

# STATE CHARTER SCHOOL COMMISSION OF GEORGIA

## Guidance Regarding Instructional Days at Brick-and-Mortar State Charter Schools

### General Overview

Georgia law requires public schools provide students a minimum of 180 school days of education each school year.<sup>1</sup> School days and hours required are defined in State Board of Education (SBOE) Rule 160-5-1-.02(2)(a)(2). Failure to provide a minimum of 180 school days of education may result in a prorated reduction of state funds.

In addition, brick-and-mortar state charter schools (“schools”) must deliver instruction to students at a brick-and-mortar location for 180 school days unless the Charter School receives advanced written approval from the SCSC Executive Director to deliver instruction through an alternate model for a specified number of school days. See Paragraph 5b, SCSC Charter Contract. The SCSC Executive Director has sole discretion to evaluate and determine whether to approve a school’s request.

### Emergency Closures

Schools may close and elect not to make-up up to four days of missed instruction due to an emergency, disaster, act of God, civil disturbance, or shortage of vital or critical material, supplies, or fuel (“Emergency Closure”).<sup>2</sup> Within twenty-four (24) hours of a state charter school’s awareness of unanticipated school closures, the school shall provide written notice to the SCSC Executive Director or designee. See [SCSC School Communications Policy](#).

### Virtual Days

Schools may offer virtual instruction on school days per the parameters below. Virtual days must be delivered consistent with the educational model and essential features contemplated in the school’s charter contract. In addition, the school should have a policy that details how staff will confirm student attendance and engagement with instructional time on virtual days to ensure such virtual days meet the requirement of a school day in SBOE Rule 160-5-1-.02(2)(a)(2).

- **Annual School Calendar.** The school’s board may approve an annual school calendar prior to the school year that incorporates up to five school days of virtual learning without the SCSC Executive Director’s prior written approval.
- **Unanticipated Virtual Days.**
  - **Emergencies.** Schools experiencing an emergency that qualifies as an Emergency Closure (see above) may deliver virtual instruction up to five consecutive school days without the SCSC Executive Director’s approval. A school that anticipates extending virtual instruction beyond five school days must submit a written

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<sup>1</sup> O.C.G.A. § 20-2-168(c)(1).

<sup>2</sup> O.C.G.A. § 20-2-168(c)(2), (3) and (5).

request in the form and format described below to the SCSC Executive Director as soon as possible.

- **Non-Emergencies.** Schools that desire to deliver virtual instruction to all or a part of its students for a non-emergency reason must receive prior written approval from the SCSC Executive Director. Examples of non-emergency reasons include, but are not limited to, construction, renovation, or Certificate of Occupancy delays related to the school's facility. The SCSC will only approve virtual days for non-emergencies in extremely rare circumstances. The school should not anticipate approval of virtual days for reasons caused by poor planning or oversight.

Schools must submit requests for virtual days via email to the SCSC Executive Director and include the following information:

- 1) Length- Anticipated number of virtual days.
- 2) Schedule - Proposed daily schedule while providing virtual instruction.
- 3) Reason – Explanation why the school must transition to virtual instruction.
- 4) Attendance and Participation - How the school will take attendance and ensure students are participating during virtual instruction.
- 5) Instructional Methods - Any anticipated impact or changes to instructional methods or educational model due to virtual days.
- 6) Communication Plan - How the school will communicate the virtual plan to students, families, and staff.
- 7) Staff and Student Preparation - How the school will train teachers, students, and families to use online learning tools and complete assignments.
- 8) Technology Access - The plan for distributing devices, as needed, or how students will otherwise be expected to access technology on virtual days.

NOTE: This guidance is meant to address temporary situations when the school needs to provide virtual instruction. Schools that are contemplating permanent changes to their model or instructional methods to incorporate virtual instruction must submit an amendment request to the SCSC (<https://scsc.georgia.gov/scsc-schools/request-charter-amendment>). Note that schools considering any form of permanent virtual instruction must consider the potential reduction in funding for virtual instruction pursuant to O.C.G.A. § 20-2-2089.