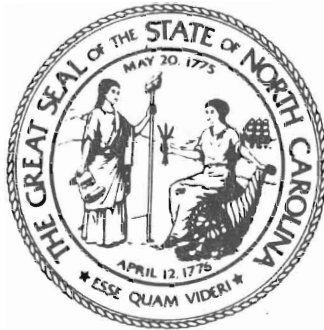


**LEGISLATIVE STUDY COMMISSION
ON THE
PUBLIC SCHOOL CALENDAR**



**REPORT TO THE
1985 GENERAL ASSEMBLY
OF NORTH CAROLINA
1986 SESSION**

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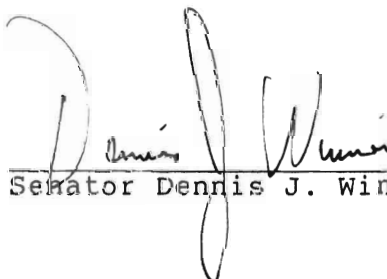
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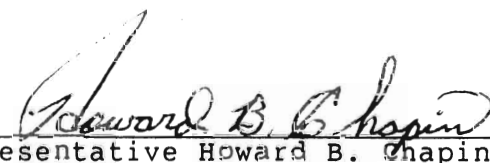
April 11, 1986

TO THE MEMBERS OF THE 1985 GENERAL ASSEMBLY (1986 SESSION):

The Legislative Study Commission on the Public School Calendar herewith reports to the 1985 General Assembly (1986 Session) on the matter of the public school calendar. This report is made pursuant to Section 17 of Chapter 792 of the 1985 Session Laws.

Respectfully submitted,


Senator Dennis J. Winner


Representative Howard B. Chapin

Cochairmen

Legislative Study Commission on
The Public School Calendar

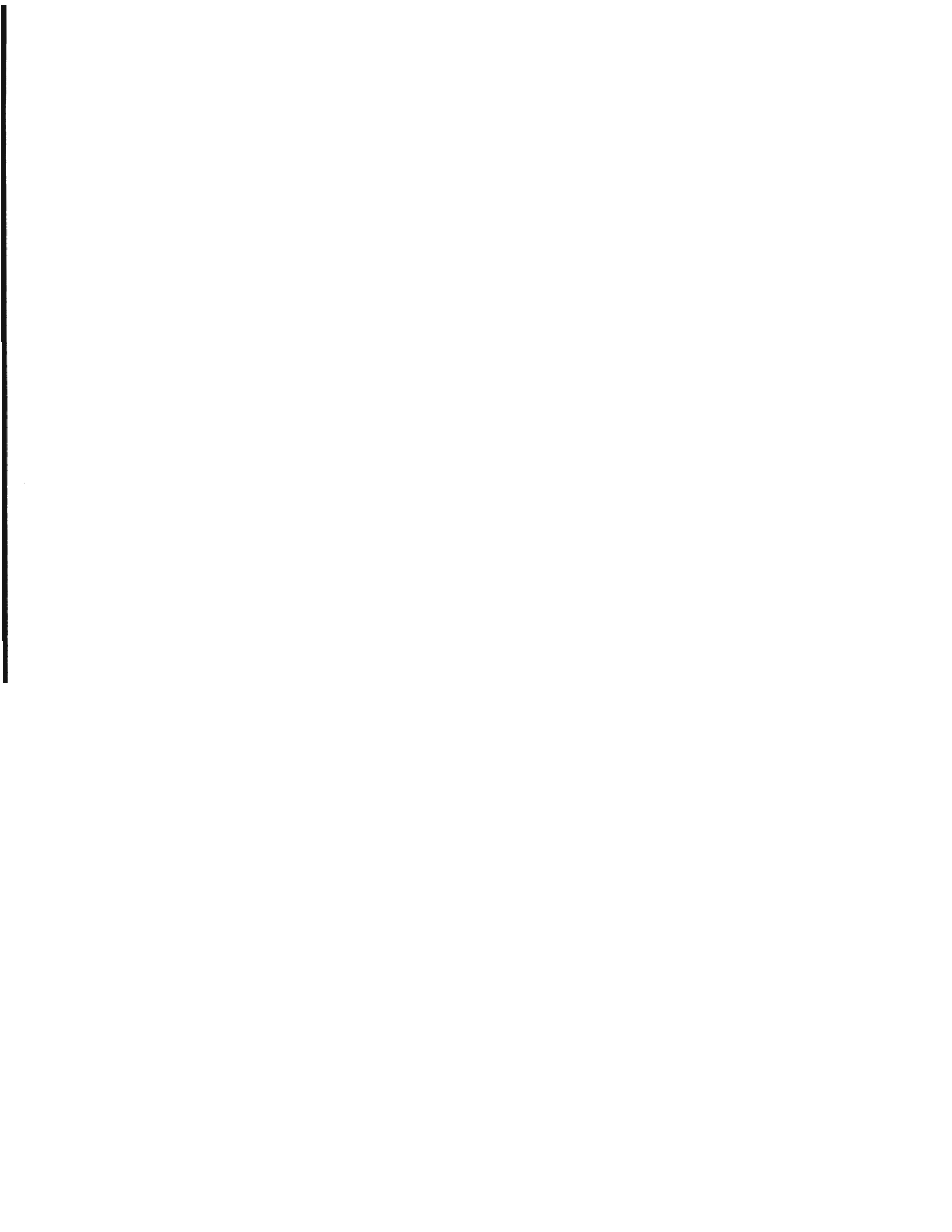


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PREFACE

The Legislative Study Commission on the Public School Calendar was created by the 1985 General Assembly to study seven issues pertaining to the public school calendar. These issues are:

- (1) Current laws and policies regarding school closings due to hazardous weather conditions, natural disasters, and other emergencies;
- (2) Whether school should be scheduled on Saturdays to make up for these school closings;
- (3) How to ensure that schools are open 180 days each year throughout the state;
- (4) Whether there should be a uniform date for the opening of school;
- (5) When teachers should be permitted to take vacation time;
- (6) Whether the cost of a substitute teacher when personal leave is taken should be funded in the same manner as when sick leave is taken; and
- (7) Whether teachers should be paid for leave time not taken during the school year.

A copy of the legislation creating the Commission, Section 17 of Chapter 792 of the 1985 Session Laws, may be found in Appendix A of this report.

The Commission was chaired by Senator Dennis Winner and Representative Howard Chapin, who were appointed from the Commission membership by the Lieutenant Governor and the Speaker of the House of Representatives, respectively. The Commission consisted of 16 members who were also appointed by the Lieutenant Governor and the Speaker of the House of Representatives. The members were evenly distributed geographically throughout the State. The members and their qualifications for membership were:

- (1) Two parents of public school children appointed by the Lieutenant Governor - Mr. Henry McCarthy from Boone and Mr. Dan Shive from Monroe;
- (2) Two parents of public school children appointed by the Speaker of the House of Representatives - Representative William Boyd from Asheboro and Representative Walter Jones, Jr. from Farmville;
- (3) Two members of the Senate appointed by the Lieutenant Governor - Senator Dennis Winner from Asheville and Senator Marvin Ward from Winston-Salem;
- (4) Two members of the House of Representatives appointed by the Speaker of the House of Representatives - Representative Howard Chapin from Washington and Representative Gordon Greenwood from Black Mountain;

- (5) One local school board member appointed by the Lieutenant Governor - Mr. Howard Dorsett from Mt. Gilead;
- (6) One local school board member appointed by the Speaker of the House of Representatives - Mrs. Ann Koonce from Raleigh;
- (7) One local school superintendent appointed by the Lieutenant Governor - Mr. Perry Harrison from Pittsboro;
- (8) One local school superintendent appointed by the Speaker of the House of Representatives - Mrs. Jeanne Meiggs from Currituck;
- (9) One public school principal appointed by the Lieutenant Governor - Dr. Patricia Ashley from Charlotte;
- (10) One public school principal appointed by the Speaker of the House of Representatives - Mr. Roger Capps from Black Mountain;
- (11) One public school teacher appointed by the Lieutenant Governor - Ms. Linda Gunter from Apex; and
- (12) One public school teacher appointed by the Speaker of the House of Representatives - Mrs. Jo Ann Presley-Teague from Waynesville.

The Commission was directed to report to the 1986 Session of the 1985 General Assembly. Pursuant to the 1985 adjournment resolution, Resolution 34 of the 1985 Session Laws, "bills implementing the recommendations of study commissions...directed to report to the 1986 Session" are eligible for consideration by

the 1986 Session of the General Assembly. Thus, bills implementing the recommendations of this Commission may be introduced during the 1986 Session.

The 1985 General Assembly appropriated \$7,500 to the Commission. The Commission used these funds to hold three meetings and to prepare and submit this report.

COMMISSION PROCEEDINGS

The Legislative Study Commission on the Public School Calendar held three meetings during the course of its study. The Commission began its deliberations by reviewing the current law pertaining to the Public School Calendar and by reviewing action by the 1985 General Assembly pertaining to the current law. The Commission then heard from State officials, lobbyists, and other interested parties about policy considerations pertaining to the seven issues. A list of witnesses who appeared before the Commission may be found in Appendix B.

Local boards of education are charged by law with setting the school calendars for their respective school systems. (G.S. 115C-47(5) and (11)). The school calendar must include:

- (1) 180 days for instructing pupils (G.S. 115C-84(c));
- (2) 10 annual vacation days (G.S. 115C-302(a)(3));
- (3) The same number of legal holidays as those designated by the State Personnel Commission for State employees for the 10-month employment period (G.S. 115C-302(a)(1)); the State Personnel Commission has designated 9 days for the 10-month period when Christmas falls on a Monday or Friday and 10 days otherwise. (25 NCAC 1E .0900); and
- (4) Up to 20 additional days of employment not devoted to classroom teaching, holidays, or annual leave. These days are allotted before, during, and after the school term. (G.S. 115C-302(a)(1)).

The general statutes and the rules of the State Board of Education provide additional limitations and directions to the local boards on how they establish and administer their calendars. These limitations and directions, as they apply to the issues before the Commission, are discussed below.

ISSUE 1. CURRENT LAWS AND POLICIES REGARDING SCHOOL CLOSINGS DUE TO HAZARDOUS WEATHER CONDITIONS, NATURAL DISASTERS, AND OTHER EMERGENCIES;

The current law requires that there be a uniform school term of 180 days for instructing pupils in every school in the State. (G.S. 115C-84(c)). The current law further requires that each school day include at least six hours when teachers are either "employed in the schoolroom or on the grounds supervising the activities of children". (G.S. 115C-84(a)). There are four ways that local boards of education and/or the State Board of Education can deal with school closings for part of the 180 day school term other than by making up the time lost:

- (1) If there is an emergency, act of God, or any other conditions that require the closing of school before six instructional hours have elapsed, the superintendent of the school unit may suspend the operation of the school for the day. The day could still be counted as one of the 180 days of the school term and the teachers could still be paid for the day. (G.S. 115C-84(a)).

According to a recent opinion of the Department of Justice, the superintendent's discretion under this provision is subject to limitations and should be exercised only for extraordinary reasons. The opinion

placed the following limitations on superintendents closing school because of hot weather:

- (a) It must be hot enough to impair health and safety or to create discomfort that substantially impairs the learning process;
- (b) The excessive heat must be extant or predictable with reasonable certainty;
- (c) Alternate means of meeting the six hour minimum day should be considered; and
- (d) The schools within the system that are air-conditioned should not be closed unless other factors such as school bus routes make it difficult or impracticable to close only the schools that are not air-conditioned.

