

June 11, 2014

Oregon Department of Education
255 Capitol Street NE
Salem, Oregon 97310-0203

Attention: Emily Nazarov, Operations Policy Analyst

Honorable members of the Oregon State Board of
Education:

I respectfully ask you to deny the Lake Oswego School District 7J request for a waiver from the 130 minimum instructional hours per course requirement (OAR 581-022-1131(2)) which states:

Each school district or public charter school shall offer students the option for earning each credit required for a diploma or a modified diploma by successfully completing classroom or equivalent work (e.g., supervised independent study, career-related learning experiences, project based learning) in a course of at least 130 clock hours in accordance with OAR 581-022-0102.

I am a ten-year resident of the LOSD with a sophomore and a junior who are harmed by the below-minimum number of instructional hours per course. After reviewing the relevant rules, written documents, and public meeting discussions, I am baffled why the LOSD has not complied with the state rule and instead seeks a waiver.

Our superintendent, Bill Korach, proclaimed not too long ago that the "district will meet or exceed all state expectations and requirements for instructional time." (Budget Message, June 11, 2012.) After the ruling on the PPS complaint, he "indicated that the district will adjust schedules as needed for next year in order to be in full compliance with the ODE ruling." (Minutes, March 19, 2014.) His proposed 2014-15 calendar is described as meeting "the State requirements for instructional hours" but in fact falls short. (Agenda, June 2, 2014.)

According to the State Board's May 23, 2014, staff memo on Division 22 waivers, a request must address 3 points: district furlough days, a plan for future compliance, and the best interests of students. It appears that the LOSD simply premised its waiver request dated April 11, 2014, on the administrative inconvenience that a change to the high school schedule would necessitate.

(1) Furlough Days: LOSD has 3 furlough days scheduled for the 2014-15 school year. Two of those furloughs precede vacation breaks (November 26 and March 20); 1 follows (May 26.)

Immediately prior to the ODE ruling, Superintendent Korach seemed optimistic that the LOSD could eliminate furloughs. "He stressed the importance of the district not losing instructional time and indicated that he would like to consider adding back some of the district's furlough days to gain additional instructional time." (Minutes, March 10, 2014.)

Just last week he told the LO School Board, "it's true that we could put the furlough days back in. You could afford it right now." (Video, June 2, 2014.) Despite this admission, not one LO board member objected to the furlough days. As two LO high school teachers observed, furlough days have become "our new habit" and "institutionalized." (Video, June 2, 2014.)

(2) Planning for Compliance: The LOSD proposes to maintain the status quo in 2014-15 while spending a significant amount of time "redesigning" the high school schedule. The "game changer" of the 130-hour mandate "means a lot of work on the high school schedule... because you cannot count assemblies." (Video, May 6, 2014.) Yet other schools such as Century and Hillsboro in the past several weeks have managed to quickly tweak themselves into compliance. (The Oregonian, May 6, 2014.)

Many parents are suspicious of the administration's sincerity in future compliance. Superintendent Korach openly questioned the rule's value:

We are in the unfortunate position, I think, of offering our kids more and being penalized for it[...] Now it is going to be really important for us to relook at our schedule with 130 hours as the gold standard and there's a great deal of discussion going on about- is 130 hours really where we want to anchor at the state level the expectation for each course[?] [Is] 130 hours in weight training the same as 130 hours in calculus? I mean, you know, we have a rule that fits a different world system. So there's a good deal of talk among superintendents about that and whether there shouldn't be adjustments in that 130 given the difference between a district like us that offers 8 full classes for a student and do they get more because they take 8 or would they get more if they were there for another 2.5 hours for a course and only had 7 or 6 classes." (Video, June 2, 2014.)

I note that the State Board's staff recognized that the relevant rules here "are not perfectly aligned" and may be revised. (Memo, May 23, 2014) However, what Korach implies is that Oregon's minimum should be scuttled as it is essentially worthless to high-performing students. He ignores the fact that Deputy Superintendent Saxton wisely dismissed this reasoning in the PPS complaint based on the rule's compulsory language and link to state funds. Furthermore, Korach's opinion lacked any supporting data on the number of LO students who (1) take a full 8-course load, or (2) demonstrate proficiency in courses of less than 130 hours.

(3) Best Interests: How does the status quo high school schedule serve the best interests of our students? The LO School Board seems to support non-conformity because grades 8-11 forecasted for next year's classes. I have reviewed my daughters' forecasting and to us there appears no relevant or meaningful connection to compliance with the 130 hours requirement.

In conclusion, the public actions and statements of the LOSD strongly suggest that the district has the capacity to meet the 130 hours rule but has made a

conscious and intentional choice to pursue other priorities. For the reasons given above I believe the LOSD has failed to show sufficient conditions exist for granting a waiver.

Sincerely,

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