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Instructional Time

Work Group Report:

*Recommendations to
Governor Brown*

March 1, 2019

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This report was drafted in collaboration with the Oregon Department of Education (ODE). The contents of this report reflect the statements, views, and recommendations provided by the work group and do not necessarily reflect the views of ODE.

Executive Summary:

Higher Leverage Strategies Will Improve Outcomes

At the direction of Governor Brown, the Oregon Department of Education (ODE) convened the Instructional Time work group in January 2019 to develop recommendations and an implementation plan to ensure students in all school districts are provided with a 180-day school year. Governor Kate Brown directed ODE to convene the group in conjunction with the release of the Governor’s Recommended Budget and Policy Agenda, which includes \$2 billion of new education investments that are aimed both to provide for the needs of all of Oregon’s students, while also targeting substantial investment to eliminate opportunity gaps.

Amidst decades of underfunding in Oregon’s education system, these proposed investments are based on the premise that all students deserve the opportunity to achieve their full potential with a holistic package of high-quality instructional time, hands-on, engaging curriculum and wrap-around supports. With this frame, the Governor proposed investments to expand access to high-quality preschool for children in Oregon’s highest-need families, make class sizes more manageable, create safe and inclusive school environments, generate culturally-responsive curriculum, provide professional supports for educators, and offer career-connected learning and college opportunities in high school.

With the hope that all of these critical components of a high-quality education system will be funded by the 2019 Legislative Assembly, the Governor also proposed lengthening the school year to 180-days for all students to ensure they receive sufficient instructional time, with access to all of the previously-mentioned enhancements to how time is used. Among the 576,090 students enrolled in kindergarten through twelfth grade in Oregon, less than 600 students currently have 180 days of instruction in their school year.¹ The median days in session is 169 days. Meanwhile, 29 states and the District of Columbia require at least 180 days of instruction, prompting the Governor to call for lengthening our own school year.

The Instructional Time work group reviewed the Governor’s charge to create recommendations for implementing a 180-day school year, national comparison data, data and research regarding the link between school year length and student achievement, and Oregon’s current requirements for instructional time. Oregon does not prescribe a minimum number of school days, though schools report the number of days they are in session to ODE each year. Instead, Oregon requires schools to provide a minimum number of instructional hours per year, ranging

¹ ODE Analysis of 2016-17 Graduation Rates and 2016-17 District Reports on Session Days.

from 900 hours for kindergarten through eighth grade, 990 hours for grades 9-11, and 966 hours for grade 12.² Oregon's requirements of instructional time are narrow in their specificity for allowable uses of time, and complex in their array of inclusions and exemptions compared to some other states that just require 180-days. This suggests that extending the school year to 180 days could merely be a matter of changing the definition without requiring much change in practice, though this is clearly not the intent of the work group's task.

Through a review of Oregon school district data regarding the link between school year length and graduation rates (used as one measure of student achievement), the work group concluded that there is not sufficient evidence to show there is a correlation between school year length and graduation rates, let alone a causal link. When grouping Oregon districts by length of school year, the group with the shortest instructional year (140-144 days) had the highest graduation rate for 2016-17 at 85.4 percent.³ On the other end, the districts that provided the longest school year of more than 175 days saw the lowest graduation rate among all groups at 72.1 percent (see [Chart A](#) for detail).

Prior to creating recommendations, the work group established guiding principles for the implementation of a 180-day school year:

- **Equity:** The students most likely to be impacted by changes to instructional requirements are those that face the greatest barriers to opportunity; in order to close opportunity gaps with limited resources, targeted instructional supports should be provided for those who need it the most, rather than creating new universal requirements that may unintentionally exacerbate disparities.
- **Quality:** Implementation of a 180-day school year should first and foremost be based on the premise that all students can thrive and it must ensure that any additional time is of high-quality, responsive to individual student needs to reduce opportunity gaps, and engaging for students.
- **Clarity:** Instructional time requirements should be clear and not overly burdensome for administrative and reporting purposes.
- **Responsiveness to Local Community Needs:** Oregon's school settings are as diverse as the student population, and implementation of additional instructional time requirements should provide schools the ability to understand and respond to local community needs.

² [Oregon Administrative Rule 581-022-2320](#).

³ ODE Analysis of 2016-17 Graduation Rates and 2016-17 District Reports on Session Days.

With these guiding principles in mind the work group believes that – in addition to extending the school year to 180-days for all students - there are higher leverage and more cost-effective strategies to improve student achievement and close opportunity gaps. The work group consistently raised root cause issues that drive disparate outcomes (i.e. access to a safe and inclusive school environment, health and mental health care, transportation, social services, etc.), which would not be addressed by lengthening the school year alone. While the work group agreed that educators need time to target instructional time to students who are struggling the most, extending instructional time to 180-days for all students may be counterproductive and not result in the intended improvements to student achievement without implementing other strategies to make that time more meaningful and high-quality.

