



## New Law Restores Calamity Days to Five for Current School Year and Provides New Option for Making Up Days

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Legislation to increase the number of excused calamity days for this school year from three to five days was approved by the General Assembly yesterday, and Governor Kasich has indicated that he intends to sign the bill. The bill (House Bill 36) will go into effect immediately upon his signature.

In addition to restoring the two calamity days eliminated under the previous budget bill, House Bill 36 also gives school districts additional flexibility in making up missed days. School districts may now make up *any* unexcused calamity days by lengthening the school day in half-hour increments (previously, this method could only be used for days *after* the first five unexcused days—that is, after the tenth calamity day). Thus, schools no longer need to make up the first five unexcused days as full school days.

For school districts, 10 half-hour increments (five hours) constitute one make up “day” for grades 1-6, and 11 half-hour increments (five and ½ hours) constitute one make up “day” for grades 7-12.\* Boards of education are still required to have contingency plans for making up at least five school days; however, these plans can include making up some or all of the five days by lengthening other school days. It appears that this day-lengthening method may be used even if the current contingency plan refers to “full” school days.

What is NOT in House Bill 36? A provision that would have given schools the option of making up calamity days by posting lessons online. It was removed from the final version of the bill. Also excluded from the final bill is a provision that would have prohibited school districts from declaring it “impractical” to transport nonpublic or community school students on days scheduled as make up days.

\*It should be noted that under current ODE interpretations, school districts must “further lengthen” their *existing* school days in order to create the half-hour increments. That is, hours that are presently in excess of the state minimum school day may not be “counted” toward these half-hour increments. See Ohio Department of Education School Finance Guidance Document #2010-002 (effective Jan. 10, 2011).



Questions concerning the above may be referred to the attorneys of the [Education Practice Group](#) at Bricker & Eckler LLP:

Jerry E. Nathan, Chair – 614.227.2358  
Laura G. Anthony – 614.227.2366  
H. Randy Bank – 614.227.8836  
Melissa Martinez Bondy – 614.227.8875  
Diana S. Brown – 614.227.8823  
James P. Burnes – 614.227.8804  
Kimball H. Carey – 614.227.4891  
Melissa M. Carleton – 614.227.4846  
John P. Concannon – 513.870.6571

Jennifer A. Flint – 614.227.2316  
Dane A. Gaschen – 614.227.8887  
Susan E. Geary – 614.227.2330  
Susan B. Greenberger – 614.227.8848  
Warren I. Grody – 614.227.2332  
Susan L. Oppenheimer – 614.227.8822  
Nicholas A. Pittner – 614.227.8815  
Sue W. Yount – 614.227.2336

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