(Memorandum from Andrew A. Vanore, Jr., Chief Deputy Attorney General and Edwin M. Speas, Jr., Special Deputy Attorney General to A. Craig Phillips, Superintendent of Public Instruction, September 6, 1985).

- (2) Employees may be required to report to school for a workday on a day that pupils are not required to attend school due to inclement weather. Teachers must be given the option of not reporting to work due to hazardous travel conditions and either using the day as an annual vacation day or making up the day at a time agreed upon by the teachers and their supervisors. The day could not be counted as part of the 180 days of the school term but it would count as a teacher workday and

teachers would be paid for the day. (G.S. 115C-302(a)(1); see also G.S. 115C-302(a)(2), 115C-285(a)(1), and 115C-316(a)(1) and (a)(2), for comparable provisions pertaining to other school employees).

According to a recent opinion of the Department of Justice, the General Statutes do not permit local school boards to give teachers the option of working at home when school is closed due to inclement weather. The State Board of Education may, however, have the authority to adopt such a policy for State-allotted teachers. (Letter from Andrew A. Vanore, Jr., Chief Deputy Attorney General and Edwin M. Speas, Jr., Special Deputy Attorney General to John G. McCormick, November 6, 1985).

- (3) For up to 60 days when it finds that conditions justify the suspension of school, the State Board of Education or the local board of education with the approval of the State Board, may suspend the operation of school. For up to 15 of these days, teachers would be paid. All 60 days would still be counted as part of the 180 days of the school term. (G.S. 115C-84(c)).

The rules of the State Board prevent the suspension of school due to inclement weather under this provision unless three conditions are met:

- (a) The request must be in the form of a resolution from the local board that documents

that every effort has been made to keep the schools open for 180 days of instruction;

(b) The local board must have already made up 15 days lost due to inclement weather before any suspension of the term; and

(c) Either the request will result in a school term of no less than 175 days or the request is accompanied by a request for enough money to keep the schools open for at least 175 days. (16 NCAC 2A .0003).

(4) For up to two days (or three days if making up the third day would mean the last day of school would be a Monday) that schools are closed due to hazardous weather conditions, natural disaster or other emergency, the local board of education can close the schools. These days are commonly known as "snow days" and are most often taken because of snow or hurricanes. These days would be counted as part of the 180 days of the school term and teachers would be paid for these days. (G.S. 115C-84(c)).

The snow day provision ((4), above) is the school closing provision that has caused the most interest and activity in recent years in the General Assembly and otherwise. In 1982, the General Assembly gave local boards of education the authority to excuse five days each year due to hazardous weather conditions, natural disaster, or other emergency. (Section 15.1 of Chapter 1282, Session Laws of 1981 (Regular Session 1982)) In 1985, the General

Assembly cut back the number of days that could be excused to two days, or three days if the last day of school would otherwise be a Monday. (Sections 7 and 8 of Chapter 791, Session Laws of 1985). After cutting back the number of days that could be excused, the General Assembly referred the issue to this Commission for further study.

During the 1984-85 school year (when local school boards were permitted to suspend the school term for up to five days each year) schools were closed in the various school systems of the State a total of 691 days; of these 691 days, 203 days were not made up. A total of 1,744,549 student days were excused under this provision during the 1984-85 school year. (See the "Department of Public Education Summary of Reported School Closings under the Five Day Provision of G.S. 115C-84(c) as of May 31, 1985" in Appendix C).

A bill considered but not enacted by the 1985 General Assembly that would have amended this provision was Senate Bill 484, introduced by Senators Simpson and Kincaid. A Senate Education Committee Substitute for this bill would have permitted a local school board to excuse school for up to five of days if the school system has already made up at least ten days.

ISSUE 2. WHETHER SCHOOL SHOULD BE SCHEDULED ON SATURDAYS TO MAKE UP FOR THESE SCHOOL CLOSINGS;

Current State law states that "School shall not be taught on Saturdays unless the needs of agriculture, or other conditions in the unit or district make it desirable that school be taught on such days." (G.S. 115C-84(b)).

Current State law also states that the workweek for occupational education teachers shall consist of five days; the rules of the State Board of Education limit the workweek of all school employees to five days. (G.S. 115C-302(a)(2) and 16 NCAC 2F .0104). Thus school personnel can be required to work only 5 days a week whether or not one of those days is a Saturday.

Even if State law were amended to permit local school systems to require school personnel to work six days in a given week, the federal Fair Labor Standards Act would make it costly to do so. Teachers are not covered by the federal act; the federal act would, however, require school boards to pay teacher aides, some food service workers, custodians, and some other school support personnel overtime or to give them compensatory time off if they worked more than 40 hours in a given week.

ISSUE 3. HOW TO ENSURE THAT SCHOOLS ARE OPEN 180 DAYS EACH YEAR THROUGHOUT THE STATE;

The current law requires that there be a uniform school term of 180 days for every school in the State. Exceptions to this law because of hazardous weather conditions, natural disasters, and inclement weather are discussed under ISSUE 1 above. In addition to these, there is one more exception to the 180 day requirement - the State Board of Education has full authority "during any period of emergency to order general, and if necessary, extended recesses or adjournment of the public schools in any section of the State where the planting or harvesting of crops or any emergency conditions make such action necessary." (G.S. 115C-84(c)).

The State Board also has a rule that pertains to keeping the schools open a certain number of days throughout the State. That rule states that the State Board "will, within funds available to it, allocate additional funds to insure that every child has the opportunity to attend school for no less than 175 days". (16 NCAC 2A .0003).

Throughout the country, the minimum number of instructional days for the 1985-86 school year varied from 173 in North Dakota to 184 in the District of Columbia. A summary of the minimum number of instructional days for each state, compiled by the Education Commission of the States may be found in Appendix D.

ISSUE 4. WHETHER THERE SHOULD BE A UNIFORM DATE FOR THE OPENING OF SCHOOL;

The current law does not require a uniform date for the opening of school. North Carolina, along with 40 other states, lets local school systems set the opening day of school. The District of Columbia, Minnesota, Missouri, and South Dakota require that school open after Labor Day. A summary of when school begins in each state, compiled by the Education Commission of the States may be found in Appendix D.

For the 1985-86 school year, the opening day of school for North Carolina school systems ranged from August 12 in the Halifax and Mitchell County School Administrative Units to September 9 in the Martin County School Administrative Unit. (Labor Day was September 2). Seventy-two percent of the school systems or 68% of the students in North Carolina began school before Labor Day. Twenty-seven percent of the school systems or 32% of the students

in North Carolina began school after Labor Day. The two most popular days for opening school for the 1985-86 school year were the Monday before Labor Day and the Tuesday after Labor Day. Thirty-four percent of the school systems or 36% of the students in North Carolina began school the Monday before Labor Day. Twenty-six percent of the school systems or 30% of the students began school the Tuesday after Labor Day. A summary of school opening dates in North Carolina for the 1985-86 school year, compiled by the Controller of the State Board of Education may be found in Appendix E.

The 1985 General Assembly considered but did not enact a bill that would have amended the current law pertaining to the opening date of school. The bill, House Bill 1048, was introduced by Representatives Nesbitt, Greenwood, N. J. Crawford, Colton, Esposito, Evans, Foster, Miller, Payne, Redwine, and Windley. The bill would require a local board of education to set its calendar so that the first day students are required to attend classes would be after Labor Day; it would also, however, permit the State Board to waive this requirement upon a showing of good cause by a local board.

ISSUE 5. WHEN TEACHERS SHOULD BE PERMITTED TO TAKE VACATION TIME;

Under the current law, vacation time must be taken by teachers at a time when students are not scheduled to be in regular attendance. (G.S. 115C-302(a)(1) and 16 NCAC 2F .0106(b)(2)(A)). (Because emergency situations do occur on days when students are scheduled to be in regular attendance, the law

requires the State Board of Education to provide personal leave to teachers. (Section 8 of Chapter 872 of the 1983 Session Laws)). Vacation time may be taken by a teacher only upon the authorization of the teacher's immediate supervisor and under policies established by the local board. (G.S. 115C-302(a)(3)).

Teachers earn annual vacation leave as follows:

<u>Years of Aggregate State Service</u>	<u>Days Per Month of Employment</u>	<u>Days of 10-Month Year of Employment</u>
Less than 2 yrs.	1.00	10.0
2 but less than 5 yrs.	1.15	11.5
5 but less than 10 yrs.	1.40	14.0
10 but less than 15 yrs.	1.65	16.5
15 but less than 20 yrs.	1.90	19.0
20 years or more	2.15	21.5

(16 NCAC 2F .0106(a)(2)(D)). The first ten days of vacation time earned by a teacher each fiscal year must be included in the calendar adopted by the local board. (G.S. 115C-302(a)(3)).

Additional vacation time earned by a teacher may be taken on workdays except for those workdays designated by the local board for required attendance. Local boards may not designate so many workdays for required attendance that a teacher does not have an opportunity to take all of his annual leave days for the year.

(16 NCAC 2F .0106(b)(2)(A)). This means, for example, that a teacher who has worked for more than twenty years and who earns 21.5 days of annual leave time for the 10-month employment period must be permitted by the local board to take annual vacation leave on 11.5 teacher workdays. (21.5 vacation days = 10 scheduled vacation days + 11.5 non-mandatory workdays).

If a teacher does not use all of his annual leave days during a given school year, he may carry them forward until the next

year. Teachers may accumulate these days without limitation until December 31 of each year; however, only 30 days may be carried forward to January 1 of the next year. (G.S. 115C-302(a)(3)).

ISSUE 6. WHETHER THE COST OF A SUBSTITUTE TEACHER WHEN PERSONAL LEAVE IS TAKEN SHOULD BE FUNDED IN THE SAME MANNER AS WHEN SICK LEAVE IS TAKEN;

The State Board of Education is authorized and directed by law to provide for sick leave with pay for all school employees and to adopt rules providing for necessary substitutes on account of sick leave. The State Board's policies for school employees must be, insofar as is practicable, comparable with policies for State employees. (G.S. 115C-12(8) and Section 9 of Chapter 872 of the 1983 Session Laws). School employees, like State employees, currently earn sick leave at the rate of one day per month. (16 NCAC 2F .0107(b)(1)). The State Board is further authorized to provide funds to local school units to pay for the substitutes necessary on account of sick leave with pay. (G.S. 115C-12(8)). There is no comparable provision of law directing the State to provide for personal leave with pay and no State funds are currently appropriated for that purpose.

The regulations of the State Board provide for two days of personal leave a year for teachers. In general, teachers may take personal leave without divulging any reason, any time they request it five days in advance. Teachers on personal leave receive their salary for the day minus the amount appropriate to pay the substitute teacher. (16 NCAC 2F .0110(e)) The appropriate pay for a substitute is \$35.00 per day for teachers substituting for

five or less consecutive days in the same position. (16 NCAC 2F .0110(b) and (d)).

If the cost of a substitute teacher when personal leave is taken were funded in the same manner as when sick leave is taken, the total cost of two personal leave days a year for all teachers would be \$5,013,606. (For this cost analysis, "teachers" includes all personnel with instructional duties, exclusive of administrative personnel). This cost may be broken down among State, local, and federally funded teachers as follows:

State funded	\$4,210,742
Locally funded	484,880
Federally funded	317,984.