The following additional strategies were mentioned by the work group as key to the success of a plan to extend the school year, most of which are notably included in the Governor’s Recommended Budget and Policy Agenda. As the task of the work group was focused on recommendations regarding 180-days, the work group did not take a formal position on which of these merit the highest investment and are in no priority order: provide greater access to social and emotional supports for students; culturally-responsive curriculum; mental health counselors; class size reductions; hands-on learning opportunities; individualized instruction and intervention supports; preschool; and a diverse set of elective course offerings that are accessible by all students.

Since the legislature is actively considering a multitude of investments in education, the recommendations below provide a framework for decision-making regarding a 180-day school year as policymakers continue to consider a large complement of strategic education investments.

Work Group Recommendations

1. **Include in any requirement to increase instructional time, a provision for local community input and resources for targeted school improvement strategies that are relevant and responsive to local context.**
 - Lengthening the school year for all districts will not be a catalyst for school improvement alone; other support needs to be provided to schools to pursue other strategies that enhance how any time is used.
2. **Maintain instructional time requirements in terms of hours, not days.**
 - If the Legislature provides funding to extend Oregon’s school year, hours should remain the compliance metric - instead of days - to maintain consistency with existing state policy and minimize confusion. Other states consider 1,080 hours to be equivalent to 180 days.

3. **Modernize the definition of instructional hours to include more high-quality activities that lead to graduation.**
 - Oregon’s current instructional time rules exclude many activities that may be of Oregon’s high quality and varied 21st Century educational settings, including traditional public schools, charters, and virtual schools; such as technological advancements, proficiency-based models, culturally-responsive educational practices, intervention supports and more.
4. **Make certain sufficient time is provided for districts to renegotiate with labor partners, vendors, and other community partners.**
 - Districts negotiate with their labor partners individually and, given existing contract timelines, will require expedited bargaining processes to gain mutual agreement related to any increase in instructional hours.
 - School administration should also have time to work with their local communities and boards to identify the most pressing school improvement needs and prioritize how to meet those needs if significant additional funding is available.
5. **Ensure that any additional accountability requirements are able to be easily implemented.**
 - Any additional requirements must minimize administrative burdens and leverage existing processes.
 - Any community plans or compliance reporting that are required in conjunction with greater instructional time requirements should be integrated with existing processes required by ODE.

Introduction and Governor's Charge

Oregon has made strides in reducing opportunity gaps for students in grades kindergarten through twelfth grade and increasing high school graduation rates each year for the past decade, though on average, one out of five freshman do not graduate four years later.⁴ Students of color, students with disabilities, and students experiencing homelessness and poverty face even greater obstacles on the path toward graduation. For these students, the graduation rate ranges from 3 to 24 percentage points lower than the statewide average, an indicator not of these students' ability to achieve, but of our collective challenge to support these students in achieving their potential with high quality-instruction and supports necessary for graduation.

The amount of education spending in Oregon, approximately 9 percent below the national average, is often cited as a barrier to ensuring that students have the high-quality and well-rounded instruction and the culturally responsive, social-emotional supports they need to succeed.⁵ Prior to property tax limitations created by Measure 5 and Measure 50 in the early 1990s, Oregon spending on education was 6 percent above the national average. That change in state law meant more education funding had to come from income taxes, which are more volatile than property taxes, and caused a decline in education spending. This in turn forced districts around the state to make budget cuts, including reducing instructional time.

In November 2018, Governor Kate Brown articulated a \$2 billion education investment proposal, subject to legislative approval by July 2019, which will begin to address the decades-long disinvestment in Oregon public education. In part, the proposal includes extending the school year to 180 days, reducing class sizes in kindergarten through third grade, expanding access to high-quality preschool, and providing students with greater access to social and emotional supports in schools.

To ensure there is greater consistency in instructional time provided for students and that all students are provided the equivalent of a full, 180-day school year, Governor Brown directed the Oregon Department of Education (ODE) to convene a work group comprised of education stakeholders to develop an implementation plan to ensure students in all school districts are provided with a longer school year, ideally within the next two biennia, if funded by the

⁴ Oregon Department of Education. (January 2019). Cohort Graduation Rate Data. Retrieved from <https://www.oregon.gov/ode/reports-and-data/students/Documents/CohortTrendPages2017-18.pdf>.

