

Memorandum

To: Nebraska School Administrators

From: Matthew L. Blomstedt, Ph.D., Commissioner of Education

Re: Closure of Schools

Each year many inquiries are made to the State Department of Education regarding the amount of school time missed because of uncontrollable circumstances. You may wish to review the law and regulations on this issue.

Sections 79-101(7) and 79-211 R.R.S. provide that Nebraska school districts have schools open and in session with teachers and students in attendance no less than (1) one thousand thirty-two instructional hours for elementary grades; and (2) one thousand eighty instructional hours for high school grades. Kindergarten must be in session for at least 400 hours (79-201.10). This same requirement is contained in the regulations for approval and accreditation of schools. The 400/1032/1080 instructional hour requirement includes only hours utilized for instruction as established by local school board policy.

Section 79-1103(2) requires prekindergarten programs operated by schools or educational service units to be approved by the Nebraska Department of Education. Section 004.04 of Rule 11, *Regulations for Early Childhood Programs*, requires that, in order to receive Nebraska Tax Equity and Educational Opportunities Support Act (TEEOSA) funds, early childhood programs for ages 3 to 5 shall operate a minimum of 450 instructional hours per school year.

Every effort should be made by school districts to make up instructional hours missed because of sickness, severe weather, or other reasons. It may be necessary to amend the school calendar as the school year progresses. Missed time could be made up by: (1) having school during portions of planned vacation periods, (2) extending the school year, (3) lengthening some school days, and/or (4) providing school on Saturdays.

After using the alternatives listed above, if it is determined that the 450/400/1032/1080 instructional hours cannot be provided, an affidavit may be filed with the State Board of Education within 10 days of the conclusion of the school year. This process is provided for in Section 79-213, R.R.S. An Affidavit of School Closing form is attached. This form is also available from the State Department of Education, Office of Accreditation and School Improvement.

State Department of Education staff members are willing to assist schools in meeting the required hours. Please contact the Office of Accountability, Accreditation, and Program Approval, Department of Education, Box 94987, Lincoln, NE 68509, 402-471-2444 or email nde.accreditation@nebraska.gov.

Return Original copy to:
Nebraska Department of Education
Accreditation and School Improvement Office
P.O. Box 94897
Lincoln, NE 68509-4987

NDE: 08-050
(Revised 4/2010)
Due: 10 days after end
of school year

AFFIDAVIT OF SCHOOL CLOSING

County-District # _____ (example: 00-0000)
(The number preprinted on page one of the Annual Statistical Summary)

School District/System Name: _____

State of Nebraska)
) §
County of _____)

_____ being first duly sworn, deposes and says:

1. That (he or she) is the secretary of the school board of school district
_____ of _____ County
2. That due to _____ the school board in the district closed
the schools within the district on the following dates:

DATES	NUMBER OF HOURS				REASON/EXPLANATION
	PreK	Kdg	Elem	Sec	

3. That this Affidavit is completed by the school district secretary to be filed with the State Board of Education, along with the Annual Statistical Summary, in fulfillment of the requirements of Section 79-213 (R.R.S.).

NOTARY

Subscribed in my presence and sworn to me before this
_____ day of _____, 20_____.

(Board Secretary's Signature)

Place Notary Seal Below

Notary Public or Other Acknowledging Officer