

Instructional Time Rules

581-022-1920

Waivers

School districts may request two types of waivers as follows:

(1) Waiver of a specific standard: To address an immediate concern or need, a school district may petition the State Superintendent of Public Instruction for a waiver of a specific standard. A petition shall specify the reason(s) the district is seeking the waiver and other relevant information. If it is determined that the request conforms with the intent of the standards, the State Superintendent shall recommend the waiver to the State Board. Waivers under this provision may be granted for up to one year.

581-022-0102

Definitions

(30)(a) "Instructional time" means 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 CTE instructor, licensed practitioner, or Educational Assistant who is assigned instructionally related activities and is working under the supervision of a licensed or registered teacher as required by OAR 581-037-0015.

(b) Instructional time shall include:

(A) Time that a student spends traveling between the student's school and a CTE center, internship, work experience site, or post-secondary education facility;

(B) Time that a student spends in statewide performance assessments; and

(C) 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.

(c) Instructional time shall not include time that a student spends passing between classes, at recess, in non-academic assemblies, on non-academic fieldtrips, participating in optional school programs, or in study periods or advisory periods where attendance is not required and no instructional assistance is provided.

581-022-1620

Required Instructional Time

(1) Each school district shall ensure that at least 92% of all students in the district and at least 80% of all students at each school operated by the district are scheduled to receive annually the following minimum hours of instructional time:

(a) Grade 12 — 966 hours;

(b) Grades 9–11 — 990 hours; and

Source: Copied from Secretary of State's web page on 1/19/17 :

http://arcweb.sos.state.or.us/pages/rules/oars_500/oar_581/581_tofc.html

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(c) Grades K–8 — 900 hours.

(2) If a school district chooses to offer less than 900 hours of instructional time for kindergarten students, the kindergarten program shall be considered a half-day program for purposes of ORS 327.006(1) and the school district shall ensure that every kindergarten student is scheduled to receive a minimum of 450 hours of instructional time per year.

(3) Upon approval by the local school board, a district may include in its calculation of instructional time required by subsection (1) of this rule the following:

- (a) For kindergarten programs offering 900 hours or more of instructional time, up to 60 hours of recess;
- (b) For kindergarten programs offering less than 900 hours of instructional time, up to 30 hours of recess;
- (c) For grades 1–3, up to 60 hours of recess;
- (d) Up to 30 hours for staff professional development;
- (e) Up to 30 hours for parent teacher conferences; and
- (f) For the 2015–16 school year, up to 14 hours for emergency school closures due to adverse weather conditions and facilities failure.

(4) For students participating in online instruction:

- (a) Instructional time includes online instruction supported by a licensed or registered teacher through electronic means.
- (b) For online instruction, up to one hour per course per day may be counted as instructional time where the following criteria are met:
 - (A) Every student has access to a licensed or registered teacher through in-person, telephone, or electronic means for each course taken; and
 - (B) 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.
- (c) Instructional time may not be claimed for weekends or holidays, per ORS 336.010 and 187.010, or any other day during which a licensed or registered teacher is not available to students.

(5) There shall be no fewer than 265 consecutive calendar days between the first and last instructional day of each school year at each grade level.

(6) No student shall be required to exceed the following number of instructional hours per day:

- (a) Grades 9–12 — 8.5 hours;
- (b) Grades K–8 — 8 hours.

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(7) The minimum instructional hours requirement set forth in subsection (1) of this rule shall first apply to the 2015–16 school year but full compliance shall be phased in over a period of four school years. A school district will be in compliance with the requirements of subsection (1) of this rule if the following benchmarks are met:

(a) For the 2015–16 school year, at least 80% of all students in the district must be scheduled to receive the minimum hours of instructional time set forth in subsection (1) of this rule.

(b) For the 2016–17 school year, at least 85% of all students in the district must be scheduled to receive the minimum hours of instructional time set forth in subsection (1) of this rule.

(c) For the 2017–18 school year, at least 90% of all students in the district must be scheduled to receive the minimum hours of instructional time set forth in subsection (1) of this rule.

(d) For the 2018–19 school year, at least 92% of all students in the district and at least 80% of all students at each school operated by the district must be scheduled to receive the minimum hours of instructional time set forth in subsection (1) of this rule.

(8) The State Board of Education shall conduct a public hearing and board discussion relating to instructional time at the 2016, 2017 and 2018 January board meetings. The purpose of the public hearing will be to receive information about and consider the implementation and potential financial concerns relating to required instructional time, OAR 581-022-0102 (definition of instructional time) and 581-022-1131 (credit options).

Stat. Auth.: ORS 326.011 & 326.051

Stats. Implemented: ORS 326.051

Hist.: EB 18-1996, f. & cert. ef. 11-1-96; ODE 25-2008, f. & cert. ef. 9-26-08; ODE 2-2015, f. 1-30-15, cert. ef. 7-1-15

581-022-1131

Credit Options

(1) A school district or public charter school shall grant required and elective credit towards the diploma or a modified diploma, provided the method for accruing such credit is described in the student's personal education plan and the student earns the credit by meeting the requirements of one or more of the options described in this rule.

(2) A school district or charter school may grant credit to a student if the student demonstrates defined levels of proficiency or mastery of recognized standards (e.g., state academic content standards and essential skills, industry-based or other national or international standards) by any one or more of the following options:

(a) Successfully completing classroom or equivalent work (e.g., supervised independent study, career-related learning experiences, project based learning), which meets Common Curriculum Goals and academic content standards required by OAR 581-022-1210;

(b) Successfully completing classroom or equivalent work designed to measure proficiency or mastery of identified standards (knowledge and skills) in class or out of class, where hours of instruction may vary;

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(c) Successfully passing an appropriate exam designed to measure proficiency or mastery of identified standards (knowledge and skills);

(d) Providing a collection of work or other assessment evidence which demonstrates proficiency or mastery of identified standards (knowledge and skills); or

(e) Providing documentation of prior learning activities or experiences which demonstrates proficiency or mastery of identified standards (knowledge and skills) (e.g., certification of training, letters, diplomas, awards, etc.).

Stat. Auth.: ORS 326.051

Stats. Implemented: ORS 326.051

Hist.: ODE 4-2003, f. & cert. ef. 3-14-03; ODE 2-2009, f. & cert. ef. 4-23-09; ODE 3-2015, f. 1-30-15, cert. ef. 7-1-15

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