

As Passed by the House

**126th General Assembly
Regular Session
2005-2006**

Am. S. B. No. 71

**Senators Wilson, Brady, Schuring, Clancy, Fingerhut, Zurz, Roberts, Carey,
Fedor, Padgett, Miller, Niehaus**

**Representatives Setzer, Carano, Chandler, Hood, Allen, Beatty, Blessing,
Bocchieri, Book, Brown, Cassell, Collier, Combs, Core, DeBose, Domenick,
C. Evans, D. Evans, Faber, Flowers, Gibbs, Hagan, Harwood, Hughes, Key,
Law, Mason, McGregor, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter,
Seaver, Seitz, G. Smith, J. Stewart, Yuko**

—

A B I L L

To permit school districts and nonpublic schools to 1
count time that schools are in session beyond the 2
required minimum number of hours in order to make 3
up "calamity days" missed during the 2004-2005 4
school year in excess of the number of days 5
permitted by law and the number of days specified 6
in their contingency plans, and to declare an 7
emergency. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. A school district or nonpublic school shall not be 9
considered to have failed to comply with division (B) of section 10
3317.01 of the Revised Code or the state minimum standards during 11
the 2004-2005 school year because a school was closed due to 12
hazardous weather conditions for a number of days exceeding the 13
number permitted under sections 3313.48, 3313.481, and 3317.01 of 14
the Revised Code, if both of the following apply: 15

(A) In the case of a school district, the district makes up 16
the number of days specified in its contingency plan adopted under 17
division (A) of section 3313.482 of the Revised Code in accordance 18
with that plan or, in the case of a nonpublic school, the school 19
makes up the number of days specified in any contingency plan 20
adopted by the school's governing authority in accordance with 21
that plan; 22

(B) During the period beginning on February 1, 2005, the 23
school was open for instruction for more hours than the required 24
number of hours on a sufficient number of days to make up all 25
remaining days a school was closed in excess of the number 26
permitted by sections 3313.48, 3313.481, and 3317.01 of the 27
Revised Code due to hazardous weather conditions. 28

As used in this section, the "required number of hours" for 29
any school district is five hours per day in the case of students 30
in grades one through six and five and one-half hours per day in 31
the case of students in grades seven through twelve, and for any 32
nonpublic school is five hours per day for students in grades one 33
through twelve. A public school or school district shall be deemed 34
to have "made up" a day under division (B)(2) of this section for 35
each additional five hours its students in grades one through six 36
are in attendance on and after February 1, 2005, and for each 37
additional five and one-half hours its students in grades seven 38
through twelve are in attendance on and after February 1, 2005. A 39
nonpublic school shall be deemed to have "made up" a day under 40
division (B) of this section for each additional five hours its 41
students in grades one through twelve are in attendance on and 42
after February 1, 2005. 43

Section 2. This act is hereby declared to be an emergency 44
measure necessary for the immediate preservation of the public 45
peace, health, and safety. The reason for such necessity lies in 46
the fact that immediate action is needed to provide school 47

districts and nonpublic schools an alternative way to make up days	48
missed in the current school year due to hazardous weather	49
conditions in excess of the number of days permitted by law.	50
Therefore, this act shall go into immediate effect.	51