

**ORANGE COUNTY
BOARD OF EDUCATION**

AGENDA ITEM ABSTRACT

Meeting Date: November 7, 2011

AGENDA ITEM No. 11-11-14

ACTION ITEM (Y/N) Y

SUBJECT: School Calendar and Time for Learning Policy #3300 REVISED - (1st Reading Approval)

INFO. CONTACT: Dr. George McFarley, Jr. **PHONE:** 919-732-8126

ATTACHMENTS:

1. Policy # 3300, School Calendar and Time for Learning (REVISED)
2. Increase Number of Instructional Days, Section 7.29.(a) G.S.15C-842 reads as rewritten: 115C-84.2 School Calendar

PURPOSE: To allow the Board of Education the opportunity to consider a revised School Calendar and Time for Learning policy for 1st Reading Approval.

BACKGROUND: The 2011 session of the NC Legislature increased the number of instructional days in the school year, rewriting Section 7.29.(a) of G.S. 115C-84.2 to reflect a minimum of 185 days and 1,025 hours of instruction covering at least nine calendar months.

Additionally, the following provisions are required by the change in statute:

- Ten of the days will be designated as annual vacation leave days.
- Ten of the days on the calendar will be designated as holidays, including Veterans Day if it falls on a weekday.
- The remaining 195 days are to be workdays for teachers. The total number of workdays for teachers employed for a 10-month term will not exceed 195 days
- If the school calendar requires students to attend on Memorial Day or Constitution and Citizenship Day, each principal shall ensure that the significance of each of these days is recognized in the school on that day.

The current Policy #3300 has been revised to incorporate the changes made to the general statute. The revised policy is based on the North Carolina School Boards Association sample policy #3300.

FINANCIAL IMPACT: None at this time.

RECOMMENDATION: The Superintendent recommends the Board of Education approve the proposed School Calendar and Time for Learning Policy #3300 for 1st Reading Approval.

SCHOOL CALENDAR AND TIME FOR LEARNING

Date Reviewed/Approved: 04/21/2008 Policy Number: 3300

Rescinds Policy Number:

Issued:

The board believes that time is a variable in the educational process and that children may need different amounts of instructional time in order to fulfill the educational goals and objectives of the board. The board also recognizes that the school day and school year should be planned in a manner to facilitate student learning and to permit an accurate assessment of student achievement in scheduled testing periods.

A. INSTRUCTIONAL TIME

Interruptions of instructional time and time off task must be kept to a minimum. The principal is responsible for ensuring that instructional time is maintained and protected in the school schedule. Each teacher is responsible for ensuring optimal use of instructional time in his or her classes. School personnel are encouraged to seek creative means of reducing transitional time and scheduling non-instructional activities. A proposal for alternative scheduling of classes or other such strategies may be a part of a school improvement plan.

B. SCHOOL DAY

The length of the school day may vary from school to school and student to student, if approved by the board of education.

C. OPENING AND CLOSING DATES

Except for year-round schools or schools under a modified calendar, the opening date for students will not be before August 25 and the closing date for students will not be after June 10.

The school board may offer supplemental or additional educational programs or activities outside the adopted school calendar.

When allowed by law, the board will seek a waiver of the opening and/or closing dates from the State Board of Education if the board determines that a waiver is in the best interest of the students and the school district.

D. SCHOOL YEAR

The school calendar in all schools will be for 215 days and will provide for a minimum of 185 days and 1025 hours of instruction covering at least nine months. A school "month" is defined as 20 days of instruction. As funding permits, the board may pursue increasing the number of instructional hours or days, at least for those students who need more time to learn the curriculum.

The board may initiate or review recommendations from the superintendent or a school improvement team for modifying the traditional school calendar to a year-round or extended calendar. The superintendent and individual schools are encouraged to obtain input from teachers and other personnel as well as from the community in developing proposals for modifying the school calendar. An extended school year or a year-round school may be included as a part of a school improvement plan.

Any calendar adopted by the board shall be consistent with the following requirements.

