

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H

2

HOUSE BILL 163
Committee Substitute Favorable 3/14/23

Short Title: School Calendar Flexibility.

(Local)

Sponsors:

Referred to:

February 22, 2023

A BILL TO BE ENTITLED
AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO CERTAIN SCHOOL SYSTEMS
IN ADOPTING THE SCHOOL CALENDAR.

The General Assembly of North Carolina enacts:

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

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

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

SECTION 1.(b) G.S. 115C-174.12(a)(4) reads as rewritten:

"(4) All annual assessments of student achievement adopted by the State Board of Education pursuant to G.S. 115C-174.11(c)(1) and (3) and all final exams for courses shall be administered within the final 10 instructional days of the school year for year-long courses and within the final five instructional days of the semester for semester courses. Exceptions shall be permitted to accommodate a student's individualized education program and section 504 (29 U.S.C. § 794) plans and for the administration of final exams for courses with national or international curricula required to be held at designated times. A local board of education that has implemented a school calendar that concludes the fall semester prior to December 31 may administer assessments prior to the conclusion of that semester."



* H 1 6 3 - V - 2 *

1 **SECTION 1.(c)** This section applies only to Craven County Schools and Union
2 County Schools.

3 **SECTION 2.(a)** G.S. 115C-84.2(d) reads as rewritten:

4 "(d) Opening and Closing Dates. – Local boards of education shall determine the dates of
5 opening and closing the public schools under subdivision (a)(1) of this section. ~~Except for~~
6 ~~year-round schools,~~ Due to the unique geography of Hyde County, and to best serve students and
7 accommodate the differing needs of the travel, tourism, and related industries for the summer
8 season and the hunting seasons, schools located on Ocracoke Island and schools located on the
9 mainland should be regarded individually for the purposes of establishing the school calendar.
10 For students attending Hyde County Schools located on Ocracoke Island, the opening date for
11 students shall be no earlier than the Monday closest to August 26, and the closing date for
12 students shall be no later than the Friday closest to June 11. The opening date for students who
13 are dual enrolled in Hyde County Schools and an institution of higher education or for students
14 attending Hyde County Schools not located on Ocracoke Island shall be no earlier than the
15 Monday closest to August 10, and the closing date for students shall be no later than the Friday
16 closest to June 11. On a showing of good cause, the State Board of Education may waive the
17 requirement that the opening date for students be no earlier than the Monday closest to August
18 26 and may allow the local board of education to set an opening date no earlier than the Monday
19 closest to August 19, to the extent that school calendars are able to provide sufficient days to
20 accommodate anticipated makeup days due to school closings. A local board may revise the
21 scheduled closing date if necessary in order to comply with the minimum requirements for
22 instructional days or instructional time. For purposes of this subsection, the term "good cause"
23 means that schools in any local school administrative unit in a county have been closed eight
24 days per year during any four of the last 10 years because of severe weather conditions, energy
25 shortages, power failures, or other emergency situations.

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

30 **SECTION 2.(b)** G.S. 115C-174.12(a)(4) reads as rewritten:

31 "(4) All annual assessments of student achievement adopted by the State Board of
32 Education pursuant to G.S. 115C-174.11(c)(1) and (3) and all final exams for
33 courses shall be administered within the final 10 instructional days of the
34 school year for year-long courses and within the final five instructional days
35 of the semester for semester courses. Exceptions shall be permitted to
36 accommodate a student's individualized education program and section 504
37 (29 U.S.C. § 794) plans and for the administration of final exams for courses
38 with national or international curricula required to be held at designated times.
39 A local board of education that has implemented a school calendar that
40 concludes the fall semester prior to December 31 may administer assessments
41 prior to the conclusion of that semester."

42 **SECTION 2.(c)** This section applies only to Hyde County Schools.

43 **SECTION 3.** This act is effective when it becomes law and applies beginning with
44 the 2023-2024 school year.