools are not
3 opened due to inclement weather. The plan may include up to five
4 excused days under subsection (b1) of this section.

5 (2) A minimum of 10 annual vacation leave days.

6 (3) The same or an equivalent number of legal holidays occurring within
7 the school calendar as those designated by the State Personnel
8 Commission for State employees.

9 (4) Ten days, as designated by the local board, for use as teacher workdays,
10 additional instructional days, or other lawful purposes. A local board
11 may delegate to the individual schools some or all of the 10 days to
12 schedule under subdivision (5) of this subsection. A local board may
13 schedule different purposes for different personnel on any given day and
14 is not required to schedule the same dates for all personnel.

15 (5) The remaining days shall be scheduled by each individual school by the
16 school's principal in consultation with the school improvement team.
17 Days may be scheduled for any of the purposes allowed under
18 subdivision (4) of this subsection. Days may be scheduled for different
19 purposes for different personnel and there is no requirement to schedule
20 the same dates for all personnel.

21 Local boards and individual schools are encouraged to use the calendar flexibility in
22 order to meet the annual performance standards set by the State Board. Local boards of
23 education shall consult with parents and the employed public school personnel in the
24 development of the school calendar.

25 Local boards and individual schools shall give teachers at least 14 calendar days'
26 notice before requiring a teacher to work instead of taking vacation leave on days
27 scheduled in accordance with subdivision (4) or (5) of this subsection. A teacher may
28 elect to waive this notice requirement for one or more such days.

29 (b) Limitations. – The following limitations apply when developing the school
30 calendar:

31 (1) The total number of teacher workdays for teachers employed for a 10
32 month term shall not exceed 200 days.

33 (2) The calendar shall include at least 42 consecutive days when teacher
34 attendance is not required unless: (i) the school is a year-round school;
35 or (ii) the teacher is employed for a term in excess of 10 months. At the
36 request of the local board of education or of the principal of a school, a
37 teacher may elect to work on one of the 42 days when teacher
38 attendance is not required in lieu of another scheduled workday.

39 (3) School shall not be held on Sundays.

40 (4) Veteran's Day shall be a holiday for all students enrolled in the public
41 schools.

42 (b1) Days Excused Due to Inclement Weather. – A local board of education may
43 excuse students from attendance for up to two instructional days that the local board

1 designates. On the days excused for students, the local board may require teachers to
2 report for a workday or it may excuse teachers from attendance. The days excused for
3 teachers under this subsection do not have to be made up by teachers and do not affect
4 teachers' pay. As justification for excusing instructional days, a local board shall report
5 to the State Board all days excused for students, all days excused for teachers, the reason
6 the days were excused, the total number of days schools did not open due to inclement
7 weather, and the dates that schools did not open due to inclement weather.

8 After a local board has excused two instructional days due to inclement weather, the
9 local board may request that the State Board excuse up to three additional instructional
10 days. The State Board may excuse any or all of the additional requested days if the State
11 Board finds that conditions justify that action. Days that are excused by the State Board
12 do not have to be made up by teachers or students and do not affect teachers' pay.

13 A local board and the State Board may apply the number of instructional hours that
14 had been scheduled for the excused day towards the 1,000 hours of instruction required
15 under subdivision (1) of subsection (a) of this section.

16 (c) Emergency Conditions. – During any period of emergency in any section of
17 the State where emergency conditions make it necessary, the State Board of Education
18 may order general, and if necessary, extended recesses or adjournment of the public
19 schools.

20 (d) Opening and Closing Dates. – Local boards of education shall determine the
21 dates of opening and closing the public schools under subdivision (a)(1) of this section. A
22 local board may revise the scheduled closing date if necessary in order to comply with
23 the minimum requirements for instructional days or instructional time. Different opening
24 and closing dates may be fixed for schools in the same administrative unit."

25 Section 2. This act becomes effective July 1, 1999, and applies to school years
26 beginning on and after that date.