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SENATE BILL NO. 425

Senate Amendments in [] — February 16, 1998

A BILL to amend and reenact § 22.1-79.1 of the Code of Virginia, relating to the school calendar.

Patrons—Saslaw, Barry, Bolling, Edwards, Forbes, Howell, Lambert, Lucas, Norment, Schrock, Stolle, Walker, Williams and Woods; Delegates: Albo, Christian, Councill, Crittenden, Croshaw, Diamonstein, Hamilton, Hargrove, Harris, Hull, Jackson, McDonnell, Shuler, Spruill, Tata, Van Landingham and Wagner

Referred to the Committee on Education and Health

Be it enacted by the General Assembly of Virginia:**1. That § 22.1-79.1 of the Code of Virginia is amended and reenacted as follows:**

§ 22.1-79.1. Opening of the school year.

A. Each local school board shall set the school calendar so that the first day students are required to attend school shall be after Labor Day. The Board of Education may waive this requirement on a showing of good cause.

B. For purposes of this section, "good cause" means:

1. A school division has been closed an average of eight days per year during any five of the last ten years because of severe weather conditions, energy shortages, power failures, or other emergency situations;

2. A school division is providing an instructional program or programs in all of its elementary, middle or high schools, excluding the electronic classroom, which are dependent on and provided in one or more elementary, middle or high schools of another school division that qualifies for such waiver. [~~Provided, however~~ However,] any waiver granted by the Board of Education pursuant to this subdivision [2] shall only apply to the opening date for those schools where such dependent programs are provided; or

3. A school division is providing its students with an experimental or innovative program which [requires an earlier opening date than that established in subsection A of this section and which] has been approved by the Department of Education pursuant to the regulations of the Board of Education establishing standards for accrediting public schools. [~~Provided, however~~ However,] any waiver or extension of the school year granted by the Board of Education pursuant to this subdivision [3] or its standards for accrediting public schools for such an experimental or innovative program shall only apply to the opening date for those schools where such experimental or innovative programs are provided to the entire student body of the school.

ENGROSSED

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