

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H.B. 1049  
May 14, 2014  
HOUSE PRINCIPAL CLERK

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HOUSE DRH30732-TCz-29 (04/21)

Short Title: Restore School Calendar Educ. Purpose Waiver. (Public)

Sponsors: Representatives Horn, S. Martin, Lucas, and Langdon (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO RESTORE THE SCHOOL CALENDAR EDUCATIONAL PURPOSE  
3 WAIVER TO PROVIDE FLEXIBILITY TO LOCAL BOARDS OF EDUCATION FOR  
4 CALENDAR MODIFICATIONS NECESSARY TO ACCOMMODATE SPECIFIC  
5 PROGRAMS FOR A REASONABLE EDUCATIONAL PURPOSE, AS  
6 RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON EDUCATION  
7 INNOVATION.

8 The General Assembly of North Carolina enacts:

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

10 "(d) Opening and Closing Dates. – Local boards of education shall determine the dates  
11 of opening and closing the public schools under subdivision (a)(1) of this section. Except for  
12 year-round schools, the opening date for students shall be no earlier than the Monday closest to  
13 August 26, and the closing date for students shall be no later than the Friday closest to June 11.  
14 On a showing of good cause, the State Board of Education may waive the requirement that the  
15 opening date for students be no earlier than the Monday closest to August 26 and may allow the  
16 local board of education to set an opening date no earlier than the Monday closest to August 19,  
17 to the extent that school calendars are able to provide sufficient days to accommodate  
18 anticipated makeup days due to school closings. A local board may revise the scheduled  
19 closing date if necessary in order to comply with the minimum requirements for instructional  
20 days or instructional time. For purposes of this subsection, the term "good cause" means that  
21 schools in any local school administrative unit in a county have been closed eight days per year  
22 during any four of the last 10 years because of severe weather conditions, energy shortages,  
23 power failures, or other emergency situations.

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

34 The required opening and closing dates under this subsection shall not apply to any school  
35 that a local board designated as having a modified calendar for the 2003-2004 school year or to



1 any school that was part of a planned program in the 2003-2004 school year for a system of  
2 modified calendar schools, so long as the school operates under a modified calendar."

3 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
4 the 2015-2016 school year.