

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 school calendar.*

3 [S 425]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 22.1-79.1 of the Code of Virginia is amended and reenacted as follows:**

7 § 22.1-79.1. Opening of the school year.

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

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

12 1. A school division has been closed an average of eight days per year during any five of the last
13 ten years because of severe weather conditions, energy shortages, power failures, or other emergency
14 situations;15 2. A school division is providing, in the school year for which the waiver is sought, an instructional
16 program or programs in one or more of its elementary or middle or high schools, excluding the
17 electronic classroom, which are dependent on and provided in one or more elementary or middle or
18 high schools of another school division that qualifies for such waiver. However, any waiver granted by
19 the Board of Education pursuant to this subdivision shall only apply to the opening date for those
20 schools where such dependent programs are provided; or21 3. A school division is providing its students, in the school year for which the waiver is sought, with
22 an experimental or innovative program which requires an earlier opening date than that established in
23 subsection A of this section and which has been approved by the Department of Education pursuant to
24 the regulations of the Board of Education establishing standards for accrediting public schools.
25 However, any waiver or extension of the school year granted by the Board of Education pursuant to this
26 subdivision or its standards for accrediting public schools for such an experimental or innovative
27 program shall only apply to the opening date for those schools where such experimental or innovative
28 programs are offered generally to the student body of the school. For the purposes of this subdivision,
29 experimental or innovative programs shall include instructional programs which are offered on a
30 year-round basis by the school division in one or more of its elementary or middle or high schools.

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