⁵ Oregon Department of Education. (August 2018). Quality Education Model Final Report. Retrieved from <https://www.oregon.gov/ode/reports-and-data/taskcomm/Documents/QEMReports/2018QEMReport.pdf>.

legislature. Governor Brown further directed:

“The work group should focus on the challenges faced by school districts that currently do not provide a full school year, equity considerations that need to be addressed to meet the unique needs of individual students and specific student groups, and applications of the policy across both urban and rural districts and our varied educational settings, including charter schools and alternative schools...”⁶

The work group convened by ODE was composed of 40 individuals representing school district and Education Service District (ESD) administrators, as well as at least one representative of each of the following constituencies: teachers, charter schools, virtual programs, students, families and parents, community-based organizations, special education advocates, and the legislature. Additionally, several ODE staff members supported this group’s work. Over the course of 16 hours of meetings, the work group discussed myriad policy and implementation issues associated with a 180-day school year.

This report provides an overview of the current instructional time requirements in Oregon and in other states; reviews evidence regarding the link between more school days and student outcomes; and concludes with recommendations to reassess the need for a 180-day school year requirement. These recommendations prioritize investments in strategies that will allow schools to target resources where they are needed most to address historical inequities and enhance the quality of instruction. The following additional strategies were mentioned by work group members as higher priority than extending the school year, most of which are notably included in the Governor’s Recommended Budget and Policy Agenda; because the task of the work group was focused on recommendations regarding 180-days, the work group did not take a formal position on which of these merit the highest investment and are listed in no priority order: provide greater access to social and emotional supports for students; culturally-responsive curriculum; mental health counselors; class size reductions; hands-on learning opportunities; individualized instruction and intervention supports; preschool; and a diverse set of elective course offerings that are accessible by all students.

⁶ Governor Brown Letter to Oregon Department of Education. (November 9, 2018).

Current Instructional Time Requirements

A. Oregon Requirements

Oregon provides broad direction regarding the purpose of instructional time in schools through state statute and specifically enumerates how much time should be provided through Oregon Administrative Rule. In statute, the purpose of learning time is to provide students with instruction in core subjects, health and physical education, and enrichment opportunities to contribute to a well-rounded education, including those that may be based on “service, experience or work and that may be provided through partnerships with other organizations...”⁷ It also includes professional learning time for educators. Through administrative rule, Oregon’s instructional hour requirements are much more specific.

Based on these requirements, Oregon has been thought to have one of the shortest school years in the country, though a common way of defining instructional time requirements is needed prior to attempting state-to-state comparisons. According to the Education Commission of the States, the majority of states require minimum instructional time in K-12 both in terms of number of days and in minimum number of hours. Twenty-nine states and the District of Columbia require at least 180 days of instruction, but each state creates its own definitions for what counts as instructional time and exemptions.⁸ For many states that define a requirement of 180 days, such as Iowa, this is deemed as having at least 1,080 hours of instruction and districts have the flexibility to inform the state which metric (days or hours) they will use to measure their year.

Oregon does not require a minimum number of days of instruction. Instead, the state requires districts to provide a minimum number of instructional hours per school year and ensure that a certain percentage of students are scheduled to receive the minimum hours, as specified in [Table A](#). Students in kindergarten through eighth grade can receive no more than 8 hours of instructional time per day and high schoolers can receive no more than 8.5 hours.⁹

⁷ [Oregon Revised Statute 329.045](#).

⁸ Education Commission of the States. (2018). Instructional Time Policies - 50 State Comparison. Retrieved from <https://www.ecs.org/50-state-comparison-instructional-time-policies/>.

⁹ [Oregon Administrative Rule 581-022-2320\(9\)](#).

Table A. Oregon Instructional Hour Requirements

	Required Minimum Instructional Hours	Required Percentage of Students Scheduled to Receive Minimum Instructional Hours (2018-19)
Half-day Kindergarten	450 hours	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
Full-day Kindergarten-8 th Grade	900 hours	
Grades 9-11	990 hours	
Grade 12	966 hours	

Source: [OAR 581-022-2320](#)

The content of what “counts” toward instructional hours requirements is also relevant. In Oregon, the State Board of Education has adopted a definition of instructional time and a list of specific items that may be interpreted as instructional time. 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...and are working under the direction and supervision of a licensed or registered teacher, licensed CTE instructor, licensed practitioner, or Educational Assistant...”.¹⁰ Specific allowable activities are also listed in the definition of instructional time. In total, instructional time includes the following:¹¹

- **Regularly scheduled instruction and learning activities** designed to meet Common Curriculum Goals and academic content standards, working under a licensed/registered educator or practitioner. This may include up to one hour of online instruction per course per day.
- **Travel time** between a student’s school and a CTE center, internship site, work site, or post-secondary education facility.
- **Statewide performance assessment time.**
- **Breakfast time of up to 15 minutes** if instruction is offered during consumption.
- **Parent-Teacher conferences** of up to 30 hours per year, subject to board approval.¹²
- **Professional Development** of up to 30 hours per year, subject to board approval.
- **Recess for grades K-3**, up to 60 hours per year.
- **Study hall or advisory periods** if student attendance is required and instructional assistance is provided.

