

**Kirsten Baesler**  
State Superintendent

**Dr. Donna Fishbeck**  
Chief of Staff

**Laurie Matzke**  
Assistant Superintendent



**NORTH DAKOTA DEPARTMENT OF  
PUBLIC INSTRUCTION**

600 E Boulevard Ave., Dept. 201  
Bismarck, ND 58505-0440  
Phone (701) 328-2260  
Fax (701) 328-2461  
<http://www.nd.gov/dpi>

## **Virtual Instruction – Weather or Other Condition Guidance**

The 67<sup>th</sup> Legislative Assembly recognized that virtual learning is appropriate when the school building is not accessible. House Bill 1232 was signed into law and became [NDCC 15.1-27-23. Weather or other conditions – Closure of schools – State aid payments to school districts](#). This law enables districts to conduct virtual instruction on a case-by-case basis. Please read this guidance as it includes vital information regarding virtual instruction.

### **Q: What are the requirements to conduct virtual learning under NDCC15.1-27-23 (weather or other condition)?**

A: The board of each school district shall establish the length of a period, day, and week in accordance with the requirements of section 15.1-06-04. If a public school or school district is closed or provides less than a full day of instruction, the public school or school district shall reschedule those hours to ensure students receive at least the minimum number of instructional hours required by subdivision a of subsection 1 of section 15.1-06-04. A school or school district may satisfy the requirements of this section by providing virtual instruction under section 15.1-06-04 ([NDCC 15.1-27-23](#)).

Currently, there is no ability to mark a single student virtual and in attendance. The school must mark the student as present but document each day that student attended school virtually.

State law dictates, “The superintendent of public instruction shall provide biennial reports to the legislative management regarding the academic performance metrics of students participating in virtual instruction under this section” ([NDCC 15.1-07-25.4](#)).

### **Q. What are some scenarios in which virtual instruction under NDCC 15.1-27-23 may be used?**

A: Specific scenarios include but are not limited to:

- Flood
- Tornado
- Snow day or blizzard conditions
- Water pipe break
- Boiler-heating system failure
- Mold
- Carbon monoxide
- Radon
- Fire
- Pandemic

ND School for the Deaf/RCDHH  
Devils Lake, ND  
(701) 665-4400

ND State Library  
Bismarck, ND  
(701) 328-2492

ND Vision Services/School for the Blind  
Grand Forks, ND  
(701)795-2700

**Q. Is approval needed through NDDPI to use this flexibility?**

A. No. Districts must create a school board-approved policy if they conduct virtual learning due to weather or other condition for the 2021-2022 school year.

**Q. Can one or two families in a particular district use virtual learning because of weather or other circumstance?**

A. Yes, per the Administrative Code: [67-30-01-01](#). Definitions:

- 3. "Cancel hours of instruction" means that a school district or nonpublic school has decided not to hold in-person instruction for all or part of a previously scheduled school day. This may include one or more students not attending school due to extenuating circumstances because of weather or other condition.

**PowerSchool**

If a school district has a policy in place that allows virtual instruction due to weather or other condition and they choose to conduct school virtually because of those conditions, they must document this within PowerSchool.

To do this:

- 1. Navigate to the school calendar
- 2. Find the day the school educated virtually and select 'Virtual Instruction Due to Emergency'

Date	Day	Start Date	End Date	In Session	Legal Holiday	Makeup Day	Other	Parent-Teacher Conferences	Professional Development	Storm Day
Fri, Nov 5		1		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Sat, Nov 6		0		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sun, Nov 7		0		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mon, Nov 8		1		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Tue, Nov 9		1		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Wed, Nov 10		1		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Thu, Nov 11		1		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Fri, Nov 12		1		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Sat, Nov 13		0		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sun, Nov 14		0		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mon, Nov 15		1		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Dropdown menu options: In Session, End Date, In Session, Legal Holiday, Makeup Day, Other, Parent-Teacher Conferences, Professional Development, Start Date, Storm Day, **Virtual Instruction Due to Emergency**, In Session

## STARS

If schools are not using PowerSchool to complete their STARS calendar, they must add the “Virtual Instruction Due to Emergency” exception day in the STARS calendar report.

To do this:

1. Go to the STARS calendar report
2. Click on Add Exception Day
3. Choose ‘Virtual Instruction Due to Emergency’ as the reason and enter the date and instructional hours
4. Click Save

### Calendar

Any day that deviates from a regular school day MUST be added as an Exception Day to the calendar. Regular instruction days do NOT need to be added.

[Add Exception Day](#)

### Calendar - Exception Day

The Spring Calendar collects the actual school calendar for the school district. Enter the information for the exception day.  
[Return to Spring Calendar](#)

**NCES School:** Dpi Plant

**Exception Day**

Reason:

Date:

Instructional Hours:  The time students are in class.

### Important Considerations

- Virtual instruction under NDCC 15.1-27-23 is **not** intended for quarantined students. The district is to follow its infectious disease policy with quarantined students.
- Virtual instruction under NDCC 15.1-27-23 provides students the ability to educate for a timeframe of 9 to 18 weeks due to weather or extenuating circumstance. Extenuating circumstances include when some but not all students do not have access to the school building or during a pandemic.
- Districts must find the best solution for the student other than virtual instruction under NDCC 15.1-27-23.

### Contact Information

For more information regarding virtual/distance learning, please contact [Joe Kolosky](#) at (701) 328-2755.