The 1985 General Assembly considered but did not enact a bill pertaining to this subject. The bill, House Bill 1267, introduced by Representative Bob Etheridge, would require the cost of a substitute teacher when personal leave is taken to be funded in the same manner as when sick leave is taken.

ISSUE 7. WHETHER TEACHERS SHOULD BE PAID FOR LEAVE TIME NOT TAKEN DURING THE SCHOOL YEAR.

Under the current law, when a teacher resigns or is otherwise separated from service, he is paid for up to 240 hours of annual leave time that he has accumulated (115C-302(a)(3)); he may receive credit toward retirement for sick leave time that he has accumulated. (G.S. 135-4(e)).

The 1985 General Assembly authorized the State Board of Education to implement a two-year pilot program, within funds available to the State Board for substitute teachers, that would

permit teachers in three local school units to opt to be paid for leave time not taken. At the end of each school year, teachers in the three units could elect to be paid \$50.00 per day for the first three sick leave days and two personal leave days not taken. The State Board is required to monitor the pilot program, to determine whether it has a positive effect on test scores and teacher morale, and to report its results to the Joint Legislative Commission on Governmental Operations. (Section 9 of Chapter 791 of the 1985 Session Laws). The 1985 General Assembly considered but did not enact a bill, House Bill 1267, introduced by Representative Bob Etheridge, that would have established this program on a statewide basis.

If teachers were paid for annual and sick leave time not taken, the cost if each teacher were paid for one day per year would be \$6,184, 538. (For this cost analysis, "teachers" includes all personnel with instructional duties, exclusive of administrative personnel). The cost of paying teachers for leave days not taken would be as follows:

State funded	\$5,190,629
Locally funded	593,398
Federally funded	400,511.

If teachers were paid for personal leave not taken, the cost if each teacher were paid for one day per year would be \$2,506,803. This cost may be broken down among State, local, and federally funded teachers as follows:

State funded	\$2,105,371
Locally funded	242,440
Federally funded	158,992.

RECOMMENDATIONS

Pursuant to the direction of Section 17 of Chapter 792 of the 1985 Session Laws, the Legislative Study Commission on the Public School Calendar, after having reviewed the information presented, makes the following recommendations to the General Assembly:

RECOMMENDATION 1. THE COMMISSION RECOMMENDS TO THE 1986 SESSION OF THE 1985 GENERAL ASSEMBLY THAT THE LAW BE AMENDED TO SAY THAT EACH LOCAL BOARD OF EDUCATION SHOULD FIX ITS CALENDAR SO THAT THE FIRST DAY FOR INSTRUCTING PUPILS IS AFTER LABOR DAY UNLESS IT IS NOT IN THE BEST INTERESTS OF THE LOCAL SCHOOL ADMINISTRATIVE UNIT TO DO SO.

Under the current law, it is the prerogative of each local board of education to decide when the first day of school will be in its school system. Local boards of education are charged by law with setting the school calendars for their respective school systems, subject to the limitations and directions set out in the North Carolina General Statutes and the rules of the State Board of Education. The General Statutes and the State Board rules do not speak to the issue of when the first day for instructing pupils should be; they do not limit the local boards' discretion in this matter.

The Commission recommends that the 1986 Session of the 1985 General Assembly amend the law to say that each local board of education should fix its calendar so that the first day for instructing pupils is after labor day unless it is not in the best interests of the local school administrative unit to do so. A

bill that would accomplish this may be found in Appendix F. This bill would encourage local school systems to schedule the first day for instructing pupils after Labor Day; it would also recognize that the local school board is in the best position to determine whether or not starting after Labor Day is in its school system's best interests and it would let the local board make the final decision.

In making this recommendation, the Commission considered support within the travel and tourism industry for a post-Labor Day school opening for all public schools in the State. Industry representatives informed the Commission that starting school before Labor Day hurts the industry because when school starts, travel facilities lose their seasonal employees and their visitors. The industry representatives also noted the importance of travel and tourism to the State's economy, the revenues generated for State and local government by the industry from sales taxes, hotel and motel transient occupancy or "room taxes", payroll taxes, and income taxes, and the number of seasonal jobs the industry provides for the State's youth. They urged the passage of a bill that would require a local board to schedule the first day of school after Labor Day unless the requirement were waived for good cause by the State Board of Education.

The Commission also considered support among educators and education lobbyists for leaving the discretion to set the first day of school with the local boards of education. The educators and education lobbyists felt that each community has different needs and requirements in its school calendar and that each

community should therefore be permitted to organize a school calendar that addresses the uniqueness, the needs, and the wishes, of its parents, students, educators, and community at large. They noted, for example, that weather requires a different school calendar in different areas of the State - the mountain areas must anticipate making up more days lost due to snow and the coastal areas must anticipate making up more days lost due to hurricanes. Thus, if the State required all school systems to set the opening day of school after Labor Day, some school systems may have to either schedule all teacher workdays outside of the school term or plan to finish the school term in late June.

RECOMMENDATION 2. THE COMMISSION RECOMMENDS TO THE 1987 GENERAL ASSEMBLY THAT THE LAW PERTAINING TO THE SCHOOL CALENDAR BE AMENDED IN FOUR WAYS:

- (1) TO REQUIRE EACH LOCAL BOARD OF EDUCATION TO MAKE UP AT LEAST THE FIRST SEVEN DAYS LOST DUE TO HAZARDOUS WEATHER, NATURAL DISASTER, OR OTHER EMERGENCY. AFTER MAKING UP SEVEN DAYS, IF THE LOCAL BOARD FINDS THAT IT IS IMPRACTICABLE TO MAKE UP ADDITIONAL DAYS, THE LOCAL BOARD CAN EXCUSE 2 ADDITIONAL DAYS. IF THE LAST DAY OF SCHOOL WOULD OTHERWISE BE A MONDAY, THE LOCAL BOARD COULD EXCUSE A THIRD SUCH DAY.
- (2) TO REQUIRE THAT TEACHERS' ANNUAL VACATION DAYS BE TAKEN AS FOLLOWS:
 - (A) 8 DAYS MUST BE TAKEN ON THE ANNUAL VACATION DAYS BUILT INTO THE SCHOOL CALENDAR BY THE LOCAL SCHOOL BOARD;
 - (B) THE NEXT FIVE DAYS THAT A TEACHER EARNS EACH YEAR MAY BE TAKEN ON DAYS STUDENTS ARE SCHEDULED TO BE IN REGULAR ATTENDANCE. WHEN THESE DAYS MAY BE TAKEN BUT NOT WHETHER THEY MAY BE TAKEN MUST BE APPROVED IN ADVANCE BY THE PRINCIPAL OR IMMEDIATE SUPERVISOR.
 - (C) ALL REMAINING DAYS MAY BE TAKEN ON WORKDAYS THE LOCAL BOARD DID NOT MAKE MANDATORY FOR ALL TEACHERS - THESE DAYS COULD ALSO BE TAKEN WHEN A TEACHER IS SICK BUT HAS USED ALL OF HIS SICK LEAVE.

- (3) TO ABOLISH PERSONAL LEAVE. ANY TEACHER WHO HAS ACCUMULATED PERSONAL LEAVE PRIOR TO THE 1986-87 SCHOOL YEAR WOULD BE PERMITTED TO USE IT DURING THE 1986-87 SCHOOL YEAR.
- (4) TO ABOLISH EXTENDED SICK LEAVE.

It became clear in the course of the Commission's deliberations that all issues pertaining to the school calendar are interrelated. If any one element of the school calendar is changed, it has an effect on the others. Closing schools for one day because of inclement weather, for example, leaves a school system with the option of losing an instructional day, moving a workday in the calendar, moving an annual leave day, moving a holiday, or extending the school term.

Because all issues pertaining to the school calendar are interrelated, RECOMMENDATION 2 must be treated as a single recommendation with four parts rather than as four separate recommendations. The parts of the recommendation are balanced to accommodate different interests and different concerns. The recommendation represents an attempt at a compromise worked on by North Carolina Association of Educators, the North Carolina School Boards Association, the North Carolina Association of School Administrators, and the Department of Public Instruction. A bill that incorporates this recommendation may be found in Appendix G.

Because parts of RECOMMENDATION 2 are very complex and very controversial, the Commission recommends that the 1986 Session of the 1985 General Assembly not consider this recommendation. It is the opinion of the Commission that the 1986 budget session will not be able to devote to this recommendation the time it will

require. Therefore, the Commission makes this recommendation to the 1987 General Assembly.

Part (1) of the recommendation pertains to what is commonly called snow days - days lost due to hazardous weather, natural disaster, or other emergency. Under the current law, a local school board is permitted to excuse two snow days each year. If the last day of school would otherwise be a Monday, the local board can excuse a third such day. Teachers are paid on the excused days and students do not have to make the days up. Also, under the current law, a local board can petition the State Board of Education to excuse additional days.

The Commission recommends, in Part (1) of the recommendation, that the current law be amended to require each local board of education to make up at least seven snow days and to make a finding that it is impracticable to make up any more days before the local board excuses any days. After making up seven days and after making a finding that it would be impracticable to make up additional days, the local board could excuse two days. If the last day of school would otherwise be a Monday, the local board could excuse a third such day. Just as is the case under the current law, local boards could also petition the State Board to excuse additional days.

In making this recommendation, the Commission considered the importance of having a 180 day school year throughout the State. Requiring each school system to make up at least seven days (and to make up additional days unless it is impracticable to do so) before excusing any would help to ensure that schools are open 180

days for student instruction throughout the State. Making up seven days should not place an undue burden on any school system. During the 1984-85 school year, 19 school systems made up seven days or more. (See Appendix C of this report).

The Commission also recognized the need for some flexibility in the 180 day school year for school systems faced with making up large numbers of snow days. (Twenty-three school systems throughout the State cancelled more than seven days of school during the 1984-85 school year; one school system cancelled 23 days.) Under this recommendation, local school boards would still retain some flexibility in dealing with snow days. They could excuse two days (or three days if the last day of school would otherwise be a Monday) after they have made up seven days, if they find that making up additional days would be impracticable. After excusing these days, they could petition the State Board of Education to excuse additional days.

Part (2) of the recommendation pertains to when and how teachers may take their annual vacation leave time. Under the current law, teachers have to take their first ten annual vacation leave days on days designated by the local board of education in the school calendar. Teachers may take the remainder of their annual leave days on workdays that the local board does not make mandatory for all teachers. (The local board is authorized to designate workdays as mandatory so long as it leaves enough non-mandatory days each year for every teacher to use the annual vacation days he earns for the year.) Teachers may never take annual vacation leave when students are in attendance or when the

teachers are sick; a teacher may, however, take two personal leave days per year, while students are in attendance and without anyone's permission, so long as the teacher pays the substitute.

The Commission recommends, in Part (2)(A) of the recommendation, that the law be amended to require teachers to take their first eight days of annual vacation leave days each year on the annual vacation days designated by the local board of education in the school calendar. Thus, there would be two less annual vacation days built in the school calendar than there are at present. Decreasing the number of annual vacation leave days the local board of education may designate in the calendar decreases the local board's flexibility in scheduling a winter break around the Christmas and New Years holidays and a spring break around the Easter holiday. It also decreases the local board's flexibility in rescheduling snow days. On the other hand, it gives teachers two additional days that teachers have some discretion in scheduling.