1. Ten of the days on the calendar will be designated as annual vacation leave days.
2. Ten of the days on the calendar will be designated as holidays, including Veteran's Day if it falls on a weekday.
3. The remaining 195 days are to be workdays for teachers. The total number of workdays for teachers employed for a 10-month term will not exceed 195 days. Those 195 days will be scheduled as follows:

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- a. ~~180~~ **185** days will be instructional days when students are present. These will be designated as “instructional” teacher workdays.
 - b. ~~Five days will be designated as “administrative” workdays for teachers. One of these days will be at the beginning of the school year and one at the end of each academic quarter. Such days shall be protected to allow teachers to complete instructional and classroom administrative duties. No additional tasks will be assigned on those days.~~
 - b. The remaining ten days will be “flexible” teacher workdays and may be used by the board, superintendent or school principals to schedule additional teacher workdays, additional instructional days or used for other lawful purposes. Each principal may schedule those days on the school calendar that have not been reserved by the board for other purposes. Before scheduling these days, each principal shall work with the school improvement team to determine the days to be scheduled and the purposes for which they should be scheduled.
 - c. Of the ~~15~~ **10** “administrative” and “flexible” teacher workdays described in subsections D.3. (b) and (c), the board will designate at least ~~seven~~ **two** days as days on which teachers may take accumulated vacation leave.
 - d. Further, the board may, due to school closings because of inclement weather or other reasons, use any of the “flexible” ten days designated in subsection D.3.(c) above as makeup days for those instructional days that were missed. The board will give teachers at least 14 days notice before requiring a teacher to work instead of taking vacation leave on any of these days. A teacher may elect to waive this notice requirement for one or more of these days.
 - e. Further, if it is unable to schedule student makeup days until after the scheduled end of the school year, the school board may designate some of the “flexible” workdays described in subsection D.3.(c) above as additional makeup days after the last day of student attendance.
4. If the school calendar requires students to attend on Memorial Day, each principal shall ensure that the significance of Memorial Day is recognized in the school on that day. If students are not scheduled to attend school on Memorial Day, recognition of the significance of Memorial Day will be provided at another time as part of the citizenship curriculum (see policy 3530, Citizenship and Character Education).
 5. If the school calendar requires students to attend school on September 17, which is Constitution and Citizenship Day, each principal shall ensure that the signing of the United States Constitution is commemorated in the school on that day. If students are not required to attend school on September 17, the principal shall ensure that Constitution and Citizenship Day is commemorated during the preceding or following week (see policy 3530, Citizenship and Character Education).

Legal References: G.S. 115C-12(33), -36, -47, -84.2, -105.21B(b)(2), -238.31, -288, 105.27; State Board of Education Policy Manual, policy HSP-G-001

Cross References: Goals and Objectives of the Educational Program (policy 3000), Citizenship and Character Education (policy 3530)

Issued:

Updated: March 6, 1998; September 24, 1999; July 15, 2005; January 31, 2006; August 31, 2006

schools. Of funds previously appropriated to the Department for the position of superintendent for the residential schools, the sum of twenty thousand dollars (\$20,000) shall be used to supplement the salary of the director who also serves as superintendent of residential schools. The remaining funds shall be used to offset other reductions to the residential schools made in this act.

SECTION 7.25.(e) G.S. 115C-325(p) reads as rewritten:

"(p) Section Applicable to Certain Institutions. – Notwithstanding any law or regulation to the contrary, this section shall apply to all persons employed in teaching and related educational classes in the schools and institutions of the Departments of Health and Human Services, Public Instruction, Correction, or Juvenile Justice and Delinquency Prevention regardless of the age of the students."

DEPARTMENT OF PUBLIC INSTRUCTION RECEIPTS

SECTION 7.27. Notwithstanding G.S. 143C-6-4(b)(3), the Department of Public Instruction may realign receipts among the following General Fund purpose codes on a recurring basis through the budget certification process for the sole purpose of correctly aligning the certified budget with the appropriate purpose or programs as defined in G.S. 143C-1-1(d)(23): 1000, 1100, 1300, 1330, 1430, 1500, 1600, 1640, and 1660.

INCREASE NUMBER OF INSTRUCTIONAL DAYS

SECTION 7.29.(a) G.S. 115C-84.2 reads as rewritten:

"§ 115C-84.2. School calendar.

