

Frequently Asked Questions

School Day and Calendar Requirements for Non-Public Schools

1. Does Tenn. Code Ann. § 49-6-3004 apply to non-public schools?

Yes, specifically Tenn. Code Ann. § 49-6-3004(e) includes public, private, and church-related schools in the statutory requirement for the instructional day minimum of six and one-half (6.5) hours and the use of accumulated instructional time.

2. Can non-public schools require 1,170 hours of instruction instead of 180 days of classroom instruction?

No, Tenn. Code Ann. § 49-6-3004 requires 180 days for classroom instruction. Additionally, State Board of Education (SBE) Rules Chapter 0520-07-02 requires all non-public schools to maintain an operating schedule of 180 days.

3. Does the six and one-half (6.5) hour instructional time requirement apply to all grades, including kindergarten?

The six and one-half (6.5) hour instructional time requirement applies to students in grades 1-12. Kindergarten programs may meet this requirement; however, Tenn. Code Ann. § 49-6-201(b)(2) asserts that kindergarten programs shall not be less than four (4) hours.

4. Do non-public school calendars have to be approved by the Tennessee Department of Education (department)?

School calendars for non-public schools are approved annually by the school's authorizer. Categories I/I-SP, IV-State Board Approved, and V non-public schools must submit their school calendars to the department's non-public school office during the annual review process. Schools in Categories II, III, or IV must follow their membership or accrediting agency's process for school calendar approval. SBE Rule 0520-07-01-.04 authorizes accrediting agencies and the department to monitor approved schools for compliance.

5. How can a non-public school utilize a stockpile day?

Pursuant to Tenn. Code Ann. § 49-6-3004(e)(1), any public or non-public school that exceeds the required six and one-half (6.5) hour instructional day by one-half hour for the full academic year shall accumulate up to 13 "stockpile" days. Schools may extend the instructional day beyond seven (7) hours, but only the 30 minutes above six and one-half hours may be accumulated as a stockpile day. Schools may not accumulate more than 13 stockpile days.

No additional approval is necessary to use available stockpile days to cover instructional days missed due to:

- Dangerous or extreme weather conditions; or

- Serious outbreaks of illness affecting or endangering students or staff.

Category I and V schools must have the Commissioner’s approval, and Category II, III and IV schools must have their accrediting agency’s approval, to use the stockpile days in the cases of:

- Natural disaster; or
- Dangerous structural or environmental conditions rendering a school unsafe for use.

With approval, schools may also use stockpile days for early student dismissal for faculty professional development or in whole day increments for professional development, instructional planning meetings, parent-teacher conferences, or other similar meetings. Early student dismissal for faculty professional development shall not exceed three and one-half (3.5) hours in a week.

Additionally, any unused stockpile days shall not carry over to another school year and should not be used to end the school year early.

6. *What if my school has exhausted its stockpile days and cannot meet the required 180 instructional days due to a natural disaster or serious outbreak of illness?*

Schools that are unable to meet the 180 instructional day requirement due to natural disaster or serious outbreak of illness affecting or endangering students or staff during the school year may request a waiver of the minimal instructional day requirement. Category I and V schools must request a waiver from the Commissioner. Category II, III and IV schools must request a waiver from the school’s accrediting or membership agency.

7. *How many of the stockpile days can be scheduled into the calendar in advance? Does my school calendar need 180 days or 167 days to be approved?*

SBE Rules 0520-07-02 require non-public schools to maintain a term of at least 180 days for classroom instruction.

Prior to the school year, schools should designate how many stockpile days shall be allocated for dangerous or extreme weather conditions, such as “snow days.” These dates are not predetermined and should be scheduled as instructional days on the school’s calendar. If used, they do not need to be made up.

Also, prior to the school year, schools may also designate how many accumulated stockpile days shall be exchanged for an instructional day for the purposes of professional development, school-wide instructional planning meetings, parent/teacher conferences, or other similar meetings. Schools shall request approval for the professional development days. Stockpile professional development dates scheduled prior to attendance start or after attendance end shall not be substituted for an instructional day.