¹⁰ Oregon Administrative Rule [581-022-0102\(30\)](#).

¹¹ Oregon Administrative Rule [581-022-0102\(30\)\(b\)\(A-C\)](#).

¹² [Oregon Administrative Rule 581-022-2320](#).

Oregon's instructional time rules have yet another layer. The State Board of Education requires districts to ensure that **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. In determining the percentage of students scheduled to receive the required hours, districts may exempt the following students if the local school board approves: students who have fulfilled all state requirements for graduation; students who are on track to graduate at the start of their senior year; and students who are earning credits toward a diploma with accelerated learning classes, internships, credit by proficiency, or work-based learning opportunities.¹³

One result of this strict and, according to some work group members, unclear, definition of instructional time is that some activities that succeed in engaging and supporting students both academically and socially/emotionally are limited. For example, meal and recess time was cited by some work group members as important time for breaks and nourishment, but lunch is not included as instructional time and recess is not included after third grade. Optional programs before or after regular school hours, online instruction in excess of one hour per course per day¹⁴, and tutoring opportunities may not be counted as instructional time, and districts and charter schools sometimes struggle to determine how to offer these programs while reporting compliance with the State's instructional time requirements.¹⁵ In addition, some rural districts that operate on a four-day per week schedule to account for significant travel time between homes and school (with many bussing all K-12 students on one bus route) offer optional opportunities on Fridays to provide students with exposure to robotics, Science, Technology, Engineering, Arts, and Math (STEAM) Camps, theatrical opportunities, and more. These activities are often grant-funded and, since they are optional and scheduled outside of the normal school calendar, are not counted towards instructional hour minimum requirements.

The Oregon Department of Education monitors compliance with instructional hour requirements through its review of annual self-reported assurances from districts and complaints from members of the public. If a person believes that a district is not in compliance, they may file a complaint with the district, and subsequently appeal to ODE directly. If a district is found to be out of compliance, it must submit a plan for coming into compliance to ODE by the first day of the following school year. State funds may be withheld if a district fails to comply.¹⁶

¹³ [Oregon Administrative Rule 581-022-2320\(2\)\(a\)\(A-C\).](#)

¹⁴ [Oregon Administrative Rule 581-022-2320\(7\).](#)

¹⁵ [Oregon Administrative Rule 581-022-0102.](#)

¹⁶ [Oregon Revised Statutes 327.103](#)

B. Variation Across Oregon

Though the State Board of Education has set a requirement for minimum instructional hours, the local district school boards are charged with setting the calendar – days of the year and hours of the day when school shall be in session – for the schools within their district,¹⁷ including for charter schools they sponsor.¹⁸ Districts report to ODE the total number of “days in session,” which is defined as “a scheduled day of instruction during which students are under guidance and direction of teachers,” though a minimum number of days is not required.¹⁹ The median days in session is 169 days, with some districts providing 140 session days and others providing up to 182 days. Nearly seventy percent of K-12 students are enrolled in districts with at least 170 days in session.²⁰

[Chart A](#) summarizes the range of days of instruction with high school graduation rates, by district. Charter schools, all of which are public in Oregon, are required to have a state or school district sponsor and are represented in the data through their sponsor. There are many variables that impact high school graduation rates - including that districts may have greater graduation requirements than the State requires - and these data are not intended to draw conclusions about the causal impact that school year length has on graduation rates. However, the data does challenge an assumption that a longer school year alone, if it does not result in additional instructional hours that are used effectively, is correlated with improved graduation rates. For example, when grouping districts by length of school year, the group with the shortest instructional year (140-144 days) had the highest graduation rate for 2016-17 at 85.4 percent. On the other end, the districts that provided the longest school year of more than 175 days saw the lowest graduation rate among all groups at 72.1 percent.

