

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**HOUSE DRH70158-LE-184 (3/10)**

Short Title: Change School Starting Date.

(Public)

Sponsors: Representatives Luebke, M. Alexander, England, and Rapp (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CHANGE THE SCHOOL STARTING DATE FOR STUDENTS.  
3 The General Assembly of North Carolina enacts:

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

5 "(d) Opening and Closing Dates. – Local boards of education shall determine the dates  
6 of opening and closing the public schools under subdivision (a)(1) of this section. Except for  
7 year-round schools, the opening date for students shall not be before ~~August 25, and the second~~  
8 Monday in August; the closing date for students shall not be after June 10. On a showing of  
9 good cause, the State Board of Education may waive this requirement to the extent that school  
10 calendars are able to provide sufficient days to accommodate anticipated makeup days due to  
11 school closings. A local board may revise the scheduled closing date if necessary in order to  
12 comply with the minimum requirements for instructional days or instructional time. For  
13 purposes of this subsection, the term "good cause" means that schools in any local school  
14 administrative unit in a county have been closed eight days per year during any four of the last  
15 10 years because of severe weather conditions, energy shortages, power failures, or other  
16 emergency situations.

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

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

31 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
32 the 2009-2010 school year.

