

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 359
Committee Substitute Favorable 3/29/07
Third Edition Engrossed 4/4/07

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.

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

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

25 **SECTION 2.** G.S. 115C-84.2 is amended by adding a new subsection to
26 read:

27 "(d1) School Calendar Advisory Committee. – Each local board of education shall
28 appoint an advisory committee to assist it in developing a school calendar. At least one
29 member of the advisory committee shall be a county commissioner."

30 **SECTION 3.** This act is effective when it becomes law and applies
31 beginning with the 2007-2008 school year.