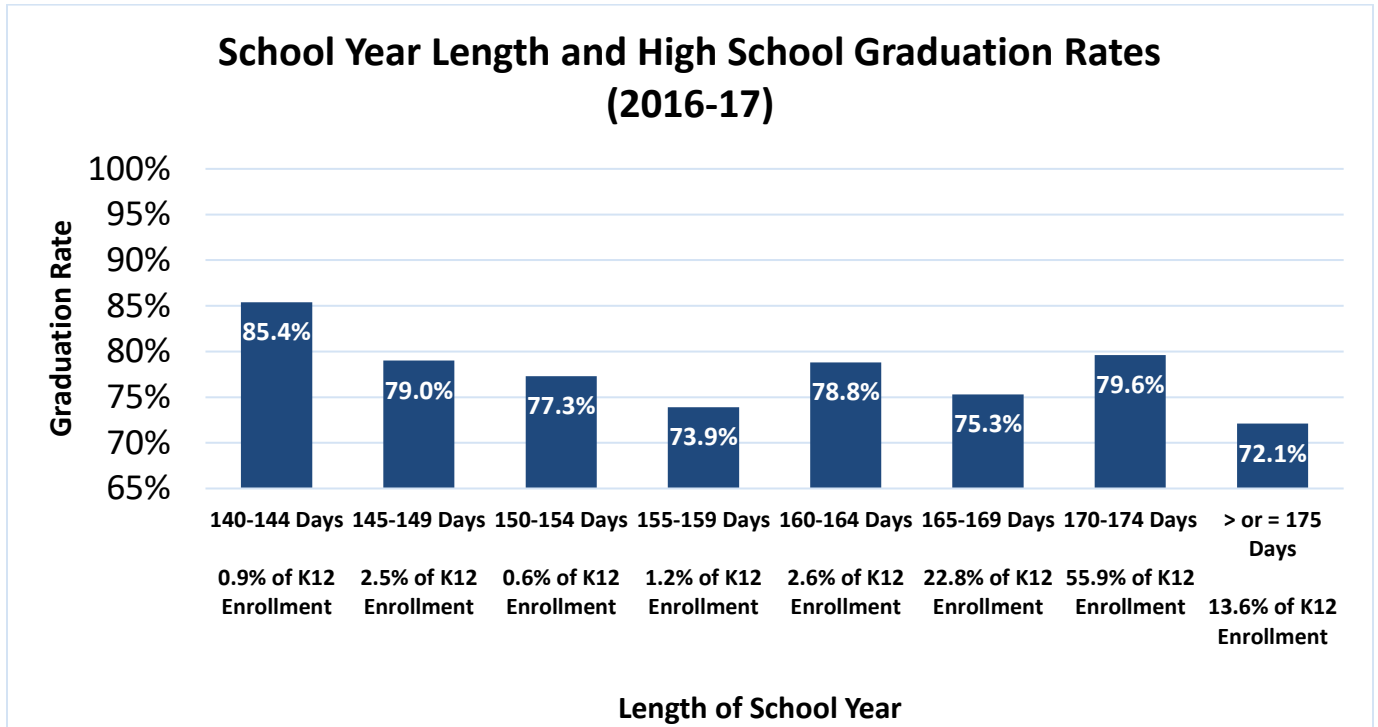
¹⁷ [Oregon Revised Statutes 332.075.](#)

¹⁸ [Oregon Revised Statutes 338.055.](#)

¹⁹ [Oregon Administrative Rule 581-023-0006\(5\).](#)

²⁰ ODE Data on Graduation Rates and Per Student Funding by Length of School Year. 2019.

Chart A: School Year Length and High School Graduation Rates



Source: ODE Analysis of 2016-17 Graduation Rates and 2016-17 District Reports on Session Days

C. State-to-State Comparisons

Just as there is considerable variation in school year length across Oregon, so too is there across the country. Though the nationwide “standard” is 180 days, each state, like Oregon, has many nuances and complexities that make comparisons across state policies challenging and incongruent. As noted earlier, Oregon specifies several allowable activities that either count or don’t count toward instructional hour minimums, just as other states have their own requirements about what “counts.”

Pennsylvania allows districts the flexibility to provide either 180 days of instruction, or interestingly, nearly the same number of instructional hours that Oregon currently requires for all grades (see [Table B](#)).²¹ Pennsylvania statute generally directs that instructional time should include nearly any time that the school is open, and its administrative rule only minimally specifies this as follows: “Instruction time for pupils shall be the time during the school day which is devoted to instruction and activities provided as an integral part of the school program

²¹ Pennsylvania Code. [22 Pa. Code § 11.1](#)

under the direction of certified school employees.”²² This policy framework is much more simplistic and inclusive of school activities than Oregon policy currently is, and the fact that Pennsylvania already has nearly the same hour requirements as Oregon suggests that extending the school year to 180 days could simply be a matter of changing the definition without requiring change in practice.

Table B. Comparison of Oregon, Pennsylvania, and Washington Instructional Time Requirements

	Minimum Number of Days Required	Minimum Number of Hours Required
Oregon	No requirement	Half-day K: 450 hours Full-day K-8: 900 hours Grades 9-11: 990 hours Grade 12: 966 hours
Pennsylvania	180 days, though districts have the option to meet minimum hour or minimum day requirements	Kindergarten: 450 hours Grades 1-8: 900 hours Grades 9-12: 990 hours
Washington	180 days, and districts must meet minimum hour requirements	K-8: 1,000 hours Grades 9-12: 1,080 hours

Source: Education Commission of the States. (2018). Instructional Time Policies - 50 State Comparison. Retrieved from <https://www.ecs.org/50-state-comparison-instructional-time-policies/>.

