



This Bill Analysis  
reflects the contents  
of the bill as it was  
presented in  
committee.

## SENATE BILL 754: School Calendar Flexibility: A New Alternative.

2025-2026 General Assembly

<b>Committee:</b>	Senate Education/Higher Education. If favorable, re-refer to Judiciary. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	April 9, 2025
<b>Introduced by:</b>	Sens. Galey, Berger, Lee	<b>Prepared by:</b>	Drupti Chauhan
<b>Analysis of:</b>	First Edition		Committee Counsel

**OVERVIEW:** Senate Bill 754 would provide local boards of education with two options in adopting school calendars for their local school administrative units (LEAs). The bill would also provide for penalties for lack of compliance with the school calendar law.

**CURRENT LAW:** G.S. 115C-84.2 requires that a school calendar must include a minimum of 185 days or 1025 hours of instruction covering at least nine calendar months.

**Opening and Closing Dates:** Except for year-round schools, the opening date for students cannot be earlier than the Monday closest to August 26 and the closing date for students cannot be later than the Friday closest to June 11.

**Good Cause Waiver for Opening and Closing Dates Requirement:** The State Board of Education (SBE) may waive this opening requirement and allow a local board of education to set an opening date no earlier than the Monday closest to August 19 after a showing of "good cause." Good cause means that schools in any local school administrative unit in a county have been closed 8 days per year during any of the 4 of the last 10 years because of severe weather conditions, energy shortages, power failures, or other emergency situations.

**Revision of Scheduled Closing Date:** A local board of education can revise the scheduled closing date if necessary in order to comply with the minimum requirements for instructional days or instructional time.

**Exemptions:** The required opening and closing dates do not apply to schools that were designated by a local board of education as having a modified calendar for the 2003-2004 school year as long as the school operates under a modified calendar.

**Final Exam Schedule:** G.S. 115C-174.12 requires that final exams for courses must be conducted in the final 10 days of the instructional year for year-long courses or final five days of the semester for semester courses. Exceptions are provided to meet the requirements of a student's individualized education program, or to administer final exams for courses with national or international curricula that are required to be held at certain times.

**BILL ANALYSIS:** Senate Bill 754 would allow local boards of education to choose one of the following options for the opening and closing dates for the school calendar:

1. The opening date for students would be no earlier than Monday closest to August 26, and the closing date for students would be no later than the Friday closest to June 11.
2. The opening date for students would be no earlier than the Monday closest to August 19, as long as there are an equal number of days in the spring and fall semester, and the closing date for students is no later than the Friday immediately preceding the last Monday in May.

Kara McCraw  
Director



Legislative Analysis  
Division  
919-733-2578

# Senate Bill 754

Page 2

**Waiver:** With the approval of the SBE, a local board of education may revise the scheduled closing date if a school experienced closures caused by severe weather, energy shortages, power failures, or other emergencies and additional instructional time is needed to comply with the minimum requirements for instructional days or hours.

**Exemptions:** The bill clarifies that the opening and closing dates would not apply to year-round schools.

**Duty to Comply:** The bill provides that it is the duty of the local board of education to ensure that the LEA complies with the school calendar law. Negligent failure to ensure compliance would be deemed misfeasance and willful effort to prevent compliance would be deemed malfeasance.

**Enforcement and Penalties:** The SBE must ensure that LEAs are in compliance with the school calendar law. The Superintendent of Public Instruction must notify the SBE and investigate whether an LEA is in compliance if the Superintendent receives any information from the following that indicates noncompliance:

- A report to DPI, the Superintendent, or the SBE.
- A report by an employee of DPI responsible for monitoring compliance.
- Any other source the Superintendent deems credible.

The findings would be reported to the SBE within 60 days of receipt of the information with the SBE scheduling consideration of the report no later than the next regular meeting occurring more than 5 days after the submission of the report. If the SBE finds that the local board of education has not complied with the calendar law, the SBE must direct the local board to remedy the violation and submit documentation of the remedy within 60 days.

The SBE must find that an LEA is noncompliant with the calendar law if the Superintendent's report indicates any of the following have occurred:

- The local board of education adopted a resolution or policy stating that the LEA will not comply with the calendar law.
- The local board of education approved any action counter to or incompatible with the calendar law.

If a local board of education fails to comply with the order to remedy the violation, the SBE must withhold LEA's central office administration allotment until the SBE determines the local board is no longer noncompliant.

Whenever the SBE withholds a central office administration allotment because of noncompliance with the calendar law, the SBE must report this action to the Joint Legislative Education Oversight Committee within 60 days. The General Assembly, no later than its next session must consider the governance of the LEA.

**Liability of the Local Board of Education:** A person, including any natural person or corporation, nonprofit corporation, limited liability company, trust, association, partnership, joint venture, subsidiary, or other business entity, may bring an action against the local board of education if the local board has not complied with the calendar law.

For any actions brought, if the court finds that the local board of education has not complied with the calendar law, the court must issue a declaratory judgment that the local board is noncompliant, provide injunctive relief, and award a prevailing claimant reasonable attorneys' fees and costs. The court may also impose a civil penalty against the local board of up to \$10,000.

**EFFECTIVE DATE:** The bill would become effective when it becomes law and applies beginning with the 2025-2026 school year.