

DIVISION 22 STANDARDS and INSTRUCTIONAL HOURS

The State Board of Education has established educational standards every district must implement. To qualify to receive state school funds, districts must comply with the regulations set forth in OAR Chapter 581, Division 22 (“Division 22 standards”). ORS 327.103; OAR 581-022-0102(46). Districts are required to report their compliance with Division 22 standards to the community and submit assurances of their compliance to the Department. OAR 581-022-1610.

Included in the Division 22 standards are two rules on instructional hours: OAR 581-022-1131, which governs the minimum hours per course, and OAR 581-022-1620, which governs the minimum instructional hours per year.

The Department recognizes that the rules governing minimum hours per year and minimum hours per credit are not perfectly aligned. The Department will undertake a process to review and revise OAR 581-022-1131 and OAR 581-022-1620 during the 2014-15 school year.

OAR 581-022-1131 – minimum instructional hours per course

OAR 581-022-1133 requires districts to offer students the option of earning each credit required for the diploma or modified diploma by successfully completing classroom or equivalent work in a course of at least 130 clock hours. In calculating the 130 hours, districts should count only classroom instructional time and equivalent work. Examples of equivalent work include supervised independent study, career-related learning experiences, and project based learning that is related to the specific course.

Districts may also offer the option of earning credit through proficiency under OAR 581-022-1131(4). However, even if the District chooses to offer credit pursuant to OAR 581-022-1131(4), the District must still offer courses of 130 clock hours as required by section OAR 581-022-1131(2).

OAR 581-022-1620 – minimum instructional hours per year

OAR 581-022-1620 requires districts to adopt and implement a District calendar and school schedule which provide its students the following minimum instructional hours:

Grades 9-12 – 990 hours
Grades 4-8 – 900 hours
Grades 1-3 – 810 hours
Grade K – 405 hours

The following **can be counted** as instructional time:

- Classroom instructional time
- School assemblies
- Student orientations

- Testing
- Parent-teacher conferences
- Field trips
- Outdoor school
- Work-study periods
- Up to 30 hours of staff development if approved by the local school board (see below)
- Other activities required of students as part of the student's academic program
- Study periods or advisory periods where student attendance is required and instructional assistance is provided

The following **cannot be counted** as instructional time:

- Study periods where student attendance is not required or no instructional assistance is provided
- Transportation to and from school
- Passing time between classes
- Noninstructional recess
- Lunch periods
- Student and staff activities related to the opening and closing of the school year
- Grade reporting
- Program planning
- Staff meetings
- Other classroom and building management activities

Snow Days and Facility Failures – When approved by the local school board, the total instructional hours can be reduced by up to 14 hours for emergency school closures due to adverse weather conditions and facility failures.

Professional Development, Pupil Transportation Schedules, and Other Local Program Scheduling Arrangements – When approved by the local school board, total instructional hours can be reduced by up to a total of 30 hours to accommodate staff development activities, pupil transportation schedules, or other local program scheduling arrangements. This time cannot include student and staff activities related to the opening and closing of the school year, grade reporting, program planning, staff meetings, or other classroom and building management activities.

Seniors – When approved by the local school board, the instructional time requirement for twelfth-grade students may be reduced for an amount of time not to exceed 30 hours of instructional time. The Department recognizes that a reduction in instructional hours for seniors has consequences for the 130 hours per course requirement in OAR 581-022-1131. The Department will undertake a process to review and revise OAR 581-022-1131 and OAR 581-022-1620 during the 2014-15 school year.

WHAT IF A DISTRICT IS OUT OF COMPLIANCE?

If a district is found to be out of compliance with a Division 22 standard, the district must submit a plan, acceptable to the Deputy Superintendent of Public Instruction, for becoming compliant. ORS 327.103(3). The plan must be submitted to the Deputy Superintendent of Public Instruction within 90 days of the determination of deficiency. ORS 327.103(3). Upon approval of the plan, the district is categorized as a “conditionally standard school.” OAR 581-022-0102(15). The district then has until the beginning of the following school year to demonstrate compliance. ORS 327.103(2). Therefore, if a district were to identify a deficiency in Division 22 standards in the spring of 2014, the district must submit a plan for becoming compliant prior to the beginning of the 2014-15 school year. If more time is required, the Deputy Superintendent of Public Instruction may allow an extension of time, not to exceed 12 months, if the Deputy Superintendent determines that the deficiencies cannot be corrected or removed before the beginning of the next school year. ORS 327.103(3)(a).

If the district fails to show compliance by the beginning of the next school year or by the end of the granted extension, the Deputy Superintendent of Public Instruction may withhold state school funds. ORS 327.103(2).

If the district fails to submit a plan for achieving compliance, the district is categorized as “a nonstandard school” and the Deputy Superintendent of Public Instruction must withhold state school funds. ORS 327.103(4); OAR 581-022-0102(35).

WAIVERS

Districts may apply for a waiver from the Division 22 standards under OAR 581-022-1920. The State Board of Education may grant a waiver for up to one year. The State Board may renew a waiver each year upon request by a district.

To apply for a waiver, the district must submit a written request to the State Board Administrator or the Deputy Superintendent. The request must set forth the reasons for the waiver request and address the following points:

- What is the district’s plan for getting back into compliance by 2015-16?
- How does a waiver serve the best interests of students?
- Does the district have furlough days during which students are not receiving instruction?

Financial hardship does not constitute grounds for waiver of the Division 22 standards.

If the Deputy Superintendent determines that the request conforms with the intent of the standards, the Deputy Superintendent shall recommend the waiver to the State Board for approval. Waivers will be considered at regularly scheduled board meetings.