The Commission recommends, in Part (2)(B) of the recommendation, that the law be amended to permit teachers to take the next five annual vacation leave days they earn each year on days students are scheduled to be in regular attendance. When these days may be taken but not whether they may be taken would have to be approved in advance by the principal or immediate supervisor. (Not all teachers would have all five of these days. Beginning teachers, for example, receive only 10 annual leave days a year. They would have to take 8 of their days on the days built

into the calendar; they could take two days when students are in attendance.)

Letting teachers take annual vacation leave days, on days approved by their supervisors, while students are in attendance would mean that more students would spend more days being taught by substitute teachers. The total cost of paying the substitutes would be \$12,565,574 per year. (\$10,554,804 for State funded positions, \$795,150 for federally funded positions, and \$1,215,620 for locally funded positions. See Appendix H for a complete analysis of the cost.) On the other hand, letting teachers schedule their own annual vacation leave days on days approved by their supervisors would be treating them more like State employees. It may also mean that teachers work on more teacher workdays; therefore, more in-service training and more non-teaching tasks could be accomplished on teacher workdays.

The Commission recommends, in Part (2)(C) of the recommendation, that teachers continue to take all remaining annual vacation leave days on workdays the local board did not make mandatory for all teachers. Also, the Commission recommends that the law be amended to permit teachers to take these annual leave days when students are in attendance if the teacher is sick but has used all of his sick leave. Letting teachers take annual vacation leave when they are sick but have used all their sick leave would make leave benefits for teachers more like those for State employees.

Part (3) of the recommendation pertains to personal leave. The current law recognizes that emergency situations do occur such

that a teacher may not be able to work on a day that students are in attendance; therefore, under the current law, the State Board is directed to continue its personal leave policy. The State Board's personal leave policy permits every teacher to take personal leave for two days each year. This leave must be granted for any day except a required teacher workday or the day before or after holidays and scheduled vacation days, without the teacher having to give a reason, if the teacher requests it at least five days in advance. A teacher must pay for his substitute while he is on personal leave.

The Commission recommends, in Part (3) of the recommendation, that the law be amended to abolish personal leave. Any teacher who has accumulated personal leave prior to the 1986-87 school year would be permitted to use it during the 1986-87 school year. Abolishing personal leave would make leave benefits for teachers more like those for State employees. Under part 2(B) of this recommendation, all teachers would be able to take at least two annual vacation leave days each year when students are in attendance; this would eliminate the need for personal leave to deal with those days that students are in attendance but the teacher simply cannot be there.

Part (4) of the recommendation pertains to extended sick leave. Under the current rules of the State Board of Education, if a teacher has used up all of the sick leave he has earned and all of the sick leave he will earn by the end of the school year, the superintendent can allow the teacher to take extended sick leave for an additional 20 days. On these extended sick leave

days the teacher is paid his regular salary but the teacher must pay the substitute who replaces him. During the 1984-85 school year, teachers took an estimated 27,865 extended sick leave days.

The Commission recommends, in Part (4) of the recommendation, that the law be amended to abolish extended sick leave.

Abolishing extended sick leave would make leave benefits for teachers more like those for State employees. Since, under part 2(C) of this recommendation, teachers who have used all of their sick leave would be permitted to take annual vacation leave days on student attendance days when they are sick, there would be less need for extended sick leave.

APPENDIX A

1985 SESSION LAWS, C. 792

PART XVI.-----PUBLIC SCHOOL CALENDAR STUDY COMMISSION.

Sec. 17. There is appropriated from the General Fund to the General Assembly the sum of seven thousand five hundred dollars (\$7,500) for the 1985-86 fiscal year for a Legislative Study Commission on the Public School Calendar. The Commission shall consist of 16 members - two parents of public school children, two members of the Senate, one local school board member, one local school superintendent, one public school principal, and one public school teacher, appointed by the President of the Senate and two parents of public school children, two members of the House of Representatives, one local school board member, one local school superintendent, one public school principal, and one public school teacher, appointed by the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives shall appoint cochairmen for the Commission from its membership. The President of the Senate and the Speaker of the House of Representatives shall appoint people to the Commission who are evenly distributed geographically throughout the State.

The Commission shall study current laws and policies regarding school closings due to hazardous weather conditions, natural disasters, and other emergencies; whether school should be scheduled on Saturdays to make up for these school closings; how to ensure that schools are open 180 days each year throughout the State; whether there should be a uniform date for the opening of school; when teachers should be permitted to take vacation time; whether the cost of a substitute teacher when personal leave is taken should be funded in the same manner as when sick leave is taken; and whether teachers should be paid for leave time not taken during the school year.

With the prior approval of the Legislative Services Commission, the Legislative Services Office shall provide necessary professional and clerical assistance to the Commission. The Commission may hold its meetings in legislative buildings with the prior approval of the Legislative Services Commission.

Members of the Commission who are also members of the General Assembly shall be paid subsistence and travel expenses at the rate set forth in G.S. 120-3.1. Members of the Commission who are officials or employees of the State shall receive travel allowances at the rate set forth in G.S. 138-6. All other members of the Commission shall be paid per diem and allowances at the rates set forth in G.S. 138-5.

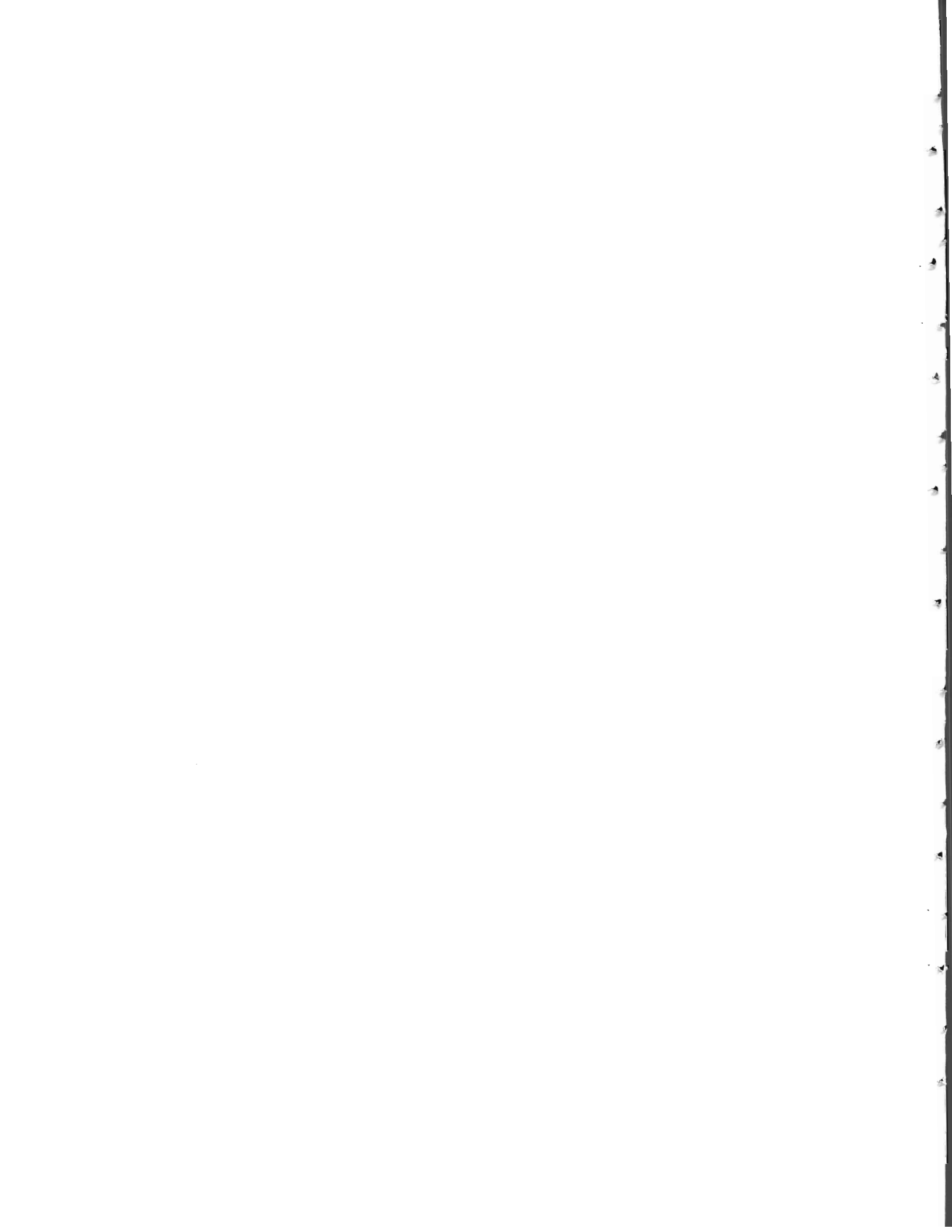
The Commission shall report to the 1986 Session of the 1985 General Assembly.

APPENDIX B

WITNESSES WHO APPEARED BEFORE THE
STUDY COMMISSION ON THE PUBLIC SCHOOL CALENDAR

Mr. Michael Olson	North Carolina Hotel & Motel Association Travel Council of North Carolina
Mr. Jerry Williams	Executive Vice-president, NC Restaurant Association
Dr. Craig Phillips	Superintendent, Department of Public Instruction
Dr. Gene Causby	Executive Director, North Carolina School Boards Association
Mr. Harold L. Gillis	President, North Carolina Association of School Administrators
Dr. Cleveland Hammonds	Superintendent, Durham City Schools
Mrs. Betty West	Past President of the North Carolina Association of School Administrators
Dr. Raymond Sarbaugh	Executive Director, North Carolina Association of School Administrators
Mr. John Dornan	Executive Secretary, North Carolina Association of Educators
Mr. Ralph Kimel	North Carolina Principals Association
Ms. Jo Anne Norris	North Carolina Association of Educators
Dr. Don Ferguson	State Department of Public Instruction
Mr. Ron Cannell	North Carolina High Country Host
Mr. Ray West	Administrator, Kanuga Conferences, Inc.
Mr. Patric Mullen	North Carolina Association of Educators

APPENDIX C



DEPARTMENT OF PUBLIC EDUCATION
 SUMMARY OF REPORTED SCHOOL CLOSINGS
 UNDER THE FIVE DAY PROVISION OF G.S. 115C-84(c)
 AS OF MAY 31, 1985

