

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:

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

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 115C-84.2 reads as rewritten:

6 "§ 115C-84.2. School calendar.

7 ...

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

16 ...

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

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

24 (2) The opening date for students is no earlier than the Monday closest to August
25 19, so long as there are an equal number of days in the spring and fall semester,
26 and the closing date for students is no later than the Friday immediately
27 preceding the last Monday in May.

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

33 (d2) Modified Calendars and Year-Round Schools. – The required opening and closing
34 dates under this subsection-section shall not apply to (i) any school that a local board designated
35 as having a modified calendar for the 2003-2004 school year or to any school that was part of a



1 planned program in the 2003-2004 school year for a system of modified calendar schools, so long
2 as the school operates under a modified ~~calendar~~-calendar, and (ii) year-round schools.

3"

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

6 **"§ 115C-84.2A. Duty to comply with school calendar requirements.**

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

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

11 **"§ 115C-84.2B. School calendar enforcement; withholding of funds.**

12 (a) The State Board of Education shall ensure that public school units comply with Part
13 2 of this Article.

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

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

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

22 (3) Any other source the Superintendent deems credible.

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

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

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

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

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

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

45 **"§ 115C-84.2C. School calendar enforcement; liability of local board.**

46 (a) A person that resides or maintains a place of business within the boundaries of a local
47 school administrative unit may bring an action against the local board of education if the board
48 has not complied with Part 2 of this Article. For purpose of this section, "person" means any
49 natural person or corporation, nonprofit corporation, limited liability company, trust, association,
50 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.