

VIRGINIA ACTS OF ASSEMBLY - 2026 SESSION

CHAPTER 815

An Act to amend and reenact § 22.1-79.1 of the Code of Virginia, relating to school boards; opening of the school year; certain alternative schedules and schedule flexibility permitted.

[H 1455]

Approved April 13, 2026

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; approvals for certain alternative schedules.

A. Each local school board shall set the school calendar so that the first day students are required to attend school shall be no earlier than 14 days before ~~Labor Day~~ *September 1 of each year*. In each school division in which the school board sets the school calendar so that the first day students are required to attend school is before Labor Day, such school board shall close each school in the school division from the Friday immediately preceding Labor Day through Labor Day. The Board of Education may waive this requirement based on a school board certifying that it meets the good cause requirements of subsection B.

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

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

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

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