HOUSE BILL 164:
School Calendar Flexibility

2015-2016 General Assembly

Committee:	House Education - K-12	**Date:**	April 29, 2015
Introduced by:	Rep. Setzer	**Prepared by:**	Kara McCraw
Analysis of:	Second Edition		Committee Counsel

SUMMARY: HB 164 would make the following changes related to the school calendar:

- *Remove the 185 days options for instructional days.*

- *Expand the authority for variance of instructional days and hours.*

- *Allow instructional calendars of less than 185 days to be deemed equivalent for teacher employment purposes to those of 185 days.*

- *Require that local school administrative units (LEAs) must be permitted to administer exams before the end of a fall semester ending prior to December 31.*

- *Require the Joint Legislative Education Oversight Committee to study LEAs that have successfully used calendar flexibility to hold semester exams prior to December 31.*

CURRENT LAW: G.S. 115C-84.2 establishes the requirements for school calendars. A local board of education must adopt a school calendar that contains a minimum of 185 days or 1,025 hours of instruction covering at least nine calendar months. The local board designates when instructional days occur and may vary by policy the number of instructional hours in an instructional day. Instructional days do not have to be uniform among the schools in the administrative unit. Local boards may also approve school improvement plans that include days with varying amounts of instructional time.

G.S. 115C-174.12 requires the State Board of Education to establish policies and guidelines for minimizing the time students spend taking tests administered through State and local testing programs, minimizing the frequency of field testing at any one school, and otherwise carrying out the provisions of the Testing Article. The statute requires that final exams for courses must be administered within the final 10 instructional days of the school year for year-long courses and within the final 5 instructional days of the semester for semester courses.

BILL ANALYSIS: The 2nd Edition of HB 164 would make the following changes related to the school calendar:

- Delete the reference to 185 days as one of the options for the minimum requirements for an instructional calendar.

- Authorize local boards to vary the number of instructional hours in instructional days occurring in different semesters of the school year, and vary the number of days per instructional semester if hours of instruction remain equivalent between semesters.

- Provide that if a local board adopts a school calendar of less than 185 days of instruction, teachers employed for a 10 month term who work or use annual leave or sick leave for the designated instructional days are deemed to have been employed the equivalent of 185 days of instruction and will be compensated as if they had worked those days. Annual leave, sick leave, workdays,

holidays, salary, and longevity for teachers who are employed at schools with instructional calendars of less than 185 days will also be equivalent to those of other teachers employed for the same number of months, respectively.

- Require that a local board of education that has implemented a school calendar that concludes the fall semester prior to December 31 must be permitted to administer assessments prior to the conclusion of the fall semester.

Additionally, the Joint Legislative Education Oversight Committee must study local school administrative units that have successfully used calendar flexibility under G.S. 115C-84.2 to hold semester exams prior to December 31, and must report to the 2016 session of the 2015 General Assembly on its findings and recommendations.

EFFECTIVE DATE: HB 164 would become effective when it becomes law and would apply beginning with the 2015-2016 school year.