

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

**HOUSE BILL 197
RATIFIED BILL**

**AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL
FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO
INCLEMENT WEATHER OR OTHER EMERGENCY SITUATIONS.**

The General Assembly of North Carolina enacts:

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

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

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

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

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

- (1) Local school administrative units that missed more than 20 instructional days during the 2010-2011 school year due to inclement weather, provided that instruction is provided at least through June 10.
- (2) Local school administrative units that missed instructional days at one or more schools during the 2010-2011 school year due to the partial or complete destruction of a school building and that are located within a county with a population of less than 25,000 which has been declared by the President of the United States to be a disaster area due to severe storms, tornadoes, and flooding occurring on April 16, 2011.
- (3) Public schools that missed instructional days during the 2010-2011 school year due to the partial or complete destruction of the school and that are located in local school administrative units in counties declared by the President of the United States to be a disaster area due to severe storms, tornadoes, and flooding occurring on April 16, 2011.
- (4) Public schools that missed instructional days during the 2010-2011 school year due to a state of emergency and that are located in local school administrative units in a coastal county with a population of more than 175,000 where a state of emergency was declared by the county commissioners in March 2011.



SECTION 2.(a) G.S. 115C-238.29F(d)(1) reads as rewritten:

"(1) The school shall provide instruction each year for ~~at least 180 days~~ a minimum of either 180 days or 1,000 hours of instruction covering at least nine calendar months."

SECTION 2.(b) This section applies only to charter schools that missed more than 20 instructional days during the 2010-2011 school year due to inclement weather.

SECTION 3. This act is effective when it becomes law and applies only to the 2010-2011 school year.

In the General Assembly read three times and ratified this the 17th day of May, 2011.

Walter H. Dalton
President of the Senate

Thom Tillis
Speaker of the House of Representatives

Beverly E. Perdue
Governor

Approved _____m. this _____ day of _____, 2011