

*Finance Program Services Guidance Document #2011-001  
Revised: October 10, 2012*

**Calamity Day Guidance Document**

**Objective**

To provide clarity and guidance regarding the implementation of calamity days established under Ohio Revised Code (ORC) 3317.01.

**Definition**

Calamity Day – a date requested for waiver by a local superintendent in accordance with ORC 3317.01 when a school is closed by reason of disease epidemic, hazardous weather conditions, law enforcement emergencies, inoperability of school buses or other equipment necessary to the school's operation, damage to a school building, or other temporary circumstances due to utility failure rendering the school building unfit for school use.

**Policy & Guidance**

ORC 3313.482<sup>1</sup> contains information for school districts that experience more than five calamity days. This document summarizes how this section of law works.

ORC 3317.01 (B) provides six calamity reasons that drive the various mechanisms discussed in this document. The mechanisms described in this document are ONLY applicable to school cancellation related to these types of occurrences. These are:

- Disease epidemic;
- Hazardous weather conditions;
- Law enforcement emergencies;
- Inoperability of school buses or other equipment;
- Damage to a school building; or
- Other temporary circumstances due to utility failure.

The following summarizes the various mechanisms available to address days of instruction that are cancelled for one of the above five reasons:

1. The first five (5) calamity days can be waived without being made up.<sup>2</sup>
2. Subsequent calamity days may be made up by scheduling and committing to the use of all five (5) of the contingency days required to be adopted by the district's board of education.<sup>3</sup> The district may choose to meet this five (5) day requirement through the addition of full school days or by adding time to other days remaining on the district's calendar in order to make up the days missed – in increments of one-half hour.

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<sup>1</sup> This section of law was amended by House Bill (HB) 36 of the 129<sup>th</sup> General Assembly.

<sup>2</sup> ORC 3317.01 (B) and 3306.01 (A)

<sup>3</sup> 3313.482 (A)

3. Districts are permitted to make up three (3) calamity days by means of online learning. These three (3) days apply to days “in excess of the number of days permitted under ORC sections 3313.48, 3313.481 and 3317.01.”<sup>4</sup>

There is a special provision for community schools contained in HB 36. If the community school has more hours on its school calendar than the minimum 920 hours required by statute and the community school declares a calamity day for the reasons outlined in ORC 3306.01 and 3317.01, then the community school is not required to make up any days for this closure provided the minimum number or hours required by statute is maintained.<sup>5</sup>

### **Waiver Forms**

Districts desiring to use the extended day mechanism should indicate this on their waiver request form. For the date of the calamity that triggers use of the extended day mechanism, in the field labeled “Contingency Days: Dates to be used” the district should enter “**Extending A/B days by Y hours per day**” where A is the number of days for elementary schools and B is the number of days for middle and high schools, and Y is the time per day that will be added. A district need not provide on the form the specific dates that time will be added.

### **Frequently Asked Questions**

**Q1: What happens if one of a district’s contingency days passes before the district finds itself needing it? For instance, if a district has the Martin Luther King Holiday on its contingency day plan, but does not exceed five calamity days prior to that date – and so does not schedule it for use?**

A1: In this case, the district cannot schedule and commit to the use of the day – since it is in the past. Therefore, the district may designate an additional contingency day. Another option would be for the district to add hours in one-half hour increments to days already in session.

**Q2: What if a district’s day is already longer than the statutory minimum? Can the district count the already scheduled time included in the longer day as applicable toward the amount of time to be made up beyond the first five days?**

A2: No. The statute says “*may increase the length of one or more other school days*” which is taken to mean the increase must be above whatever the district has established as the standard length of day for each building. However, the district need only add enough increments to make up the minimum number of hours in a day required by state law and rule (5 hours for elementary schools – grades 1-6; 5.5 hours for middle and high schools – grades 7-12) for the day that is cancelled.

**Q3: What happens in the case where a building or morning kindergarten classes have a different number of calamity days than the entire district?**

A3: In these cases, the building or the morning kindergarten classes will consume calamity days and contingency days faster and could be in a position of adding time to the day before the rest of the district gets to that point. These cases would be handled in generally the same manner as

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<sup>4</sup> 3313.08

<sup>5</sup> ORC 3314.08 (L)(4)

they are now – that is, that each building can use calamity days and contingency days and now extended days to accommodate a building’s or program’s own particular circumstances.

**Q4: What if the district wants to add a whole hour to certain days?**

A4: This is acceptable; however, the time added must be in increments of one-half hour. So a district can add 0.5 hour, 1 hour, 1.5 hours, etc. Extending the day by 45 minutes would not be permitted.

**Q5: What is the effective date of the changes outlined in HB 36?**

A5: Because the bill contained an emergency clause, the effective date is immediate upon the governor’s signature.

**Q6: What are the provisions of the three (3) calamity days as permitted by 3313.88?**

A6: Districts seeking information should see the ODE website: [www.education.ohio.gov](http://www.education.ohio.gov) . keyword: Online Calamity Makeup. Questions regarding the use of these three days should be directed to: [onlinecalamitydays@ode.state.oh.us](mailto:onlinecalamitydays@ode.state.oh.us). Both the “preliminary” and the “final” plan should be directed to this email address.

**References**

ORC 3317.01  
ORC 3313.48  
ORC 3313.482

**Attachments**

None

**Contact**

Ohio Department of Education  
Office of Quality School Choice and Funding  
25 S. Front Street, 3rd Floor  
Columbus, OH 43215

614.466.7571 (Office) or 1-877-OHIO-EDU  
614.466.8700 (Fax)