

O.C.G.A. § 20-2-168

§ 20-2-168. Distribution of federal funds; combined purchase of supplies and equipment; minimum school year; summer school programs; year-round operation

(The following is the relevant excerpt from O.C.G.A. § 20-2-168 (c) that addresses missed school days due to disaster and emergencies. Please note that the language quoted below is the amended text as passed during the 2008 Georgia General Assembly, signed by the Governor on May 12, 2008, and became effective as law on July 1, 2008

Local school systems should exhaust all scheduled make-up days in their 2008-2009 school calendar prior to invoking the provision of O.C.G.A. § 20-2-168 listed below.)

“(c) (1) Except as otherwise provided in this Code section, public elementary and secondary schools of this state receiving state aid under this article shall provide each eligible student with access to no less than 180 school days of education each fiscal year. The State Board of Education shall define a school year, which shall be no less than 180 days of instruction in accordance with the provisions of this subsection, shall define the length of the school day, and shall provide that all public elementary and secondary schools may be closed for instruction on November 11 of each year as determined by each local board of education to enable students, teachers, and administrators to participate in Veterans Day programs to honor veterans of the armed forces.

(2) Any provision of this subsection or this article to the contrary notwithstanding, when the President of the United States proclaims a national emergency or when the Governor proclaims a state of emergency or when, because of emergency, disaster, act of God, civil disturbance, or a shortage of vital and critical material, supplies, or fuel, the continued operation of the public schools according to the definitions of school year, school month, or school day is impractical or impossible, then the state board shall have the power to authorize local boards of education to depart from a strict interpretation of these definitions, and such departure need not be uniform throughout the state.

(3) A local board of education may, without the necessity of authorization from the state board, elect not to complete, as make-up days, up to four additional days otherwise needed which are the result of days when school was closed due to emergency, disaster, act of God, civil disturbance, or shortage of vital or critical material, supplies, or fuel. In any such case, the school year applicable to that local board of education may terminate, in the discretion of the local board, at the end of the last school day originally designated by the local board as the end of the school year, regardless of the day of the week on which the school calendar was scheduled to end. The provisions of this paragraph shall not limit the authority of the state board under paragraph (2) of this subsection.

(4) Each fiscal year shall begin on July 1 and end on June 30 of the following year.

(5) For purposes of this subsection, the term:

(A) "Disaster" means any happening that causes great harm or damage.

(B) "Emergency" means a sudden generally unexpected occurrence or set of circumstances demanding immediate action.”