Washington has both a minimum 180-day requirement and a minimum hours requirement of 1,000 hours for kindergarten through eighth grade and 1,080 hours for high school.²³ While Oregon has specific exclusions and inclusions about what counts as instructional time, Washington effectively defines instructional hours as “bell to bell” – the beginning of the first

²² Pennsylvania Code. [22 Pa. Code § 51.61](#)

²³ Ibid.

period of the day to the end of the last, excluding meal time.²⁴ This definition allows for districts to count more time as instructional time than Oregon, including early release time. In a district like Seattle Public Schools, early release for teacher planning and collaboration is every week, totaling 5 hours per month, or 45 hours per school year.²⁵ So, while the minimum number of days required for Washington high schools is 180, early release in a district like Seattle effectively reduces the days provided to 172. Oregon, on the other hand, limits the amount of professional learning time that can count toward instructional hour minimums to 30 hours per year.²⁶ This is one of many examples of how comparisons of instructional hour and day requirements across states can oversimplify a complex tapestry of state policy and labor contracts.

²⁴ Washington State Board of Education. (2019). Instructional Hours FAQ. Retrieved from <http://tinyurl.com/y3n5bj9r>.

²⁵ Oregon Department of Education Review of Sample Washington Teacher Contracts. (2019).

²⁶ Oregon Administrative Rule [581-022-0102\(30\)](#).

Research on Link Between Instructional Time and Student Achievement

Oregon data regarding school year length and graduation rates barely scratch the surface of what policymakers may wish to know about the predictive relationship between instructional time and graduation rates. While school year length is thought of as a necessary ingredient to quality instruction and positive outcomes, there is little research to prove that having a minimum of 180 days, let alone any standard number, will drive student achievement. In fact, in over three decades, there has been just one extensive empirical literature review studying the effect that lengthening a school year or day has on student achievement. This study, conducted by Patall et al. (2010) reviewed fifteen studies to discern causal links between extended school time and achievement.²⁷ While this review revealed that there are some instances in which extended time may result in greater achievement, the primary researcher was unable to determine what amount of instructional time is optimal due to many factors inside and outside the classroom that impact student achievement, later concluding, "The bottom line is that we don't have a really good idea about how extending the school day or year really plays out because there's not good research. So, it's mostly a theoretical debate based on personal beliefs."²⁸

One variable that may be easily overlooked in general discussions about school year length and student achievement is the quality of how additional time is used. As noted by the President of the National Center on Time & Learning, an organization that advocates for more learning time in schools, "A random act of adding an hour or two hours to the day that is not done thoughtfully and not done with a focus on the educational needs of those students, the quality of teaching, and other elements of a strong school, don't tend to show the same educational impact. Our studies and research document what high-performing, high-poverty, expanded learning time schools do. They use every minute strategically."²⁹

This information exposes important nuances that can drive achievement, namely, quality of instruction. While a study released in 2018 found significant improvement in reading test scores

²⁷ Patall, E. A., Cooper, H., and Allen, A. B. (2010). *Extending the School Day or School Year*. Review of Educational Research, 80(3):401-436. Retrieved from [https://www.jstor.org/stable/40927287?seq=1 - page_scan_tab_contents](https://www.jstor.org/stable/40927287?seq=1-page_scan_tab_contents).

²⁸ Sohn, Emily. (2012). Should the School Year Be Longer? *NBC News*. Retrieved from [http://www.nbcnews.com/id/49079438/ns/technology_and_science-science/t/should-school-year-be-longer/ - .XGNaxOJKjVo](http://www.nbcnews.com/id/49079438/ns/technology_and_science-science/t/should-school-year-be-longer/- .XGNaxOJKjVo).

²⁹ Ibid.

following the addition of one hour of literacy instruction in Florida’s low-performing elementary schools, this additional time came with very specific standards to ensure time was of high-quality. For example, the time was required to be adapted for student ability, be based on research, and create links to reading material from other classes such as math and social studies.³⁰

³⁰ Figlio, D., Holden, K., and Ozek, U. (2018). Do Students Benefit from Longer School Days? Regression Discontinuity Evidence from Florida’s Additional Hour of Literacy Instruction. *CALDER Working Paper No. 201-0818-1*. Retrieved from <https://caldercenter.org/sites/default/files/CALDER WP 201-0818-1.pdf>.

