

SCHOOL CALENDAR

HOUSE BILL 1464

Effective July 1, 2005

Summary

House Bill 1464 states that the opening date for students shall not be before August 25, and closing date shall not be after June 10. The opening and closing dates apply to instructional days only, teacher workdays may be scheduled outside of these dates.

House Bill 1464 decreases the number of days in the school calendar from 220 days to 215 days. This Bill does not affect General Statute 115C-84.2 which requires the school calendar must:

- have a minimum of 180 days and 1,000 instructional hours.
- cover at least nine calendar months.
- have a minimum of 10 annual vacation leave days.
- have the same or an equivalent number of legal holidays occurring within the school calendar as those designated by State Personnel Commission for State employees.
- not have Sunday as an instructional or staff work day.
- not have Veterans as an instructional or staff work day.

In addition, teachers are paid for a term of 10 months (GS115-302.1) and therefore, the calendar shall not schedule instructional days or workdays on a Saturday. A Saturday may be used as a makeup day for an inclement weather day when the school has been closed.

Exemptions from the opening and closing dates

- Year-round schools
- Charter schools
- Schools designated as having a modified calendar for the 2003-04 school year or planned to have a modified calendar in 2003-04. This includes those schools that have been identified by the SBE as Continually Low Performing.

Year-round schools

Schools which are exempt due to a year round calendar must ensure that they are designated as year-round in the School Name and Address file (www.ncpublicschools.org/fbs/accounting/sna/).

Waiver Requests

Waivers may only be requested for the opening and closing dates, they cannot be requested for any other provision in the Bill, e.g. pay schedules, days in the month for salary purposes or the number of school calendar days.

I. Missed Days

The State Board of Education may waive the opening and closing date requirement for any LEA within a county that has been closed eight or more days per year during any four of the last ten years because of severe weather conditions, energy shortages, power failures or other emergency situations. The list of LEAs eligible to submit a request can be found at www.ncpublicschools.org/fbs/accounting/calendar/.

Process

The Division of School Business will publish the LEA ten year history of missed days by July 31 of each year. Due to the timing of the data collection and the creation of school calendars, the missed days used to meet the criteria will be one year in arrears.

Waiver request forms must be received by the Information Analysis and Reporting Section of School Business Services by August 10th.

The waiver form is located here:

www.ncpublicschools.org/docs/fbs/accounting/forms/waiverlea.pdf

LEAs that requested a waiver and are not eligible as they do not meet the criteria stated in HB 1464 will be sent denial letters.

LEAs that do meet the criteria will be presented to the State Board of Education for approval or denial.

Waivers will be granted to all schools within the LEA.

II. Educational Purpose

The State Board of Education may waive this requirement if a LEA establishes a need to adopt a different calendar for an educational purpose, which is defined as

- i. A specific school to accommodate a special program offered generally to the student body of that school,
- ii. A school primarily serves a special population of students, or
- iii. A defined program within a school.

The State Board of Education may grant a waiver to a school or to a defined program to the extent that the State Board of Education finds that

- i. The educational purpose is reasonable,
- ii. The accommodation is necessary to accomplish the educational purpose, or
- iii. The request is not an attempt to circumvent the opening and closing dates.

The waiver request shall not be used to accommodate system-wide class scheduling preferences.

Process

The LEA may submit an individual school or program waiver request to Rob Hines, Director, LEA Council. You may fax them to 919.807.4065. We will accept emailed PDF versions that have the original signature of the superintendent. They may be emailed to rhines@dpi.state.nc.us. You may contact Rob Hines with any questions on calendar waivers for educational purposes at 919.807.3244.

The waiver form is located here:

www.ncpublicschools.org/docs/fbs/accounting/forms/waiverschool.pdf