

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 197

Senate Rules and Operations of the Senate Committee Substitute Adopted 5/5/11

Short Title: School Calendar Flexibility/Inclement Weather.

(Public)

Sponsors:

Referred to:

March 1, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL
3 FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO
4 INCLEMENT WEATHER OR OTHER EMERGENCY SITUATIONS.

5 The General Assembly of North Carolina enacts:

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

7 "(a) School Calendar. – Each local board of education shall adopt a school calendar
8 consisting of 215 days all of which shall fall within the fiscal year. A school calendar shall
9 include the following:

- 10 (1) A minimum of either 180 days and-or 1,000 hours of instruction covering at
11 least nine calendar months. The local board shall designate when the 180
12 instructional days or 1,000 hours shall occur. The number of instructional
13 hours in an instructional day may vary according to local board policy and
14 does not have to be uniform among the schools in the administrative unit.
15 Local boards may approve school improvement plans that include days with
16 varying amounts of instructional time. If school is closed early due to
17 inclement weather, the day and the scheduled amount of instructional hours
18 may count towards the required minimum to the extent allowed by State
19 Board policy. The school calendar shall include a plan for making up days
20 and instructional hours missed when schools are not opened due to
21 inclement weather.

22 If, due to inclement weather, a local board of education complies with
23 this subdivision by scheduling 1,000 hours of instruction on less than 180
24 days, the local school administrative unit is deemed to have a minimum of
25 180 days of instruction, teachers employed for a 10-month term are deemed
26 to have been employed for 180 instructional days, and all other employees
27 shall be compensated as if they had worked their regularly scheduled hours
28 for 180 instructional days."

29 SECTION 1.(b) This section applies only to the following:

- 30 (1) Local school administrative units that missed more than 20 instructional
31 days during the 2010-2011 school year due to inclement weather, provided
32 that instruction is provided at least through June 10.
33 (2) Local school administrative units that missed instructional days at one or
34 more schools during the 2010-2011 school year due to the partial or
35 complete destruction of a school building and that are located within a
36 county with a population of less than 25,000 which has been declared by the



- 1 President of the United States to be a disaster area due to severe storms,
2 tornadoes, and flooding occurring on April 16, 2011.
- 3 (3) Public schools that missed instructional days during the 2010-2011 school
4 year due to the partial or complete destruction of the school and that are
5 located in local school administrative units in counties declared by the
6 President of the United States to be a disaster area due to severe storms,
7 tornadoes, and flooding occurring on April 16, 2011.
- 8 (4) Public schools that missed instructional days during the 2010-2011 school
9 year due to a state of emergency and that are located in local school
10 administrative units in a coastal county with a population of more than
11 175,000 where a state of emergency was declared by the county
12 commissioners in March 2011.
- 13 **SECTION 2.(a)** G.S. 115C-238.29F(d)(1) reads as rewritten:
14 "(1) The school shall provide instruction each year for ~~at least 180 days~~ a
15 minimum of either 180 days or 1,000 hours of instruction covering at least
16 nine calendar months."
- 17 **SECTION 2.(b)** This section applies only to charter schools that missed more than
18 20 instructional days during the 2010-2011 school year due to inclement weather.
- 19 **SECTION 3.** This act is effective when it becomes law and applies only to the
20 2010-2011 school year.