Work Group Recommendations

A. Guiding Principles:

Prior to developing implementation recommendations, the Instructional Time work group specified several guiding principles and policy and implementation considerations related to those principles. The principles are equity, quality, clarity, and responsiveness to local community needs.

- **Equity:** The students most likely to be impacted by changes to instructional requirements are those that face the greatest barriers to opportunity; in order to close opportunity gaps with limited resources, targeted instructional supports should be provided for those who need it the most, rather than creating new universal requirements that may exacerbate disparities.
 - *Students Experiencing Opportunity Gaps and/or High Rates of Chronic Absence*
When considering how to extend the school year, a possible unintended consequence would exacerbate chronic absenteeism and opportunity gaps that students face in several areas. Chronic absenteeism is defined by a student missing 10 percent of school days or more for any reason. For the 2017-2018 school year, over 20 percent of students were chronically absent – a figure that has consistently grown since 2014-2015.³¹ For students of color, students with disabilities, and economically disadvantaged students, the chronic absenteeism rates are even higher as shown in [Chart B](#).

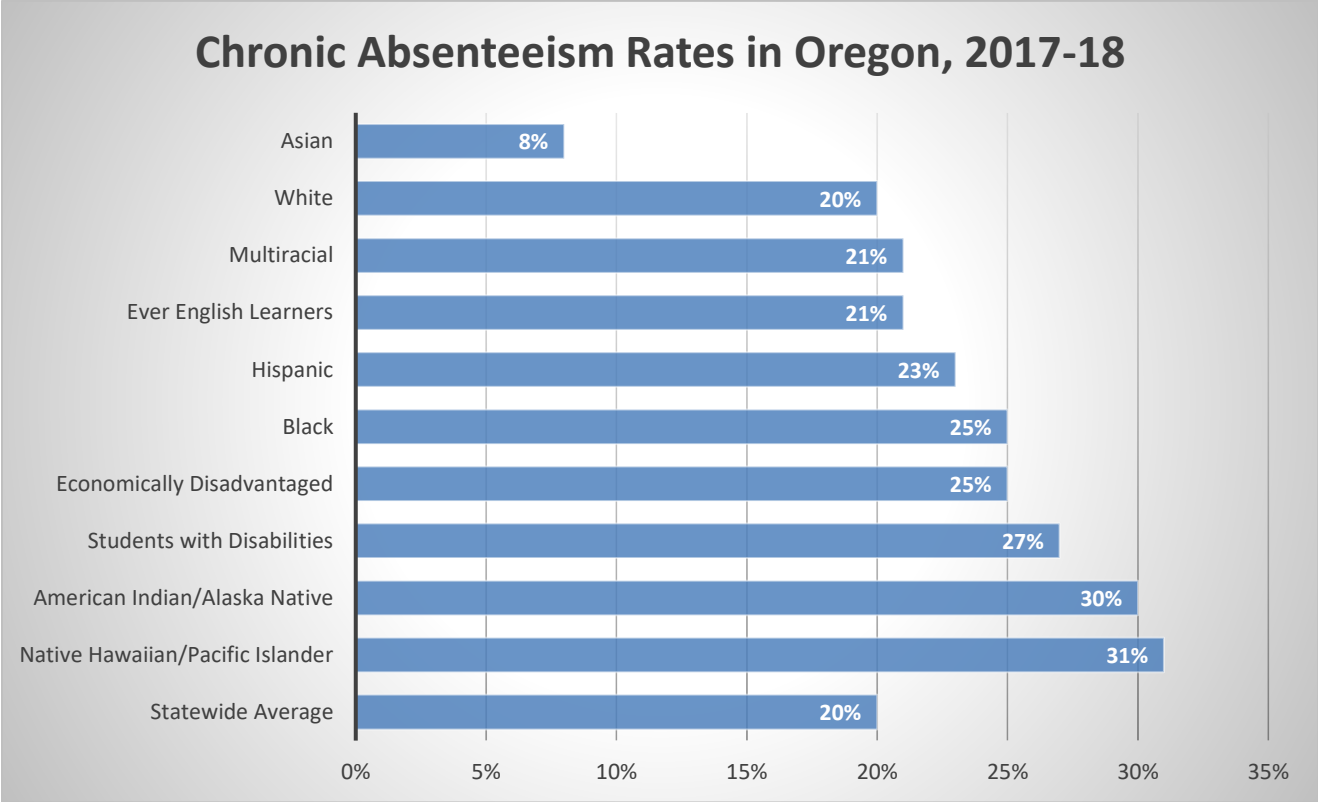
Given that students who face barriers to regular attendance may also have difficulty meeting graduation requirements, many work group members felt that requiring a 180-day school year may be counterproductive and exacerbate inequities without simultaneous interventions to address the root causes of why many students do not attend school regularly (such as access to a safe and inclusive school environment, health care, transportation, social services, etc.).

