

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**SENATE BILL 779  
Education/Higher Education Committee Substitute Adopted 4/30/03**

Short Title: Schools Begin After Labor Day.

(Public)

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Sponsors:

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Referred to:

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April 3, 2003

A BILL TO BE ENTITLED

1 AN ACT DIRECTING LOCAL BOARDS OF EDUCATION TO SET THE FIRST  
2 INSTRUCTIONAL DAY OF THE SCHOOL YEAR AFTER LABOR DAY.

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4 The General Assembly of North Carolina enacts:

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

6 "(d) Opening and Closing Dates. – Local boards of education shall determine the  
7 dates of opening and closing the public schools under subdivision (a)(1) of this section.  
8 The first instructional day for schools other than year-round schools shall be after Labor  
9 Day. The State Board of Education may waive this requirement on a showing of good  
10 cause. For purposes of this subsection, "good cause" means that schools in that local  
11 administrative unit have been closed an average of eight days per year during any five  
12 of the last 10 years because of severe weather conditions, energy shortages, power  
13 failures, or other emergency situations. A local board may revise the scheduled closing  
14 date if necessary in order to comply with the minimum requirements for instructional  
15 days or instructional time. Different opening and closing dates may be fixed for schools  
16 in the same administrative unit.

17 Local boards and individual schools shall give teachers at least 14 calendar days'  
18 notice before requiring a teacher to work instead of taking vacation leave on days  
19 scheduled in accordance with subdivision (4) or (5) of ~~this subsection~~ subsection (a) of  
20 this section. A teacher may elect to waive this notice requirement for one or more such  
21 days."

22 **SECTION 2.** This act becomes effective beginning with the 2004-2005  
23 school year and applies to all local school administrative units except for the Wake  
24 County Public School System, the Guilford County School System, the  
25 Winston-Salem-Forsyth County School System, the Randolph County School System,  
26 the Asheboro City School System, the Montgomery County School System, the  
27 Scotland School System, the Richmond School System, the Anson School System, the  
28 Stanly School System, the Wilson School System, the Edgecombe School System, the  
29 Bertie School System, the Martin School System, the Washington School System, the

- 1 Tyrrell School System, the Pitt School System, the Rutherford School System, the
- 2 Cleveland School System, the Buncombe School System, the Asheville City School
- 3 System, the Wilkes School System, the Surry School System, and the Union County
- 4 School System.