(1) SCHOOL SYSTEMS/SCHOOLS	(2) TOTAL DAYS SCHOOL CANCELLED	(3) NUMBER OF DAYS SCHOOL RESCHEDULED	(4) TOTAL DAYS TERM SUSPENDED	(5) FIFTH MONTH ADM	(6) NUMBER OF STUDENT DAYS EXCUSED	(7) DATES	(8) REASON
Alamance County Schools	7	4	3	10,409	31,227	January 28-30, 1985	Inclement weather
Burlington City Schools	6	3	3	6,992	20,976	January 29, 30, 1985 February 5, 1985	Inclement weather
Alexander County Schools	7	5	2	4,899	9,798	January 10, 1985 February 5, 1985	Inclement weather Inclement weather
Alleghany County Schools	13	11	2	1,670	3,340	February 12, 13, 1985	Inclement weather
Anson County Schools	2	2	0	5,063	---	---	---
Ashe County Schools	20	16	4	3,899	15,596	February 13-15, 18, 1985	Inclement weather
Avery County Schools	18	15	3	2,869	8,607	February 12-14, 1985	Inclement weather
Beaufort County Schools	2	2	0	4,437	---	---	---
Washington City Schools	0	0	0	3,816	---	---	---
Bertie County Schools	4	4	0	4,297	---	---	---
Bladen County Schools	3	0	3	6,166	18,498	September 12-14, 1984	Hurricane
Brunswick County Schools	4	0	4	8,270	33,080	September 11-14, 1984	Hurricane
Buncombe County Schools	12	8	4	21,797	87,188	February 12-15, 1985	Inclement weather
Asheville City Schools	10	10	0	4,867	---	---	---
Burke County Schools	4	4	0	12,618	---	---	---
Cabarrus County Schools	2	2	0	12,299	---	---	---
Kannapolis City Schools	2	1	1	4,579	4,579	February 5, 1985	Inclement weather

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Caldwell County Schools	6	6	0	12,699	---	---	---
Camden County Schools	2	2	0	1,126	---	---	---
Carteret County Schools	2	2	0	7,429	---	---	---
Caswell County Schools	5	5	0	3,903	---	---	---
Catawba County Schools	4	0	4	12,811	51,244	January 17, 22, 29, 1985 February 12, 1985	Inclement weather
Hickory City Schools	2	2	0	4,324	---	---	---
Newton-Conover City Schools	1	0	1	2,905	2,905	January 17, 1985	Inclement weather
Chatham County Schools	7	2	5	5,794	28,970	January 21-23, 28, 29, 1985	Inclement weather
Cherokee County Schools	12	7	5	3,709	18,545	January 21-22, 28, 29, 1985 February 12, 1985	Inclement weather Inclement weather
Chowan County Schools	3	3	0	2,410	---	---	---
Clay County Schools	13	8	5	1,193	5,965	January 21-23, 28, 30, 1985	Inclement weather
Cleveland County Schools	5	5	0	8,582	---	---	---
Kings Mountain City Schools	2	1	1	4,149	4,149	February 12, 1985	Inclement weather
Shelby City Schools	2	2	0	3,733	-	---	---
Columbus County Schools	2	0	2	8,102	16,204	September 13, 14, 1984	Hurricane
Whiteville City Schools	2	0	2	2,726	5,452	September 13, 14, 1984	Hurricane
Craven County Schools	3	0	3	13,379	40,137	September 12, 13, 1984 January 21, 1985	Hurricane Inclement weather

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Cumberland County Schools	2	2	0	34,818	---	---	---
Fayetteville City Schools	0	0	0	8,127	---	---	---
Currituck County Schools	2	2	0	2,221	---	---	---
Dare County Schools (Note 1)	2	1	1	2,409	2,409		
Cape Hatteras School (469)						November 15, 1984	Power failure
Manteo High School (611)						January 21, 1985	Inclement weather
Manteo Middle School (448)						January 21, 1985	Inclement weather
Manteo Elem. School (472)						January 21, 1985	Inclement weather
Dare Alternative School (35)						January 21, 1985	Inclement weather
Kitty Hawk Elem. School (374)						January 21, 1985	Inclement weather
Davidson County Schools	5	5	0	15,984	---	---	---
Lexington City Schools	6	6	0	3,347	---	---	---
Thomasville City Schools	6	3	3	2,585		January 29, 30, 1985 February 5, 1985	Inclement weather Inclement weather
Davie County Schools	6	3	3	4,816	14,448	January 28, 29, 1985 February 5, 1985	Inclement weather Inclement weather
Duplin County Schools (Note 2)	4	3	1	8,162	2,505	September 14, 1984	Hurricane
BF Grady Elem. School (412)							
Beulaville Elem. School (813)							
Chinquapin Elem. School (285)							
Chinquapin Primary School (233)							
East Duplin High School (762)							
Durham County Schools	5	5	0	16,553	---	---	---
Durham City Schools	2	2	0	8,556	---	---	---

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Edgecombe County Schools	0	0	0	5,492	---	---	---
Tarboro City Schools	1	1	0	3,195	---	---	---
Forsyth County Schools	7	2	5	38,960	194,800	January 17, 21, 22, 1985 January 28, 29, 1985 January 21-22, 28, 29, 1985	Inclement weather Inclement weather Inclement weather
Franklin County Schools	6	6	0	4,426	---	---	---
Franklinton City Schools	6	5	1	1,295	1,295	February 5, 1985	Inclement weather
Gaston County Schools	5	0	5	31,807	159,035	January 17, 22, 29, 1985 February 5, 12, 1985	Inclement weather Inclement weather
Gates County Schools	4	4	0	1,638	---	---	---
Graham County Schools	14	11	3	1,440	4,320	February 13-15, 1985	Inclement weather
Granville County Schools	5	5	0	6,490	---	---	---
Greene County Schools	4	0	4	2,901	11,604	September 12, 13, 1984 January 21, 29, 1985	Hurricane Inclement weather
Guilford County Schools	6	5	1	23,678	23,678	February 5, 1985	Inclement weather
Greensboro City Schools	5	5	0	21,571	---	---	---
High Point City Schools	6	3	3	8,556	25,668	January 29, 30, 1985 February 5, 1985	Inclement weather Inclement weather
Halifax County Schools (Note 3)	5	0	5	6,791	28,105	January 21-22, 28, 29, 1985 November 30, 1984 November 30, 1984	Inclement weather Water system failure Water system failure
Inborden Elem. School (578)							
Enfield Middle School (363)							
Roanoke Rapids City Schools	3	3	0	2,616	---	---	---
Weldon City Schools	3	3	0	1,290	---	---	---

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Harnett County Schools	2	0	2	11,437	22,874	January 21, 29, 1985	Inclement weather
Haywood County Schools	12	10	2	8,008	16,016	February 13, 14, 1985	Inclement weather
Henderson County Schools	9	9	0	8,450	---	---	---
Hendersonville City Schools	5	5	0	1,492	---	---	---
Hertford County Schools	4	2	2	4,292	8,584	January 28, 29, 1985	Inclement weather
Hoke County Schools	0	0	0	4,903	---	---	---
Hyde County Schools	1	1	0	999	---	---	---
Iredell County Schools	6	3	3	10,134	30,402	January 28, 29, 1985 February 5, 1985	Inclement weather Inclement weather
Mooresville City Schools	3	3	0	2,213	---	---	---
Statesville City Schools	5	5	0	3,395	---	---	---
Jackson County Schools	14	14	0	3,831	---	---	---
Johnston County Schools	5	5	0	14,402	---	---	---
Jones County Schools	3	1	2	1,716	3,432	September 12, 13, 1984	Hurricane
Lee County Schools	3	2	1	7,436	7,436	January 29, 1985	Inclement weather
Lenoir County Schools	4	4	0	6,439	---	---	---
Kinston City Schools	2	2	0	4,850	---	---	---
Lincoln County Schools	5	0	5	8,724	43,620	January 22, 28, 29, 1985 February 5, 12, 1985	Inclement weather Inclement weather

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Macon County Schools	16	11	5	3,547	17,735	January 17, 21, 22, 1985 January 29, 31, 1985	Inclement weather Inclement weather
Madison County Schools	16	13	3	2,841	8,523	January 21-23, 1985	Inclement weather
Martin County Schools	2	2	0	5,445	---	---	---
McDowell County Schools	9	9	0	6,932	---	---	---
Mecklenburg County Schools	1	0	1	71,430	71,430	January 29, 1985	Inclement weather
Mitchell County Schools	16	15	1	2,484	2,484	April 9, 1985	Inclement weather
Montgomery County Schools	3	3	0	4,265	----	---	---
Moore County Schools	3	0	3	8,791	26,373	January 10, 21, 29, 1985	Inclement weather
Nash County Schools	1	1	0	10,651	---	---	---
Rocky Mount City Schools	1	1	0	5,865	---	---	---
New Hanover County Schools (Note 4) John T. Hoggard School (1,591)	4	0	4	18,879	58,228	September 12-14, 1984 April 1, 1985	Hurricane Forest fire smoke
Northampton County Schools	3	0	3	4,316	12,948	January 21-23, 1985	Inclement weather
Onslow County Schools (Note 5) Trexler School (514)	5	0	5	15,274	46,850	September 12, 13, 1984 January 21, 1985 January 22, 23, 1985	Hurricane Inclement weather Fire
Orange County Schools	7	4	3	4,955	14,865	January 21-23, 1985	Inclement weather
Chapel Hill City Schools	4	4	0	5,195	---	---	---

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Pamlico County Schools	3	1	2	2,119	4,238	September 13, 1984 January 21, 1985	Hurricane Inclement weather
Pasquotank County Schools	1	1	0	5,097	---	---	---
Pender County Schools	3	0	3	4,612	13,836	September 12-14, 1984	Hurricane
Perquimans County Schools	2	2	0	1,784	---	---	---
Person County Schools	6	6	0	5,395	---	---	---
Pitt County Schools	1	0	1	11,411	11,411	January 21, 1985	Inclement weather
Greenville City Schools	1	1	0	5,046	---	---	---
Polk County Schools	5	0	5	1,519	7,595	January 21, 22, 29, 30, 1985 February 12, 1985	Inclement weather Inclement weather
Tryon City Schools	1	1	0	580	---	---	---
Randolph County Schools	8	4	4	13,048	52,192	January 28-30, 1985 February 5, 1985	Inclement weather Inclement weather
Asheboro City Schools	5	5	0	3,585	---	---	---
Richmond County Schools	0	0	0	9,031	---	---	---
Robeson County Schools	1	1	0	14,582	---	---	---
Fairmont City Schools	0	0	0	2,270	---	---	---
Lumberton City Schools	1	1	0	14,582	---	---	---
Red Springs City Schools	1	1	0	1,823	---	---	---
St. Pauls City Schools	1	0	1	1,562	1,562	September 13, 1984	Hurricane

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Rockingham County Schools	5	0	5	3,646	18,230	January 17, 21, 22, 29, 1985 February 5, 1985	Inclement weather Inclement weather
Eden City Schools	4	2	2	4,258	8,516	January 29, 1985 February 5, 1985	Inclement weather Inclement weather
Western Rockingham City Schools	4	4	0	3,775	---	---	---
Reidsville City Schools	0	0	0	3,886	---	---	---
Rowan County Schools	0	0	0	13,400	---	---	---
Salisbury City Schools	2	2	0	2,426	---	---	---
Rutherford County Schools	6	3	3	10,418	31,254	January 29, 1985 February 5, 12, 1985	Inclement weather Inclement weather
Sampson County Schools	4	4	0	6,621	---	---	---
Clinton City Schools	4	4	0	2,767	---	---	---
Scotland County Schools	0	0	0	7,547	---	---	---
Stanly County Schools	3	0	3	6,746	20,238	January 21, 29, 1985 February 12, 1985	Inclement weather Inclement weather
Albemarle City Schools	2	2	0	1,928	---	---	---
Stokes County Schools	9	4	5	6,622	33,110	January 17, 18, 1985 January 21, 22, 28, 1985	Inclement weather Inclement weather
Surry County Schools	10	8	2	8,165	16,330	January 10, 17, 1985	Inclement weather
Elkin City Schools	5	5	0	1,000	---	---	---
Mount Airy City Schools	8	3	5	1,993	9,965	January 21, 28-30, 1985 February 5, 1985	Inclement weather Inclement weather

