School closings due to harsh winter weather are nothing new for the Midwest. But this past school year, heavier-than-usual snowfall and a polar vortex led to more shutdowns than usual in some parts of the region, and opened up discussions this year about state laws to help districts adjust.

Among the options considered by legislatures: one, provide “amnesty” to districts during especially bad-weather school years, meaning they’re eligible for full state aid even if they don’t meet state mandates on the number of instructional days; and two, make greater use of virtual learning.

Earlier this year, legislators in Michigan (HB 4206) and Minnesota (SF 1743) adopted versions of an amnesty law; in both instances, the measures provide a one-year exception to the states’ mandatory number of instructional days (see map).

States and local districts typically take into account the need for a certain number of “snow” or “emergency” days in school calendars. Under Illinois law, for example, five such days are built into the calendar. And once those five days have been used, the state allows a district to request that any additional school-day closures beyond its control not be made up.

Legislative discussions this year in Illinois centered on the use of “e-learning” days: Rather than school being canceled due to weather, students work at home with remote assistance from a teacher. Prior to this year, e-learning in Illinois was limited to a few districts participating in a state-run pilot project.

“Others wanted to try the e-learning option as well,” Illinois Sen. Jennifer Bertino-Tarrant says. All districts will now have that chance under SB 28, a bill sponsored by Bertino-Tarrant and signed into law in June.

“E-learning is a valuable tool,” she says. “We just need to make sure there are clear standards in place to prevent abuse of the program.”

Those state standards include meeting the specific needs of special-education students and English learners and ensuring that non-electronic materials are made available to students who do not have access to e-learning technology. Illinois’ regional superintendents of education must verify that any local e-learning plan meets the state guidelines.

According to Bertino-Tarrant, the impetus for SB 28 was to clarify and update the state’s definition of an instructional day, but e-learning became a part of discussions on the bill, with school administrators urging legislators to provide a local option. Some administrators view e-learning as a better alternative to adding days at the end of the school year due to potential conflicts with graduations, family vacations or school construction projects.

Along with Illinois, states such as Indiana, Minnesota and Wisconsin also allow “virtual learning” to be used to make up for a canceled day of school. Minnesota’s 2017 law (HF 2), for example, permits online instruction to take the place of up to five canceled school days.