



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

To: Superintendents, Principals, and School Leaders

From: Office of Accountability

Date: July 20, 2021

Subject: 2021-2022 Policy for 180 Instructional Day Waiver Requests

Pursuant to IC 20-30-2, all school corporations must conduct at least 180 instructional days during a given school year. Public schools that do not conduct at least 180 instructional days during a given school year shall have the subsequent August tuition support distribution reduced to reflect the actual number of instructional days provided unless the Indiana Department of Education (IDOE) grants the school a waiver. IDOE may grant a waiver of a particular number of canceled days so long as the school or school corporation submits a waiver request to IDOE, and the cancellations are due to extraordinary circumstances.

In support of the 180 instructional day requirement, IDOE strongly encourages all school corporations build at least five (5) make-up days into the school calendar to prevent the need for a waiver request.

The following information outlines the IDOE's implementation process regarding waiver requests:

Instructional Day Waiver Type	Conditions for Granting Instructional Day Waiver	Prerequisite Conditions for Instructional Day Waiver
Type 1: Fewer than all schools in the school corporation impacted	<ul style="list-style-type: none">• Documented extraordinary circumstances• Waiver request submitted to IDOE within 10 business days of the canceled school day	None
Type 2: All schools in the school corporation impacted	<ul style="list-style-type: none">• Documented extraordinary circumstances• Waiver request submitted to IDOE within 10 business days of the canceled school day	<ul style="list-style-type: none">• Five instructional days have been canceled and rescheduled prior to submission of waiver request• Corporation closed for two+ days beyond the five previously canceled/rescheduled instructional days



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- **Type 1 Instructional Day Waivers:** Type 1 waivers will only be granted if there is an unexpected, extraordinary event that impacts less than the entire student population of a school corporation. IDOE will approve such waiver requests due to the challenges resulting from having a corporation make up a day for only part of the corporation.
- **Type 2 Instructional Day Waivers:** Type 2 waivers will be granted if there is an extraordinary circumstance that occurs, and the school corporation has exhausted all its built-in make-up days. IDOE will utilize a “two-for-one” policy where school corporations must make up the first five (5) canceled days using the built-in make-up days for the school year. After the fifth canceled day, IDOE will waive one day for every two (2) additional canceled days, where school corporations receive waivers for odd-numbered cancelations to avoid a reduction in tuition support payment. School corporations must make up all days not waived pursuant to IC 20-30-2-4.
 - EXAMPLE: A school corporation with seven (7) canceled days would need to reschedule and make-up six (6) of these days and would be eligible to waive the make-up of the seventh canceled day.
- **Two-Hour Delays/Two-Hour Early Dismissals:** An instructional day where a two-hour delay or two-hour early dismissal occurs in response to an incident that could jeopardize the safety of staff and students will count toward the 180 instructional day requirement. As such, a waiver request should not be submitted for such occurrences. For reporting purposes, the instructional day should reflect the actual instructional time provided.
- **Use of E-Learning:** A day that was originally scheduled to be in-person and was rescheduled as an E-Learning day will count toward the 180 instructional day requirement.
 - EXAMPLE: A school corporation originally scheduled January 14, 2022 to be an in-person instruction day. Due to excessive snowfall, the school corporation provided instruction remotely, through E-Learning services. January 14, 2022 is not considered a canceled school day. Note that daily instructional time requirements must still be met for E-Learning days.
- **Waiver Request Submission:** Waiver requests must be submitted to IDOE within ten (10) business days of the cancelation. All requests for instructional day waivers must be submitted electronically via [this jotform](#).

Questions may be directed to schoolaccountability@doe.in.gov.