

ORANGE COUNTY
BOARD OF EDUCATION

AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2011

AGENDA ITEM No. 11-06-(2)-14

ACTION ITEM (Y/N) Y

SUBJECT: Traditional and Year-Round Calendar Adjustments - 2011-2012

INFO. CONTACT: Dr. George McFarley / Ann Wilkerson PHONE: 919-732-4166

ATTACHMENTS:

1. G.S. 115C-84.2 School Calendar (REWRITTEN)
2. E-mail from Vanessa Jeter, dated June 14, 2011, 11:14 AM, Subject: Your Input Needed on 185-Day Instructional Year Waiver Options
3. Proposed 2011-2012 Revised Traditional Calendar – 185 days
4. Proposed 2011-2012 Revised Year-Round Calendar – 185 days

PURPOSE: To provide the board an opportunity to approve the 2011-2012 Revised Traditional and Year-Round school calendars.

BACKGROUND: The Calendar Committee had previously submitted the 2011-2012 Traditional and Year-round calendars to the board for approval on June 10, 2010. Because of recent special provisions in the legislation (House Bill 200) Section 7.29, "Increase Number of Instructional Days", the district will have to change the current structure in the district's two calendars to comply with state regulations.

This bill states we must convert five (5) teacher workdays to student instructional days, effective starting with the 2011-2012 school year. This means students will attend school 185 days a year instead of the previous 180 student days.

The bill also removes the five (5) protected teacher workdays (one day after each grading period and 1 before and after students start and end) from the calendar. We now have 10 teacher workdays as opposed to the 15 teacher workdays we had in the previous calendars. All other rules in the 2004 calendar law still apply; 215 total calendar days; 10 holidays; and 10 annual vacation leave days.

FINANCIAL IMPACT: Additional costs projected thus far are:

Transportation: \$30,620.80

RECOMMENDATION: The Superintendent recommends the Board approve the Revised 2011-2012 Traditional and Year-Round school calendars and provide staff with direction regarding waiver requests.

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.

From: Vanessa Jeter [mailto:Vanessa.Jeter@dpi.nc.gov]
Sent: Tuesday, June 14, 2011 11:14 AM
To: For NC Superintendents Only
Subject: Your Input Needed on 185-Day Instructional Year Waiver Options

Dear Superintendents,

The NC Department of Public Instruction is seeking your feedback related to the language in the proposed Budget Bill to increase the required instructional days to 185 and required instructional hours to 1,025. Specifically, Section 7.29.(a) of HB 200 - <http://www.ncleg.net/Sessions/2011/Bills/House/PDF/H200v8.pdf> - includes language related to a waiver to this proposed legislation:

“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.”

We would like to take a waiver recommendation to the State Board's July meeting if this proposed legislation becomes law and would appreciate having feedback from local education agencies and charter schools related to the following three options. Note, if a school chooses to operate 185 days and at least 1,025 hours, it would not submit a waiver under any of the following options.

Options:

- 1) The State Board would not grant a waiver of the required 185 instructional days and 1,025 hours unless the school operating structure would require a waiver to be able to accommodate the school's student population. An example would be a year round school operating on four tracks where the student tracks overlap with the previously required teacher workday (two sets of students scheduled to be in the school on the same day).
- 2) The State Board of Education would define which limited options the it would consider to determine that the waiver would enhance student performance. This would require the State Board to meet and develop an application process for submission to obtain the waiver.
- 3) Due to the lateness of the legislation related to the start of the FY 2011-12 school year, a local education agency or a charter school could receive a waiver if it commits to operating an instructional calendar of at least 1,025 hours. This would be a one-time waiver for FY 2011-12 to allow the school district to work with the community, students, and school personnel/curriculum leadership to implement a 185 day instructional calendar for FY 2012-13.

Please reply to this email by 5 p.m. on Tuesday, June 21, with your preference: Option 1, Option 2 or Option 3.

Thanks for your response,

Vanessa W. Jeter
Director
Communication and Information Services

Orange County Schools 2011-2012 Traditional Staff Calendar

CALENDAR KEYS

Students First Day
August 25

Students Last Day
June 8

Staff Workdays-W
August 18 & 19
August 22-24
January 23
April 9
June 11-13

AVL - L
November 23
December 22 -23
December 28-30
April 2-5

Early Dismissal -E
September 21
October 12
December 7
February 8
March 7
May 2

Holidays - H
September 5
November 11
November 24-25
December 26-27
January 2
January 16
April 6
May 28

End of Nine Weeks)
October 28
January 20
March 30
June 8

Inclement Weather
Make-up Days

JULY							AUGUST							SEPTEMBER						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
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Revised 6-14-11

Orange County Schools 2011-2012 Year Round Staff Calendar

CALENDAR

KEYS

I - Intersession

Students First Day
July 18

Students Last Day
June 8

Staff Workdays -W

July 11-15
August 22
September 19
March 22
June 11-13

AVL - L

November 23
December 19 & 20
December 28-30
April 2-5

Early Dismissal -E

August 17
October 12
December 7
February 8
March 7
May 2

Holidays - H

September 5
November 11
November 24&25
December 26&27
January 2
January 16
April 6
May 28

End of Nine Weeks

September 16
December 16
March 16
June 8

Inclement Weather Make-up Days:

JULY							AUGUST							SEPTEMBER							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
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