

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**HOUSE BILL 593  
Committee Substitute Favorable 5/11/09**

Short Title: Change School Starting Date.

(Public)

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Sponsors:

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Referred to:

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March 16, 2009

A BILL TO BE ENTITLED

1 AN ACT TO CHANGE THE SCHOOL STARTING DATE FOR STUDENTS AND TO  
2 REQUIRE LOCAL BOARDS OF EDUCATION TO CONDUCT A PUBLIC HEARING  
3 BEFORE DETERMINING THE OPENING AND CLOSING DATES FOR THE PUBLIC  
4 SCHOOLS.  
5

6 The General Assembly of North Carolina enacts:

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

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

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

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

34 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
35 the 2010-2011 school year.

