



North Carolina

STATE BOARD OF EDUCATION | Eric C. Davis, *Chairman*

DEPARTMENT OF PUBLIC INSTRUCTION | Catherine Truitt, *Superintendent*

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VIA ELECTRONIC MAIL AND U.S. MAIL

August 9, 2023

Mr. Robert Queen, Chairman
Cleveland County Schools
400 West Marion Street
Shelby, NC 28150
rpqueen@clevelandcountyschools.org

Dr. Stephen Fisher
Cleveland County Schools
400 West Marion Street
Shelby, NC 28150
SRFisher@clevelandcountyschools.org

Re: Reported Calendar Law Violation

Dear Mr. Queen and Dr. Fisher:

North Carolina General Statute Section 115C-84.2 (d) spells out permitted opening and closing dates for local boards of education. Regarding opening dates, it specifically provides as follows: "Except for year-round schools, the opening date for students shall be no earlier than the Monday closest to August 26..." For the 2023-24 academic year, that date is August 28. Although there are exceptions for those boards whose schools have been consistently closed more than eight days per year because of severe weather conditions or other emergencies, your board does not fall within those exceptions.

From your most recent report to the State Board of Education, your board of education appears to be in violation of this law, as your starting date for the 2023-2024 school year begins earlier than August 28. On behalf of the State Board of Education, I have been asked to remind you that you have an obligation to obey all state and federal laws. Further, you took an oath of office promising to do so. The State Board implores you to amend your calendar for the 2023-24 school year to stay within the law. Failure to do so could place you in legal peril.

Sincerely,

Allison Schafer

Allison Schafer

General Counsel

State Board of Education

Department of Public Instruction

(M) (919) 931-1063

Allison.Schafer@dpi.nc.gov

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NORTH CAROLINA
State Board of Education
Department of Public Instruction

Cc: Leigha Sink, Local School Board Attorney

OFFICE OF GENERAL COUNSEL – NORTH CAROLINA STATE BOARD OF EDUCATION
6301 Mail Service Center, Raleigh, North Carolina 27699-6301 | (984) 236-2250 | Fax (984) 236-2348
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