



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

MEMORANDUM

TO: District Superintendents

FROM: C. Matthew Ferguson, EdD, Esq.
Deputy Superintendent and Chief Academic Officer
Division of College, Career, and Military Readiness

DATE: October 1, 2024

RE: School Calendars and eLearning: Response and Support Following Hurricane Helene

In the wake of Hurricane Helene, we at the South Carolina Department of Education (SCDE) extend our heartfelt concern to those affected across the state. We recognize the difficult balance between ensuring student safety and meeting instructional mandates during this time, and we are committed to supporting you as you navigate these decisions. Please know that SCDE stands ready to assist you and your communities during this challenging time.

eLearning Guidance

South Carolina's [eLearning Days District Handbook](#) provides helpful guidance on conditions that are most appropriate for eLearning. One key consideration it raises:

Are the conditions at home expected to be safe and secure? Would the event that triggered the building closure jeopardize the conditions in the home? No one can account for all possibilities, but if there is reasonable expectation that students and teachers will be able to complete instruction at home, eLearning is an excellent choice. If you run down these bullets and see something is not in place or question the conditions for instruction at home, a simple school closure is best.

Due to the widespread impact of the hurricane, including extended power and internet outages and even displacement, it is likely not feasible for many students, families, or teachers to access or facilitate instruction. In this event, eLearning days *may* be utilized on a calendar-designated make-up day or when conditions have stabilized, and power and connectivity are restored.

ELLEN E. WEAVER · STATE SUPERINTENDENT OF EDUCATION
428 WHOLESALE LANE · WEST COLUMBIA, SC 29172
PHONE: 803-734-8500 · FAX: 803-734-3389 · ED.SC.GOV

School Calendar Requirements

As you plan your response, it is helpful to remember S.C. Code Ann. § [59-1-425](#)(A), which requires all districts to establish a school calendar with 190 days. This calendar must include:

1. A minimum of 180 instructional days, covering at least nine months;
2. At least three days designated as make-up days;
3. Three days allocated for collegial professional development.

Guidance on Make-Up Days and Weather-Related School Closures

S.C. Code Ann. § [59-1-425](#)(B) states that all days missed due to extreme weather or other disruptions must be made up:

Make-up Days: Each district must designate at least three make-up days annually.

Local Waivers: A local school board may grant a waiver for up to three missed days by majority vote, but only after the district has made up at least three full days or the equivalent number of hours. Any waiver applies to all charter schools within the district and students participating in home-school programs approved by the district board.

State Board of Education Waiver: Should a district need to waive more than three additional days, the local board of education may—by majority vote—request the State Board of Education to waive up to three more days for extreme weather or other disruptions.

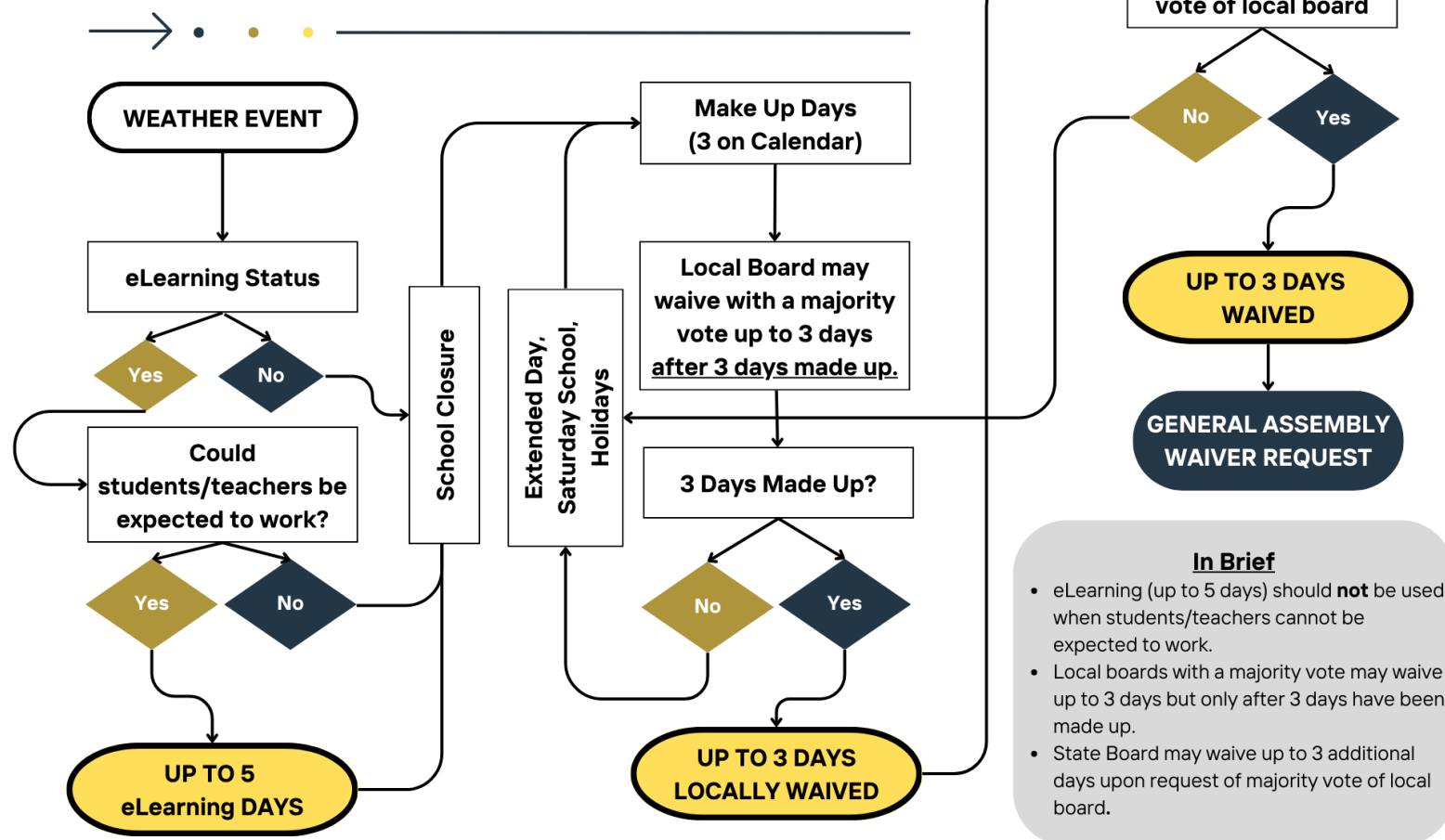
General Assembly Waiver: For any waiver beyond six days of missed instruction, a joint resolution from the General Assembly is required.

