

Executive Numbered Memo: 002-2016-17 Inclement weather and Instructional time

To: District Superintendents
RE: Inclement weather and Instructional time
Date: February 7, 2017
From: Salam Noor, Deputy Superintendent of Public Instruction

The State Board of Education has adopted a temporary rule that provides flexibility to school districts dealing with the impact of the unusual snow and ice storms this winter.

This message includes information on options available under the temporary rule as well as information on the instructional time standards.

TEMPORARY RULE

Under the [temporary rule](#), districts have **two options**:

First, districts may request permission under 581-022-1920(3) to count toward the instructional time requirement up to 14 hours for missed instructional time resulting from emergency school closures due to adverse weather conditions and facilities failures.

How to request permission: A request for permission must be made in writing to the Deputy Superintendent of Public Instruction. The request must include a statement that the request is made with the approval of the school district’s governing school board and must include relevant information explaining why the district needs the permission. Districts should email requests to [Vikki Pointer](#), Executive Assistant to Dr. Noor. The Deputy Superintendent is authorized to grant permission under this section without obtaining approval from the State Board of Education. Once we have received your request, the Department will notify the district if the request is granted or if additional information is required.

Second, if a school district decides that 14 hours is not adequate for its situation and prefers to request a one-year waiver of the instructional time requirement, the district would have the option of making a request under the Division 22 waiver provision in OAR 581-022-1920(1).

How to request a waiver: A request for a Division 22 waiver must be made in writing to the Deputy Superintendent of Public Instruction. The request must specify the reason the district is seeking the waiver and other relevant information. Districts should email waiver requests to both [Vikki Pointer](#), Executive Assistant to Dr. Noor and the State Board Administrator, [Jessica Nguyen-Ventura](#). The Board Chair, in consultation with ODE staff, will determine when the request will be heard by the Board. Once the waiver is scheduled for a hearing, the Board Administrator will communicate with the district to ensure that the Board has all the necessary information. A representative of the district must attend the board meeting to answer questions. This process may take up to two months.

INSTRUCTIONAL TIME STANDARDS

The instructional time rules require districts to provide a minimum number of instructional hours and ensure that a certain percentage of students are scheduled to receive the minimum hours. The rule also clarifies how districts should calculate instructional time for online instruction.

Minimum hours: The State Board of Education has established the following minimum hours of instructional time:

Half-Day Kindergarten – 450 hours

Full-Day Kindergarten – 900 hours

Grades 1-8 – 900 hours

Grades 9-11 – 990 hours

Grade 12 – 966 hours

Percentage of students scheduled: Districts must ensure that certain percentages of students are scheduled to receive the minimum hours of instructional time. Here are the requirements districts must meet:

Year	Requirement
2015-16	80% of students in the district must be scheduled to receive annually the required minimum hours of instructional time
2016-17	85% of students in the district must be scheduled to receive annually the required minimum hours of instructional time
2017-18	90% of students in the district must be scheduled to receive annually the required minimum hours of instructional time
2018-19	92% of students in the district and 80% of all students at each school operated by the district must be scheduled to receive annually the required minimum hours of instructional time

Online Instruction: For students participating in online instruction, up to one hour per course per day may be counted as instructional time if:

- (1) Every student has access to a licensed or registered teacher through in-person, telephone, or electronic means for each course taken; and

- (2) Every student has regular contact with school personnel for the purpose of attendance and progress monitoring as outlined in the policies maintained by the Oregon Department of Education.

Definition of Instructional Time:

The instructional time rules include a definition of instructional time and a list of specific activities that the State Board has said can be counted as instructional time. If the activity in question meets the definition or is on the approved list, it may be counted as instructional time.

Definition: Instructional time is defined as “time during which students are engaged in regularly scheduled instruction, learning activities, or learning assessments that are designed to meet Common Curriculum Goals and academic content standards required by OAR 581-022-1210, and are working under the direction and supervision of a licensed or registered teacher, licensed career and technical education instructor, licensed practitioner, or Educational Assistant who is assigned instructionally related activities and is working under the supervision of a licensed or registered teacher.”

Additional Approved Activities: The State Board has said that districts may count the following activities as instructional time:

- Travel – time that a student spends traveling between the student’s school and a CTE center, internship, work experience site, or post-secondary education facility
- Testing – time that a student spends in statewide performance assessments
- Breakfast – up to fifteen minutes each day of the time that a student spends consuming breakfast in the classroom if instruction is being provided while the student is consuming breakfast
- Recess – for half-day kindergarten, up to 30 hours of recess; for full-day kindergarten and grades 1-3, up to 60 hours of recess
- Professional Development – upon approval by local school board, up to 30 hours for staff professional development
- Parent Teacher Conferences – upon approval by local school board, up to 30 hours of parent teacher conferences;
- Emergency School Closure – for 2016-17 only, upon approval by the local school board, a district may request permission to count up 14 hours towards the instructional time requirement
- Study Hall or Advisory Periods – may be counted as instructional time if the student’s attendance is required and instructional assistance is provided

If you have questions, please contact [Cindy Hunt](#), Government and Legal Affairs Manager, at 503-947-5651.