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Swain County Schools	14	9	5	1,641	8,205	January 30, 1985 February 12-15, 1985	Inclement weather Inclement weather
Transylvania County Schools	8	8	0	4,136	---	---	---
Tyrrell County Schools	2	2	0	760	---	---	---
Union County Schools (Note 6)	5	0	5	12,049	37,797	January 22, 29, 1985 February 5, 1985 February 19-20, 1985	Inclement weather Inclement weather Fire
Parkwood High School (825)						January 29, 1985	Inclement weather
Monroe City Schools	2	0	2	3,045	6,090	February 5, 1985	Inclement weather
Vance County Schools	4	4	0	7,646	---	---	---
Wake County Schools	6	4	2	55,883	111,766	January 29, 1985 February 5, 1985	Inclement weather Inclement weather
Warren County Schools	6	4	2	3,138	6,276	January 11, 17, 1985	Inclement weather
Washington County Schools	2	2	0	2,991	---	---	---
Watauga County Schools	16	14	2	4,606	9,212	February 13, 14, 1985	Inclement weather
Wayne County Schools	1	0	1	13,228	13,228	January 21, 1985	Inclement weather
Goldsboro City Schools	2	2	0	4,940	---	---	---
Wilkes County Schools	11	6	5	10,921	54,605	February 5, 6, 12-14, 1985	Inclement weather
Wilson County Schools	1	1	0	12,459	---	---	---

DEPARTMENT OF PUBLIC EDUCATION
SUMMARY OF REPORTED SCHOOL CLOSINGS
UNDER THE FIVE DAY PROVISION OF G.S. 115C-84(c)
AS OF MAY 31, 1985

(1) SCHOOL SYSTEMS/SCHOOLS	(2) TOTAL DAYS SCHOOL CANCELLED	(3) NUMBER OF DAYS SCHOOL RESCHEDULED	(4) TOTAL DAYS TERM SUSPENDED	(5) FIFTH MONTH ADM	(6) NUMBER OF STUDENT DAYS EXCUSED	(7) DATES	(8) REASON
Yadkin County Schools	6	6	0	4,956	---	---	---
Yancey County Schools	<u>16</u>	<u>15</u>	<u>1</u>	<u>2,766</u>	<u>2,766</u>	April 9, 1985	Inclement weather
TOTAL	<u>691</u>	<u>488</u>	<u>203</u>		<u>1,744,549</u>		

- Note 1: Dare County Schools One school closed November 15, 1985; 5 schools closed January 21, 1985.
Note 2: Duplin County Schools Only 5 of the system's 17 schools were closed on September 14, 1984..
Note 3: Halifax County Schools All schools were closed for 4 days; Inborden and Enfield were closed one day each.
Note 4: New Hanover County Schools All schools were closed for 3 days; John T. Hoggard was closed one day.
Note 5: Onslow County Schools All schools were closed for 3 days; Trexler School was closed for two days.
Note 6: Union County Schools All schools were closed 3 days; Parkwood High School was closed two days.

APPENDIX D





clearinghouse notes

SCHOOL CALENDAR
As of November 1985

State	Minimum Number of Pupil/Teacher Contact Days	Teacher's Inservice Training/ Staff Development	Other Specific Days	When School Begins
Alabama	175	5 days		LEA option
Alaska	180	(1)		LEA option
Am. Samoa	180 (2)	10 days		LEA option
Arizona	175	LEA option		LEA option
Arkansas	175 (3)	5 days		(4)
California	175-180 (5)	LEA option		LEA option
Colorado	176	(6)		LEA option
Connecticut	180	LEA option		LEA option
Delaware	180	5 days		Annual SBE calendar
Dist. of Columbia	184	5 days		Day after Labor Day
Florida	180	(7)		LEA option
Georgia	180	10 days (8)		LEA option
Hawaii	175-180	(9)	1 teacher inst. day	Varies year to year
Idaho	177-180	(10)		LEA option
Illinois	176	4 days	5 emergency days	LEA option
Indiana	175	LEA option		LEA option
Iowa	179	1 day (11)		After 9/1
Kansas	180 (12)	LEA option		LEA option
Kentucky	175	4 days	(13)	LEA option
Louisiana	175-180	LEA option	(14)	LEA option
Maine	175	5 days		LEA option
Maryland	180	LEA option		LEA option
Massachusetts	180	LEA option		LEA option
Michigan	180 (15)	LEA option		LEA option
Minnesota	175	(16)		After Labor Day
Mississippi	175	LEA option		LEA option
Missouri	174	(17)		After Labor Day
Montana	180	(18)		LEA option
Nebraska	(19)	10 hours		LEA option
Nevada	180	(20)		LEA option
New Hampshire	180	(21)		LEA option
New Jersey	180	LEA option		LEA option
New Mexico	180	3 days (22)		LEA option
New York	180	(23)	10 legal holidays	LEA option
North Carolina	180	(24)	9 legal holidays	LEA option
North Dakota	175	2 days	(25)	LEA option
Ohio	182 (26)	2 days (optional)	2 parent/teacher (opt)	LEA option
Oklahoma	175	5 days	(27)	LEA option
Oregon	175	LEA option		LEA option
Pennsylvania	180	LEA option		LEA option
Rhode Island	180	(28)		LEA option
South Carolina	180 (29)	10 days		LEA option
South Dakota	175	(30)		After Labor Day
Tennessee	180 (31)	5 (*3)	10 vacation days	LEA option
Texas	175	8 days		LEA opt., after 9/1
Utah	180	LEA option		LEA option
Vermont	175	(32)		Regional option
Virginia	180	(33)		LEA option
Washington	180	LEA option		LEA option
West Virginia	180	(34)		LEA opt., after 9/1
Wisconsin	180	(35)		LEA option
Wyoming	175	5 days		LEA option

- (1) The 180-day requirement in Alaska includes 10 days which can be used for inservice training. This means that the actual number of pupil/teacher contact days varies from district to district depending upon the number of days used for training.
- (2) American Samoa requires 180 days of school with teacher contracts written for 196 working days.
- (3) Arkansas pupil/teacher contact days will be extended to 178 as of 6/1/87 and 180 days as of the 1987-90 school year.