The total number of days designated for inclement weather or illness combined with dates exchanged

for professional development, school-wide instructional planning meetings, or parent/teacher conferences shall not exceed 13 days.

8. *What if my school does not have any stockpile days left and must miss additional days for a reason in which a waiver does not apply or is not granted by the Commissioner or accrediting agency?*

A make-up day is an instructional day that is used to make up missed instructional time. The following methods may be used to make up a missed instructional day:

- Revert previously designated stockpile days for professional development, instructional planning, or parent-teacher conferences back to instructional days;
- Extend the length of the school day by a minimum of 30 minutes for a period adequate to accumulate the equivalent of the days lost;
- Schedule classes on Saturday or Sunday;
- Schedule classes on a day previously designated as a holiday;
- Reduce time scheduled for a previously scheduled break, such as spring break; or
- Extend the school year. The school year may legally be extended to June 30.

If stockpiling, the department recommends that non-public schools designate a **minimum** of five (5) stockpile days for inclement weather or school-wide illness to ensure enough days are available should the need arise.

9. *What if my school chooses not to stockpile?*

Non-public schools that choose not to participate in the stockpile option must ensure the school calendar meets the requirements for 180 instructional days and six and one-half hours (6.5) of instructional time for grades 1-12 and a minimum of four (4) hours for kindergarten. Any days missed due to inclement weather or illness would need to be made up.

10. *Do late start days count? Can a school start an hour late one day per week to allow for faculty professional development?*

Yes, if participating in stockpiling, a school can use late start or early dismissals for students to schedule professional development time. However, the accumulated time used shall not exceed 13 days and shall not exceed three and one-half (3.5) hours in one week. As noted in Question #7, professional development must be designated prior to the school year.

11. *Do half days count as full instructional days?*

Any school day shorter than six and one-half (6.5) hours for grades 1-12 and four (4) hours for kindergarten is considered an abbreviated day. Schools may schedule any three of the 180 instructional days as abbreviated days and should include them in their school calendar.

12. *What if the half day is necessitated by dangerous or extreme weather?*

Schools may dismiss students early when dangerous or extreme weather conditions arise. If students are dismissed early from school, determination of whether the day can be counted as a full instructional

day is based on the earliest class in session within your school(s). Example: School is in session, and the students were released due to snow at 10:30 a.m. The earliest class started at 7 a.m. at the high school. Therefore, the entire school is credited for an instructional day because some students were in class for the minimum three and one-half (3.5) hours.

If a school has met the minimum requirement for half the state minimum school day and must be dismissed for inclement weather, the day does not have to be made up. However, if school must be dismissed because of inclement weather prior to the school having met the half-day requirement, a stockpiled day must be used, or the entire day must be made up.

13. Do field trip days count as full instructional days?

If the field trip is school sponsored and occurs on a school day, during school hours, then the time spent on the field trip would be considered an allowable out of school activity. [State Board of Education \(SBE\) School Attendance Policy 4.100.](#)

14. Can lunch be counted in the required six and one-half (6.5) hours?

Yes, so long as the student remains at school and is under the school's direction, then lunchtime is counted within the six and one-half (6.5) hour instructional day requirement. "Instructional day" also includes activity time, assemblies, recess, etc.

However, activities that occur before or after the school's official start/end time are not counted, such as time to be transported to or from school or before/after school clubs or sports.

15. How do schools that have separate grade bands/schedules meet the requirements?

All schools with grades K-12 must attend school for 180 instructional days. Instructional days must be six and one-half hours (6.5) in duration unless an abbreviated day or stockpile time is being used. Kindergarten classes must meet at least four (4) hours per day. Schools may have separate schedules for the grade bands they serve but must meet the requirements for each grade/school.

16. Can a non-public school adopt the same school calendar as the local public school system?

No, the non-public school must establish its own operational calendar each school year; however, non-public schools may choose to align their own operational calendar with that of the local public school district so that certain aspects match such as attendance start and stop dates or breaks and holidays. Public school calendars are set in compliance with additional requirements determined by the school district that may differ from non-public schools.

17. Who can I contact if I have additional questions?

Schools with additional questions may contact the department at Private.Schools@tn.gov or, if appropriate, the school's accrediting or membership agency.