

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS45299-NH-100A

Short Title: School Calendar Flexibility: A New Alternative. (Public)

Sponsors: Senators Galey, Berger, and Lee (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED
AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO LOCAL BOARDS OF
EDUCATION IN ADOPTING THE SCHOOL CALENDAR.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-84.2 reads as rewritten:
"§ 115C-84.2. School calendar.

...

(a2) Report on School Start and End Dates. – As part of the reporting requirements under the Uniform Education Reporting System pursuant to G.S. 115C-12(18), annually by April 1 each local board of education shall report to the Superintendent of Public Instruction and the State Board of Education on the start and end dates of the instructional calendar for students for the next academic year. The local board of education shall report this information for each school under the control of that board and shall identify the statutory ~~exception authorizing an earlier start date for all schools that start earlier than the Monday closest to August 26.~~ authority relied upon to set the dates.

...

(d) Opening and Closing Dates. – Local boards of education shall ~~determine the dates of~~ adopt a school calendar setting the opening and closing dates for the public schools under that ~~complies with~~ subdivision (a)(1) of this section. Except for year-round schools, section and one of the following:

(1) ~~the~~ The opening date for students shall be is no earlier than the Monday closest to August 26, and the closing date for students shall be is no later than the Friday closest to June 11.

(2) The opening date for students is no earlier than the Monday closest to August 19, so long as there are an equal number of days in the spring and fall semester, and the closing date for students is no later than the Friday immediately preceding the last Monday in May.

(d1) Notwithstanding the closing date requirement of subsection (d) of this section, a local board of education may, with approval of the State Board of Education, revise the scheduled closing date of the school calendar if a school experienced closures caused by severe weather, energy shortages, power failures, or other emergencies, and additional instructional time is needed to comply with the minimum requirements for instructional days or hours.

(d2) Modified Calendars and Year-Round Schools. – The required opening and closing dates under this ~~subsection~~ section shall not apply to (i) 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



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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~~-calendar, and (ii) year-round schools.

...."

SECTION 2. Part 2 of Article 8 of Chapter 115C of the General Statutes is amended by adding the following new sections to read:

"§ 115C-84.2A. Duty to comply with school calendar requirements.

(a) It is the duty of a local board of education to ensure that a local school administrative unit complies with the requirements of Part 2 of this Article.

(b) Negligent failure to ensure compliance with Part 2 of this Article shall be deemed misfeasance and willful effort to prevent compliance shall be deemed malfeasance.

"§ 115C-84.2B. School calendar enforcement; withholding of funds.

(a) The State Board of Education shall ensure that public school units comply with Part 2 of this Article.

(b) The Superintendent of Public Instruction shall notify the State Board of Education and shall investigate whether the public school unit is in compliance with Part 2 of this Article if the Superintendent receives information from any of the following indicating that a public school unit has not complied with the Part:

(1) A report to the Department of Public Instruction, Superintendent of Public Instruction, or State Board of Education.

(2) A report by an employee of the Department of Public Instruction responsible for monitoring compliance of a public school unit.

(3) Any other source the Superintendent deems credible.

(c) The Superintendent shall report the findings of the investigation to the State Board of Education within 60 days of the receipt of the information under subsection (b) of this section. The State Board shall schedule consideration of the report no later than the next regular meeting occurring more than five days after submission of the report.

(d) Following submission of the report by the Superintendent, if the State Board of Education by a majority vote finds that the governing body has not complied with Part 2 of this Article, the State Board shall direct the governing body of the public school unit to take action to remedy the violation and submit documentation of the remedy to the State Board within 60 days. The State Board shall find that a public school unit is noncompliant with Part 2 of this Article if the Superintendent's report indicates any of the following have occurred:

(1) The governing body adopted a resolution or policy stating that the public school unit will not comply with Part 2 of this Article.

(2) The governing body approved any action counter to or incompatible with compliance of Part 2 of this Article.

(e) If the governing body of the public school unit fails to comply with the State Board of Education direction as provided in subsection (d) of this section, the State Board shall withhold the local school administrative unit's central office administration allotment until the State Board determines the local board is no longer noncompliant.

(f) If the State Board of Education takes action under subsection (e) of this section, the State Board shall report this action to the Joint Legislative Education Oversight Committee, within 60 days of the action. The General Assembly shall consider, no later than the next session of the General Assembly, the future governance of the identified public school unit.

"§ 115C-84.2C. School calendar enforcement; liability of local board.

(a) A person that resides or maintains a place of business within the boundaries of a local school administrative unit may bring an action against the local board of education if the board has not complied with Part 2 of this Article. For purpose of this section, "person" means any natural person or corporation, nonprofit corporation, limited liability company, trust, association, partnership, joint venture, subsidiary, or other business entity.

1 (b) For any action brought pursuant to this section, if the court finds that a local board of
2 education has not complied with Part 2 of this Article, the court shall issue a declaratory judgment
3 that the board is noncompliant, provide injunctive relief, and award a prevailing claimant
4 reasonable attorneys' fees and costs. The court may impose a civil penalty against the board of
5 up to ten thousand dollars (\$10,000)."

6 **SECTION 3.** This act is effective when it becomes law and applies beginning with
7 the 2025-2026 school year.