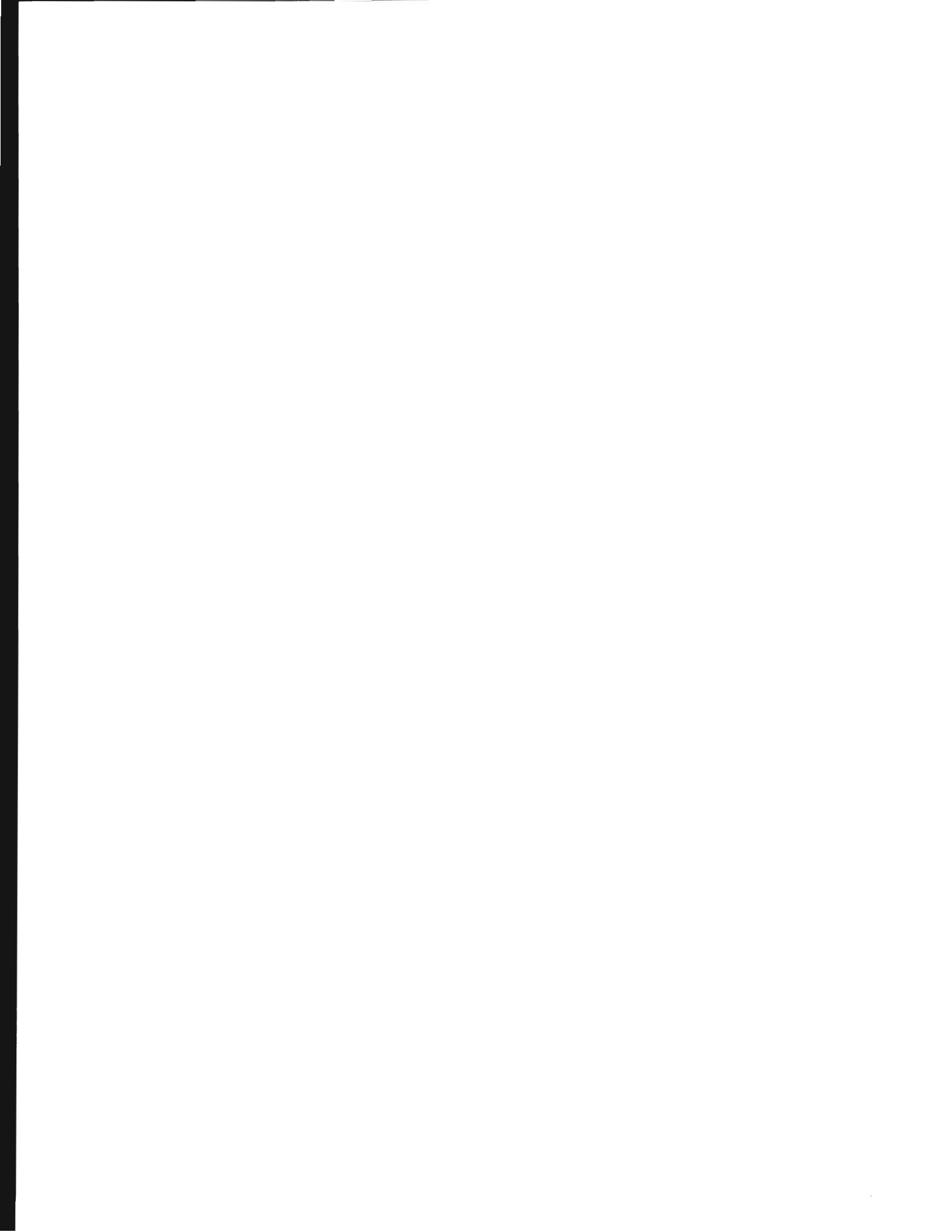
School Calendar

Page Two

- (4) Effective 1984-85, school begins in Arkansas the day immediately following the date observed as Labor Day. A school district may request a waiver of this requirement from the State Board of Education.
- (5) California allows individual schools that participate in certain staff development/school improvement programs to use up to 8 days per year for staff development with students not in attendance.
- (6) The number of inservice training days in Colorado will be determined by the way the State Board of Education interprets SB 17, the new legislation which was passed April 1984. SB 17 extended the number of pupil/teacher contact days from 172 to 176.
- (7) Florida teachers are employed for 196 days. The state requires 180 days of pupil/teacher contact. The remaining 16 days are used for pre- and post-planning and inservice training.
- (8) Teachers are employed for 190 days. Ten days are intended for pre- and post-planning and for inservice training.
- (9) The number of inservice training days in Hawaii varies each year according to the need for training in different areas.
- (10) In Idaho, the State Board of Education allows districts to use 6 half days or 3 full days of the 180-day requirement for inservice training, parent/teacher conferences or student counseling.
- (11) Statute requires minimum of 180 days. By Department Rule one of these days may be inservice (improvement of instruction). The statute authority for this was repealed from the Code on 7/1/79 but the Rule has not been changed. As of 7/1/86, no school may begin prior to September 1. State Board may waive this requirement on showing of "significant negative educational impact."
- (12) Kansas law requires 190 6-hour days or 1080 hours of flexible time.
- (13) Other specific days in Kentucky include 1 opening day, 1 closing day and 4 legal holidays.
- (14) Each school system shall adopt a calendar for a minimum session of 180 days, two semesters of 90 days each, of which at least 177 days shall be scheduled to provide the required instructional time. A school system shall not operate with fewer than 175 school days without permission from the Standard Board of Elementary/Secondary Education.
- (15) Emergency days (snow days, etc.) are not made up in Michigan. They are counted as part of the 180-day requirement. There is a bill pending in the legislature which will require LEAs to make up emergency days.
- (16) Up to 5 of the 175 days in Minnesota may be used for inservice training and/or parent/teacher conferences. However, most LEAs routinely schedule more than 175 days to allow for these activities and emergencies.
- (17) Missouri has passed new legislation which states that the minimum number of instructional days in a school term will be 174 days or 1044 hours. A minimum school day will be 3 hours; maximum day, 7 hours. LEAs may schedule two 3-hour days followed by three extended 7-hour days to allow time for inservice training and parent/teacher conferences. The new legislation also states that effective 1984-85, schools shall not open before Labor Day unless local boards decide students are needed for agricultural production purposes.
- (18) Up to 7 of the required 180 days in Montana are Pupil Instruction Related (PIR) days. These days may be used for inservice training or other activities.
- (19) Nebraska's actual statute provision is in hours--1032 for elementary and 1080 for secondary schools. Using a typical 6 hour day for high school, the number of days comes to 180 for comparative purposes.
- (20) Nevada does not have a specific policy regarding inservice training days. LEAs can request to use up to five of the required 180 days for this purpose.
- (21) New Hampshire LEAs may submit requests to the Commissioner for staff planning time.
- (22) In New Mexico, inservice release time must be approved by the state superintendent and cannot exceed 3 teaching days per academic year.
- (23) New York allows three Superintendent's Days which can be used for inservice training. The days can be full day or half day. They are part of the 180-day minimum requirements, as are 8 days for Regent's Exam.
- (24) Local boards of education in North Carolina employ professional staff for 10 calendar months, the term of employment includes 180 instructional days, 9 legal holidays, a variable number of annual leave days--depending on the seniority of the employee--and from 7 to 15 staff development days.
- (25) Other specific days in North Dakota are: three legal holidays and two parent/teacher conferences (optional use by LEAs).
- (26) In Ohio, schools must be open for 182 instruction days each year, which may include up to 2 days for parent/teacher conferences and 2 days for staff development.
- (27) In Oklahoma, parent/teacher days are optional and unlimited.
- (28) Rhode Island LEAs may request up to 15 shortened days (of the 180 required) for inservice training and/or parent/teacher conferences. On shortened days, students must attend school a minimum of 3 hours.
- (29) The South Carolina Education Improvement Act of 1978 requires teachers to be employed 196 days.
- (30) Minimum 175 days required in South Dakota, LEAs may use three days for parent/teacher conferences and one day for inservice training.
- (31) SB 1 in Tennessee makes the following changes to the school year, effective 7/1/84: 180 days of pupil/teacher contact, 10 teacher vacation days (with pay), 5 inservice training days, 5 days as designated by LEA (can be used for administration purposes or emergencies).
- (32) Vermont LEAs must schedule days for inservice training beyond the 175 student days. Problems of scheduling for regional vocational high schools prompted leaving opening days to a regional option.
- (33) Ten days are allotted in Virginia for inservice training, parent/teacher conferences and record keeping.
- (34) West Virginia requires a minimum of three days for teachers' continuing education.
- (35) In Wisconsin, five days (of the required 180) can be used for parent/teacher conferences and/or inclement weather days.

Compiled by: ECS Clearinghouse

APPENDIX E



DEPARTMENT OF PUBLIC EDUCATION
FIRST INSTRUCTIONAL DAY
1985-86

E-1

<u>DATE</u>	<u>DAY</u>	<u>LEA</u>	<u>PERCENT OF LEAs</u>	<u>TEN DAY ADM</u>	<u>PERCENT OF ADM</u>	<u>NO. OF DAYS BEFORE/ (AFTER) LABOR DAY</u>
8/12/85	Monday	Halifax County Mitchell County		6,464 <u>2,470</u>		15
			1.42	8,934	0.83	
8/13/85	Tuesday	Avery County	0.71	2,774	0.26	14
8/14/85	Wednesday	Alleghany County Ashe County		1,615 <u>3,814</u> 5,429		13
			1.42		0.51	
8/15/85	Thursday	Swain County Watauga County Yancey County		1,594 4,553 <u>2,723</u> 8,870		12
			2.13		0.82	
8/19/85	Monday	Alexander County Haywood County Jackson County Madison County W. Rockingham		4,872 7,889 3,811 2,824 <u>3,740</u> 23,136		10
			3.55		2.15	
8/20/85	Tuesday	Cleveland County Kings Mtn. City Tryon City Transylvania County Wilkes County		8,431 4,041 574 4,116 <u>10,891</u> 28,053		9
			3.55		2.60	
8/21/85	Wednesday	Alamance County Burlington City Buncombe County Asheville City Newton City Lexington City Davie County		10,245 7,819 21,566 4,756 2,821 3,281 4,870		8

DEPARTMENT OF PUBLIC EDUCATION
FIRST INSTRUCTIONAL DAY
1985-86

E-2

<u>DATE</u>	<u>DAY</u>	<u>LEA</u>	<u>PERCENT OF LEAs</u>	<u>TEN DAY ADM</u>	<u>PERCENT OF ADM</u>	<u>NO. OF DAYS BEFORE/ (AFTER) LABOR DAY</u>
(Continued)						
8/21/85	Wednesday	Weldon City McDowell County Mount Airy City	7.09	1,236 6,717 1,976 <u>64,287</u>	5.97	
8/22/85	Thursday	Catawba County Clay County Graham County Montgomery County Reidsville City Rowan County	4.25	12,786 1,239 1,421 4,332 3,742 <u>13,576</u> 37,096	3.45	7
8/23/85	Friday	Chatham County Cherokee County Davidson County Henderson County	2.84	5,757 3,734 15,934 <u>8,596</u> 34,021	3.16	6
8/26/85	Monday	Anson County Burke County Cabarrus County Caldwell County Chowan County Columbus County Whiteville City Duplin County Durham County Durham City Tarboro City Forsyth County Franklin County Gaston County Gates County Guilford County Greensboro City High Point City Roanoke Rapids City Hyde County Iredell County Statesville City Lee County		5,001 12,604 12,294 12,589 2,404 8,046 2,716 8,121 16,663 8,374 3,134 238,329 4,355 31,805 1,655 23,678 21,440 8,466 2,655 973 10,294 3,287 7,440		5

DEPARTMENT OF PUBLIC EDUCATION
FIRST INSTRUCTIONAL DAY
1985-86

E-3

<u>DATE</u>	<u>DAY</u>	<u>LEA</u>	<u>PERCENT OF LEAs</u>	<u>TEN DAY ADM</u>	<u>PERCENT OF ADM</u>	<u>NO. OF DAYS BEFORE/ (AFTER) LABOR DAY</u>
(Continued)						
8/26/85	Monday	Lincoln County		8,658		
		Moore County		8,697		
		Rocky Mount City		5,626		
		Orange County		5,036		
		Pasquotank County		5,097		
		Pender County		4,635		
		Perquimans County		1,753		
		Polk County		1,466		
		Randolph County		13,165		
		Asheboro City		3,510		
		Richmond County		8,967		
		Rockingham County		3,646		
		Eden City		4,169		
		Salisbury City		2,440		
		Rutherford County		10,272		
		Scotland County		7,494		
		Stanly County		6,673		
		Albemarle City		1,919		
		Surry County		8,141		
		Elkin City		1,000		
		Tyrrell County		761		
		Union County		12,135		
		Vance County		7,650		
		Warren County		3,046		
		Goldsboro City		4,731		
			34.04	387,010	35.96	
<hr/>						
8/27/85	Tuesday	Beaufort County		4,370		4
		Kannapolis City		4,512		
		Shelby City		3,596		
		Wake County		56,651		
		Washington County		2,931		
		Yadkin County		4,863		
			4.25	76,923	7.15	
<hr/>						
8/28/85	Wednesday	Caswell County		3,843		3
		Edgecombe County		5,443		
		Franklinton City		1,315		
		Hoke County		4,912		
		Person County		5,384		
		Robeson County		14,334		
			4.25	35,231	3.28	

DEPARTMENT OF PUBLIC EDUCATION
FIRST INSTRUCTIONAL DAY
1985-86

<u>DATE</u>	<u>DAY</u>	<u>LEA</u>	<u>PERCENT OF LEAs</u>	<u>TEN DAY ADM</u>	<u>PERCENT OF ADM</u>	<u>NO. OF DAYS BEFORE/ (AFTER) LABOR DAY</u>
8/29/85	Thursday	Bertie County		4,093		2
		Craven County		13,612		
		Pamlico County		2,089		
		Monroe City		3,063		
			2.84	22,857	2.13	
<hr/>						
9/3/85	Tuesday	Washington City		3,923		(1)
		Bladen County		6,066		
		Camden County		1,086		
		Carteret County		7,584		
		Hickory City		4,465		
		Cumberland County		43,231		
		Currituck County		2,198		
		Dare County		2,531		
		Thomasville City		2,499		
		Granville City		6,600		
		Greene County		2,821		
		Harnett County		11,595		
		Hendersonville City		1,590		
		Hertford County		4,222		
		Mooresville City		2,193		
		Johnston County		14,451		
		Jones County		1,718		
		Lenoir County		6,351		
		Kinston City		4,828		
		Macon County		3,456		
		Mecklenburg County		71,734		
		Nash County		10,801		
		New Hanover County		19,136		
		Northampton County		4,206		
		Onslow County		15,775		
		Chapel Hill City		5,283		
		Pitt County		11,193		
		Greenville City		5,043		
		Fairmont City		2,225		
		Lumberton City		4,225		
Red Springs City		1,830				
Saint Pauls City		1,528				
Sampson County		6,712				
Clinton City		2,745				
Stokes County		6,676				
Wayne County		12,936				
Wilson County		12,240				
		26.24	327,615	30.45		

DEPARTMENT OF PUBLIC EDUCATION
FIRST INSTRUCTIONAL DAY
1985-86

E-5

<u>DATE</u>	<u>DAY</u>	<u>LEA</u>	<u>PERCENT OF LEAs</u>	<u>TEN DAY ADM</u>	<u>PERCENT OF ADM</u>	<u>NO. OF DAYS BEFORE/ (AFTER) LABOR DAY</u>
9/4/85	Wednesday	Brunswick County	0.71	8,466	0.79	(2)
9/9/85	Thursday	Martin County	0.71	5,311	0.49	(5)
TOTAL 10 DAY ADM				1,076,013	100.0	

SUMMARY

		<u>Before Labor Day</u>	<u>After Labor Day</u>
I.	A. Number of LEAs	102	39
	B. Percent	72.3	27.7
II.	A. Average Daily Membership	734,621	341,392
	B. Percent	68.3	31.7

Prepared by: Controller's Office
Budget Management
November 13, 1985



APPENDIX F

A BILL TO BE ENTITLED
AN ACT TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO SET THE SCHOOL
CALENDAR SO THAT THE FIRST DAY STUDENTS ARE REQUIRED TO ATTEND
CLASSES IS AFTER LABOR DAY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-84(c) is amended by adding a new paragraph at the end to read:

"Each local board of education should fix its calendar so that the first day for instructing pupils is after Labor Day unless it is not in the best interests of the local school administrative unit to do so."

