

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-48
HOUSE BILL 415**

AN ACT TO GIVE FLEXIBILITY TO MAKE UP INSTRUCTIONAL DAYS MISSED DURING THE 2004-2005 SCHOOL YEAR IN LOCAL SCHOOL ADMINISTRATIVE UNITS LOCATED IN WHOLE OR IN PART IN THE COUNTIES THAT THE PRESIDENT OF THE UNITED STATES DECLARED TO BE DISASTER AREAS FOR HURRICANES FRANCES AND IVAN.

The General Assembly of North Carolina enacts:

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

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

- (1) A minimum of either 180 days and or 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 by State Board policy. The school calendar shall include a plan for making up days and instructional hours missed when schools are not opened due to inclement weather.

If, due to inclement weather, a local board of education complies with this subdivision by scheduling 1,000 hours of instruction on less than 180 days, the local school administrative unit is deemed to have a minimum of 180 days of instruction, teachers employed for a 10-month term are deemed to have been employed for 180 instructional days, and all other employees shall be compensated as if they had worked their regularly scheduled hours for 180 instructional days."

SECTION 2. This act applies only to local school administrative units located in whole or in part in the counties that (i) were declared by the President of the United States to be a disaster area for Hurricane Frances, Hurricane Ivan, or both and (ii) have missed more than 13 instructional days during the 2004-2005 school year due to all inclement weather including flooding from Hurricane Frances, Hurricane Ivan, or both.

SECTION 3. This act applies to the 2004-2005 school year only.

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 16th day of May, 2005.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 4:48 p.m. this 17th day of May, 2005