We encourage districts to review their current make-up day plans and be prepared to hold local board meetings as soon as it is safe to do so in order to discuss potential waivers or adjustments to the school calendar. We have included a decision tree chart and sample scenarios below that we hope may be helpful as you contemplate the best path forward.

As always, student safety remains our highest priority, and any decisions must prioritize the well-being of students, families, and staff. We understand the difficult decisions superintendents must make in balancing the safety of the community with the need for continued instruction. Please feel free to reach out if you would like to discuss this further or if you require additional guidance.



WEATHER-RELATED SCHOOL CLOSURES



Scenario 1: School Closures with Local Waivers

Weather Event:

A hurricane forces the district to close schools for seven days, and eLearning is not an option due to widespread power outages.

Process:

1. **Make-Up Days:** The district has three designated make-up days on its calendar, so these are used to make up the first three missed days.
2. **Remaining Days:** There are still four days left to make up. The local board meets and votes to:
 - Add one hour to the school day for the next five days, making up for one missed day.
 - Waive three missed days through a majority vote after the three make-up days are used.
3. **Outcome:** The district successfully makes up all seven missed days (three through make-up days, one through extended hours, and three waived by the local board).

Scenario 2: eLearning Day, Spring Break Make-Up, and State Board of Education Waiver

Previous Event (Water Main Break): Earlier in the school year, a water main break at one of the district's schools forced a closure for one day. The district utilized an eLearning day during this closure since power and internet access were unaffected, allowing students to continue instruction remotely. This eLearning day counted as one instructional day, leaving all of the district's designated make-up days intact.

Weather Event: Later in the year, a severe ice storm causes the district to close schools for days. Due to widespread power outages and road conditions, eLearning is not feasible during these closures.

Process:

1. **eLearning Day for Water Main Break:** The district had already utilized an eLearning day earlier in the year when a water main break closed one school, allowing that day to count as an instructional day.
2. **Make-Up Days:** The district uses its three designated make-up days from the calendar to cover three of the seven missed days caused by the ice storm.
3. **Spring Break Make-Up:** The local board of education votes to cancel one day of Spring Break and use it as a make-up day for another missed day, reducing the number of remaining missed days.
4. **Local Board Waiver:** After utilizing the eLearning day for the water main break, the make-up days, and the Spring Break day, the district still needs to make up three

additional days. The local board meets and votes to waive three missed days, as allowed by law.

5. **State Board of Education Waiver Request:** After exhausting the eLearning day, the make-up days, the Spring Break adjustment, and the local board waiver, the district still has one remaining missed day. The local board requests a waiver from the General Assembly through a joint resolution to waive this final day.

Outcome: The district successfully addresses all eight missed days: one through eLearning due to the water main break, three through make-up days, one through Spring Break, three waived by the local board, and one waived by the General Assembly.

Scenario 3: Comprehensive Use of eLearning, Make-Up Days, Extended Day, Local and State Board Waivers, and General Assembly Waiver

Weather Event: A powerful hurricane causes widespread flooding and power outages across the district, forcing schools to close for 12 days. Given the prolonged impact, the district must use a combination of strategies to recover lost instructional time.

Process:

1. **eLearning Day:** On one of the missed days when most areas of the district have restored power and internet access, the district designates an eLearning day. Students participate in remote instruction, and this day counts as one instructional day.
2. **Make-Up Days:** The district uses its three designated make-up days from its school calendar to account for three of the remaining missed days.
3. **Extended School Days:** For one additional missed day, the district extends the school day by one hour for five consecutive days. This allows the district to make up one full instructional day by adding extra instructional time to the schedule.
4. **Local Board Forgiveness:** After utilizing the eLearning day, make-up days, and extended school days, the district still has six days left to account for. The local board of education holds a vote and, by majority, forgives three of these days, as permitted under state law once the first three make-up days have been used.
5. **State Board of Education Waiver:** With four remaining missed days, the district requests a waiver from the State Board of Education. The State Board grants forgiveness for three of these missed days after reviewing the district's request.
6. **General Assembly Waiver Request:** After utilizing all available strategies, the district still has one more missed day that needs to be waived. The local board submits a request to the General Assembly for a joint resolution to waive this final day. The waiver is granted after passage of the resolution.

Outcome: The district successfully makes up or waives all 11 missed days through a combination of strategies: one day through eLearning, three through make-up days, one by extending the school day, three waived by the local board, two waived by the State Board of Education, and one waived by the General Assembly.