(a) School Calendar. – Each local board of education shall adopt a school calendar consisting of 215 days all of which shall fall within the fiscal year. A school calendar shall include the following:

- (1) ~~(See notes) A minimum of 180–185 days and 1,000–1,025 hours of instruction covering at least nine calendar months. The local board shall designate when the 180/185 instructional days shall occur. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the administrative unit. Local boards may approve school improvement plans that include days with varying amounts of instructional time. If school is closed early due to inclement weather, the day and the scheduled amount of instructional hours may count towards the required minimum to the extent allowed by State Board policy. The school calendar shall include a plan for making up days and instructional hours missed when schools are not opened due to inclement weather.~~
- (1a) Repealed by Session Laws 2004-180, s. 1, effective August 9, 2004.
- (2) ~~A minimum of 10 annual vacation leave days.~~
- (3) ~~The same or an equivalent number of legal holidays occurring within the school calendar as those designated by the State Personnel Commission for State employees.~~
- (4) ~~Five days, as designated by the local board, for use as teacher workdays. These days shall be protected to allow teachers to complete instructional and classroom administrative duties. The local school administrative unit shall not impose any additional tasks on these days. The local board shall schedule one of these days at the beginning of the school year and one at the end of each academic quarter.~~
- (5) The remaining days scheduled by the local board in consultation with each school's principal for use as teacher workdays, additional instructional days, or other lawful purposes. Before consulting with the local board, each principal shall work with the school improvement team to determine the days to be scheduled and the purposes for which they should be scheduled. Days may be scheduled and planned for different purposes for different personnel and there is no requirement to schedule the same dates for all personnel. In order to make up days for school closing because of inclement weather, the local board may designate any of the days in this subdivision as additional make-up days to be scheduled after the last day of student attendance.

If the State Board of Education finds that it will enhance student performance to do so, the State Board may grant a local board of education a waiver to use up to five of the instructional days required by subdivision (1) of this subsection as teacher workdays. For each instructional day waived, the State Board shall waive an equivalent number of instructional hours.

Local boards and individual schools are encouraged to use the calendar flexibility in order to meet the annual performance standards set by the State Board. Local boards of education shall consult with parents and the employed public school personnel in the development of the school calendar.

Local boards shall designate at least ~~seven~~ two days scheduled under ~~subdivisions (4) and subdivision (5)~~ of this subsection as days on which teachers may take accumulated vacation leave. Local boards may designate the remaining days scheduled in ~~subdivisions (4) and subdivision (5)~~ of this subsection as days on which teachers may take accumulated vacation leave, but local boards shall give teachers at least 14 calendar days' notice before requiring a teacher to work instead of taking vacation leave on any of these days. A teacher may elect to waive this notice requirement for one or more of these days.

(b) Limitations. – The following limitations apply when developing the school calendar:

- (1) The total number of teacher workdays for teachers employed for a 10 month term shall not exceed 195 days.
- (2) The calendar shall include at least 42 consecutive days when teacher attendance is not required unless: (i) the school is a year-round school; or (ii) the teacher is employed for a term in excess of 10 months. At the request of the local board of education or of the principal of a school, a teacher may elect to work on one of the 42 days when teacher attendance is not required in lieu of another scheduled workday.
- (3) School shall not be held on Sundays.
- (4) Veterans Day shall be a holiday for all public school personnel and for all students enrolled in the public schools.

(c) Emergency Conditions. – During any period of emergency in any section of the State where emergency conditions make it necessary, the State Board of Education may order general, and if necessary, extended recesses or adjournment of the public schools.

(d) Opening and Closing Dates. – Local boards of education shall determine the dates of opening and closing the public schools under subdivision (a)(1) of this section. Except for year-round schools, the opening date for students shall not be before August 25, and the closing date for students shall not be after June 10. On a showing of good cause, the State Board of Education may waive this requirement to the extent that school calendars are able to provide sufficient days to accommodate anticipated makeup days due to school closings. A local board may revise the scheduled closing date if necessary in order to comply with the minimum requirements for instructional days or instructional time. For purposes of this subsection, the term "good cause" means either that:

- (1) Schools in any local school administrative unit in a county have been closed eight days per year during any four of the last 10 years because of severe weather conditions, energy shortages, power failures, or other emergency situations; or
- (2) Schools in any local school administrative unit in a county have been closed for all or part of eight days per year during any four of the last 10 years because of severe weather conditions. For purposes of this subdivision, a school shall be deemed to be closed for part of a day if it is closed for two or more hours.

