

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-79.1 of the Code of Virginia, relating to the opening of the school*
3 *year; Northern Neck Technical Center.*

4 [S 515]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 22.1-79.1 of the Code of Virginia is amended and reenacted as follows:**8 **§ 22.1-79.1. Opening of the school year; approvals for certain alternative schedules.**

9 A. Each local school board shall set the school calendar so that the first day students are required to
10 attend school shall be no earlier than 14 days before Labor Day. In each school division in which the
11 school board sets the school calendar so that the first day students are required to attend school is before
12 Labor Day, such school board shall close each school in the school division from the Friday
13 immediately preceding Labor Day through Labor Day. The Board of Education may waive this
14 requirement based on a school board certifying that it meets the good cause requirements of subsection
15 B.

16 B. For purposes of this section, "good cause" means a school division is providing its students, in the
17 school year for which the waiver is sought, with instructional programs that are offered on a year-round
18 basis by the school division in one or more of its elementary or middle or high schools. Any waiver
19 provided pursuant to this subsection shall only apply to the opening date for those schools where such
20 year-round instructional programs are offered.

21 C. Individual schools may propose, and local school boards may approve, pursuant to guidelines
22 developed by the Board of Education, alternative school schedule plans providing for the operation of
23 schools on a four-day weekly calendar, so long as a minimum of 990 hours of instructional time is
24 provided for grades one through 12 and 540 hours for kindergarten.

25 D. Notwithstanding the provisions of this section or any other provision of law, the school board of
26 any school division located in Planning District 16 that was not granted a good cause waiver pursuant to
27 this section for the 2018-2019 school year but would qualify for such a waiver pursuant to this section
28 as it was in effect prior to July 1, 2019, for the 2019-2020 school year may set the school calendar so
29 that the first day students are required to attend is earlier than Labor Day, including earlier than 14 days
30 before Labor Day. Additionally, the school board of any school division located in Planning District 16
31 that is entirely surrounded by two school divisions that either were granted a waiver pursuant to Chapter
32 3 of the Acts of Assembly of 2012, Special Session I, or would qualify for a good cause waiver
33 pursuant to this section as it was in effect prior to July 1, 2019, for the 2019-2020 school year may
34 open schools on the same opening date as either such surrounding school division.

35 E. Notwithstanding the provisions of this section or any other provision of law, the school board of
36 any school division from which students attend Northern Neck Technical Center may set the school
37 calendar so that the first day that students are required to attend school is earlier than Labor Day,
38 including earlier than 14 days before Labor Day.

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