Sec. 2. This act is effective upon ratification and applies to all school years beginning with the 1986-87 school year.

DRAFT
FOR REVIEW ONLY.



APPENDIX G



A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW PERTAINING TO THE PUBLIC SCHOOL CALENDAR.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-84(c) is amended to read:

"(c) There shall be operated in every school in the State a uniform school term of 180 days for instructing pupils. Each local board of education should fix its calendar so that the first day for instructing pupils is after Labor Day unless it is not in the best interests of the local school administrative unit to do so.

If a local school administrative unit has made up at least seven days of the school term on which school is closed due to hazardous weather conditions, natural disaster, or other emergency and if the local school board finds that it is impracticable to make up additional days, the local school board may excuse teachers and students from attendance on two such days. If the last day of the school term would otherwise be a Monday, the local board may excuse teachers and students from attendance on a third such day. The days excused under this paragraph do not have to be made up by teachers or students and do not affect teachers' pay. Local boards of education shall report all days excused and the reason they were excused to the State Board of Education.

The State Board of Education, or a local board with the approval of the State Board, may suspend school for up to 60 days

-2-

in any local school administrative unit where it finds that conditions justify the suspension of school. The days excused under this paragraph do not have to be made up by teachers or students and the first 15 such days do not affect teachers' pay.

During any period of emergency, in any section of the State where the planting or harvesting of crops or any emergency conditions make it necessary, the State Board of Education may order general, and if necessary, extended recesses or adjournment of the public schools."

Sec. 2. G.S. 115C-302(a)(1) is amended by deleting the seventh sentence which reads, "Included within the 10 calendar months of employment shall be annual vacation leave at the same rate provided for State employees, computed at one-twelfth (1/12) of the annual rate for State employees for each month of employment; which shall be provided by each local board of education at a time when students are not scheduled to be in regular attendance." and substituting:

"Included within the 10 calendar months of employment shall be annual vacation leave at the same rate provided for State employees, computed at one-twelfth (1/12) of the annual rate for State employees for each month of employment. The first eight days of annual vacation leave earned by a teacher during a fiscal year shall be scheduled to be used in the school calendar adopted by the local board of education. A teacher may take the next five annual vacation leave days earned during a fiscal year or the remainder of the annual vacation leave days earned during a fiscal year, whichever is less, on days that students are scheduled to be

-3-

in regular attendance; the days on which a teacher may take this leave, but not whether a teacher may take this leave, must be approved in advance by the principal or immediate supervisor. The remainder of the annual vacation leave earned by a teacher during the fiscal year shall be provided by each local board of education at a time when students are not scheduled to be in regular attendance; a teacher may, however, take these annual leave days for sickness on days when students are scheduled to be in regular attendance if the teacher has used all of his sick leave."

Sec. 3. G.S. 115C-302(a)(3) is amended by deleting the second sentence.

Sec. 4. The second sentence of G.S. 115C-316(a)(3) is amended by deleting the language "The first 10 days" and substituting "The first 8 days".

Sec. 5. Effective with the 1986-87 school year, the State Board of Education shall discontinue provisions for personal leave for teachers and other instructional support personnel; however, teachers and other instructional support personnel who have accrued personal leave prior to the 1986-87 school year may take that leave during the 1986-87 school year.

Sec. 6. Section 8 of Chapter 872 of the 1983 Session Laws is amended by deleting the second sentence.

Sec. 7. G.S. 115C-12(8) is amended by deleting the first sentence and substituting the following:

"The Board shall adopt sick leave policies for public school employees, insofar as is practicable, that are comparable with policies for State employees. These policies shall provide for a

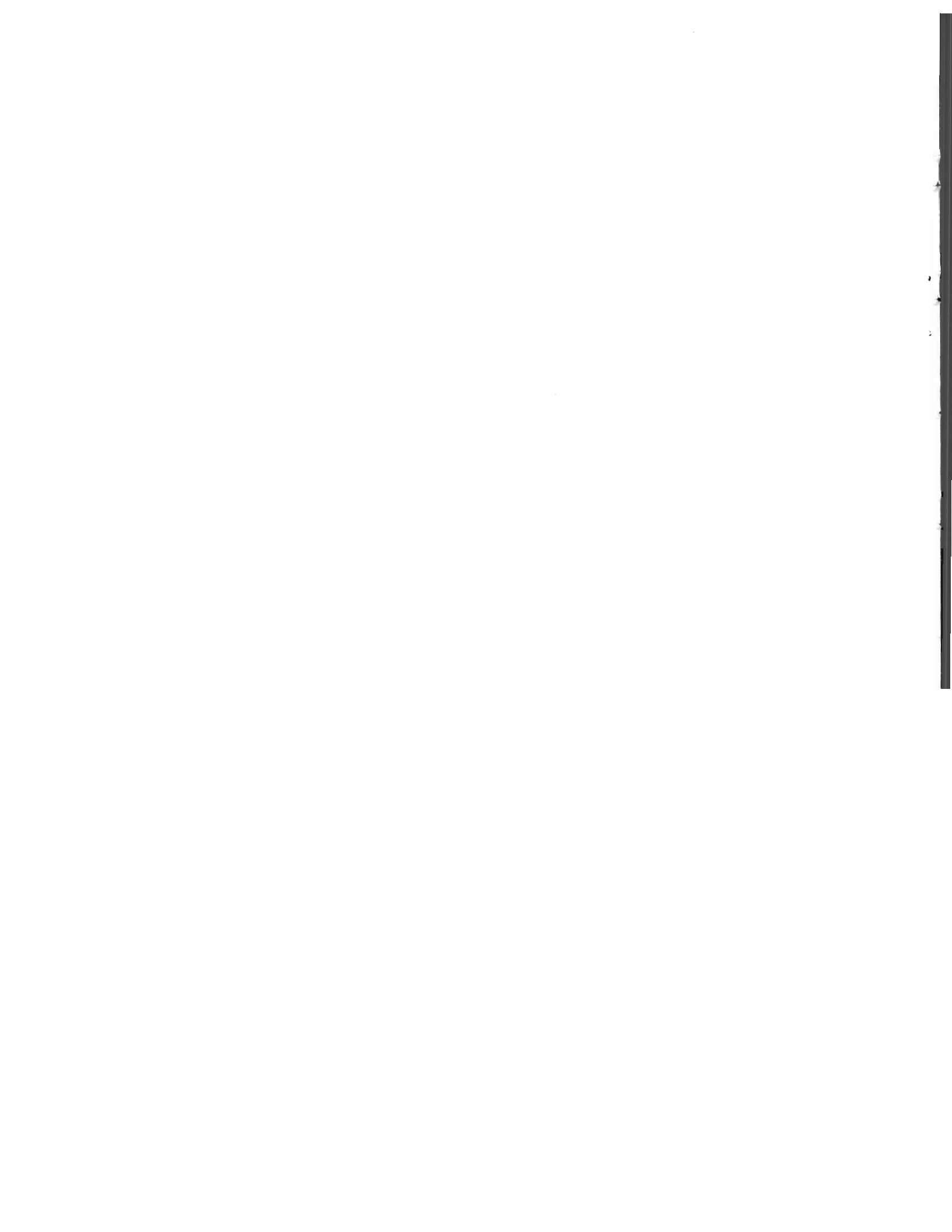
-4-

minimum of five days of sick leave with pay each school year term for all public school employees. The policies may not provide for days of sick leave in addition to the days accumulated by an employee and the days that may be earned by an employee during the current fiscal year. The Board shall also adopt rules providing for substitutes necessary while employees are on sick leave."

Sec. 8. Section 10 of Chapter 872 of the 1983 Session Laws is repealed.

Sec. 9. Except as otherwise provided, this act shall become effective July 1, 1987.

APPENDIX H



REVISED LEAVE COSTS
SUMMARY

(1)	(2)	(3)	(4)	(5)	(6)	(7)
LINE	CATEGORY DESCRIPTION	POSITION COUNT	DAYS EARNED ANNUALLY PER POS	TOTAL DAYS EARNED [COL3*4]	SUBSTITUTE COST PER DAY (NOTE 1)	TOTAL COST [COL5*6]

(NOTE 2)						
STATE FUNDED POSITIONS						

1.	ASSISTANT PRINCIPALS	1,154.0	5	735	38	27,930
2.	INSTRUCTIONAL SUPPORT	3,960.0	5	19,800	38	752,400
3.	TEACHERS-REGULAR	46,329.6	5	231,648	38	8,802,624
4.	TEACHERS-VOCATIONAL EDUCATION	5,115.0	5	25,575	38	971,850
5.	TEACHER AIDES	13,896.0	0	0	0	0
6.	TOTAL-STATE FUNDED POSITIONS	70,454.6		277,758		10,554,804

FEDERALLY FUNDED POSITIONS						

7.	ASSISTANT PRINCIPALS	7.0	5	5	38	190
8.	INSTRUCTIONAL SUPPORT	516.0	5	2,580	38	98,040
9.	TEACHERS-REGULAR	3,202.0	5	16,010	38	608,380
10.	TEACHERS-VOCATIONAL EDUCATION	466.0	5	2,330	38	88,540
11.	TEACHER AIDES	1,571.0	0	0	0	0
12.	TOTAL-FEDERALLY FUNDED POSITIONS	5,762.0		20,925		795,150

LOCALLY FUNDED POSITIONS						

13.	ASSISTANT PRINCIPALS	140.0	5	90	38	3,420
14.	INSTRUCTIONAL SUPPORT	1,110.0	5	5,550	38	210,900
15.	TEACHERS-REGULAR	4,223.0	5	21,115	38	802,370
16.	TEACHERS-VOCATIONAL EDUCATION	1,047.0	5	5,235	38	198,930
17.	TEACHER AIDES	1,654.0	0	0	0	0
18.	TOTAL-LOCALLY FUNDED POSITIONS	8,174.0		31,990		1,215,620

TOTAL POSITIONS ALL FUNDING SOURCES						

19.	ASSISTANT PRINCIPALS	1,301.0	5	830	38	31,540
20.	INSTRUCTIONAL SUPPORT	5,586.0	5	27,930	38	1,061,340
21.	TEACHERS-REGULAR	53,754.6	5	268,773	38	10,213,374
22.	TEACHERS-VOCATIONAL EDUCATION	6,628.0	5	33,140	38	1,259,320
23.	TEACHER AIDES	17,121.0	0	0	0	0
24.	GRAND TOTAL-ALL FUNDING SOURCES	84,390.6		330,673		12,565,574
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NOTE 1: SUBSTITUTE PAY OF \$35 PER DAY PLUS 7.1% SOCIAL SECURITY.

NOTE 2: TEACHING ASST PRIN (12.76%) EARN SUB DAYS-14(S),1(F),18(L),166(TOT) USED FOR CALC COST.

PREPARED BY: DIVISION OF BUDGET DEVELOPMENT AND ADMINISTRATION
CONTROLLER'S OFFICE
PROGRAM NAME: SPECCST4.WKS-PJO-02/03/86