The State Board also may waive this requirement for an educational purpose. The term "educational purpose" means a local school administrative unit establishes a need to adopt a different calendar for (i) a specific school to accommodate a special program offered generally to the student body of that school, (ii) a school that primarily serves a special population of students, or (iii) a defined program within a school. The State Board may grant the waiver for an educational purpose for that specific school or defined program to the extent that the State Board finds that the educational purpose is reasonable, the accommodation is necessary to accomplish the educational purpose, and the request is not an attempt to circumvent the opening and closing dates set forth in this subsection. The waiver requests for educational purposes shall not be used to accommodate system-wide class scheduling preferences.

The required opening and closing dates under this subsection shall not apply to any school that a local board designated as having a modified calendar for the 2003-2004 school year or to any school that was part of a planned program in the 2003-2004 school year for a system of modified calendar schools, so long as the school operates under a modified calendar.

(e) Nothing in this section prohibits a local board of education from offering supplemental or additional educational programs or activities outside the calendar adopted under this section."

SECTION 7.29.(b) G.S. 115C-238.29F(d)(1) reads as rewritten:

"(1) The school shall provide instruction each year for at least ~~180~~185 days. If the State Board of Education finds that it will enhance student performance to do so, the State Board may grant a charter school a waiver to use up to five of these instructional days as teacher workdays."

TESTING PROGRAM

SECTION 7.30.(a) G.S. 115C-174.11 reads as rewritten:

"§ 115C-174.11. Components of the testing program.

(a) Assessment Instruments for First and Second Grades. – The State Board of Education shall adopt and provide to the local school administrative units developmentally appropriate individualized assessment instruments consistent with the Basic Education Program for the first and second grades, rather than standardized tests. Local school administrative units may use these assessment instruments provided to them by the State Board for first and second grade students, and shall not use standardized tests except as required as a condition of receiving federal grants.

(b) Repealed by Session Laws 2009-451, s. 7.20(c), effective July 1, 2009.

(c) Annual Testing Program.

(1) The State Board of Education shall adopt the tests for grades three through 12 that are required by federal law or as a condition of a federal grant. These tests shall be designed to measure progress toward reading, communication skills, and mathematics for grades three through eight, and toward competencies for grades nine through 12. Students who do not pass the tests adopted for eighth grade shall be provided remedial instruction in the ninth grade.

(2) If the State Board of Education finds that additional testing in grades three through 12 is desirable to allow comparisons with national indicators of student achievement, that testing shall be conducted with the smallest size sample of students necessary to assure valid comparisons with other states.

(3) The State Board of Education shall continue to participate in the development of the Common Core State Standards in conjunction with the consortium of other states, review all national assessments developed by both multistate consortia, and implement the assessments that the State Board deems most appropriate to assess student achievement on the Common Core State Standards.

(4) To the extent funds are made available, the State Board shall plan for and require the administration of the ACT test for all students in the eleventh grade unless the student has already taken a comparable test and scored at or above a level set by the State Board.

(d) Except as provided in ~~subdivision (2) of~~ subsection (c) of this section, the State Board of Education shall not require the public schools to administer any standardized tests except for those required by federal law or as a condition of a federal grant.

The State Board of Education shall adopt and provide to local school administrative units all tests required by federal law or as a condition of a federal grant."

SECTION 7.30.(b) Article 10A of Chapter 115C of the General Statutes is amended by adding two new Parts to read:

"Part 4. Student Diagnostic Tests.

"§ 115C-174.20. Tools for student learning.

To the extent funds are made available for this purpose, the State Board shall plan for and require the administration of diagnostic tests in the eighth and tenth grades that align to the ACT test in order to help diagnose student learning and provide for students an indication of whether they are on track to be remediation-free at a community college or university.