Further, student representatives on the work group expressed concerns that greater instructional time requirements may reduce work opportunities for students outside of school, as well as reduce time for extracurricular activities that could enhance their competitiveness for college. For many students,

³¹ Oregon Statewide Annual Report Card. (November 2018). Retrieved from <https://www.oregon.gov/ode/schools-and-districts/reportcards/Documents/rptcard2018.pdf>.

exposure to extracurricular activities and employment opportunities during high school offers an ability to supplement family income, save for college, and/or make their applications to future employers and higher education institutions more appealing.

Chart B: **Chronic Absenteeism Rates in Oregon, 2017-18**



Source: Oregon Statewide Annual Report Card. (November 2018). Retrieved from <https://www.oregon.gov/ode/schools-and-districts/reportcards/Documents/rptcard2018.pdf>.

- **Quality:** Implementation of a 180-day school year should first and foremost be based on the premise that all students can thrive and it must ensure that any additional time is of high-quality, responsive to individual student needs to reduce opportunity gaps, and engaging for students.
 - Responsiveness to Student Needs
Existing and new instructional time requirements should focus on mastery of learning, not seat time, and engage students in coursework that is relevant,

experiential, culturally responsive, and encourage passion for learning; provide options and resources for students to explore a diversity of interests; provide a safe and inclusive environment that minimizes conditions for classroom disruption; and create differentiated and targeted learning opportunities for students' unique needs. To support responsiveness to student needs, the educator workforce should be reflective of the communities being served.

Most work group participants expressed concern about how an across-the-board requirement for 180-day school year could impact instructional quality, classroom climate, class size ratios, and student achievement. Most of the group wondered whether the requirement could create perverse incentives for educators to provide instructional time universally to all students rather than targeted to the students who need the most support. Additionally, when students attend school without feeling safe, engaged or healthy, classroom climate may not be conducive to learning. Work group participants believe that adding more instructional time without addressing the root causes of these problems and without creating high-quality learning environments will exacerbate classroom disruptions and stifle progress to mitigate opportunity gaps.

- *Professional Learning Time for Educators*
Work group members also shared a perspective that since students' time during instruction relies on high-quality educators, educators need time for collaboration, support for mentorship, lesson preparation, and the ability to be creative when trying new practices to harness student engagement. Educators' ability to form positive relationships with students and their families is also a foundation for quality.
- **Clarity:** Instructional time requirements should be clear and not overly burdensome for administrative and reporting purposes.
 - The complexity and ease of reporting of the current rules on instructional time is perceived differently by members of the work group. While medium and large districts tended to have staff capacity to track requirements and reporting for compliance, small districts shared their challenges in meeting myriad requirements. Overall, most work group participants agreed that the current rules are not overly complex to administer and want to minimize complexities

associated with new requirements, though it is not clear whether it is fair to generalize the work group's perceptions on behalf of all schools in the state.

- **Responsiveness to Local Community Needs:** Oregon's school settings are as diverse as the student population, and implementation of additional instructional time requirements should provide schools the ability to understand and respond to local community needs.
 - Rural Needs

Many rural schools across the state rely on four-day school weeks in part because previous budget cuts forced this change, to account for greater distances that need to be traveled to get to schools, and for travel to and from athletic competitions on Fridays. Rural districts that are closer to the 140-day end of the spectrum of current school year length would need to add a fifth day to meet a new 180-day requirement. One district estimated that it would need to add 20 more days to their school calendar to meet a 180-day requirement. At minimum, this would raise very significant logistical (transportation and facilities) challenges and create or exacerbate a local workforce shortage. At worst, local communities who have not been consulted prior to such a drastic addition of days may have significant concerns about the impact of the new schedule.
 - Workforce & Partner Contracts

In Oregon, districts individually negotiate with their educator workforce through labor contracts in Oregon's 197 school districts and 19 ESDs. Larger districts tend to have more labor partners than smaller districts, but both have certified staff (employees who are either certified or working towards certification, such as teachers and counselors) and classified staff (employees that do not need certification or licensure for their work) that would be impacted with a longer school year. The timelines for these contracts vary, though they range from one to four years. It is possible that districts and labor partners may develop Memoranda of Understanding or reopen existing contracts to address requirements prior to the contracts normally being open for bargaining. Vendor and partner contracts, such as those who provide transportation services, food services, health services, and/or culturally specific programs after school, would also need to be renegotiated if school days are restructured to accommodate additional time requirements.

- Parent, Teacher, Student, and Community Engagement

The vast majority of work group participants agreed that local communities may have divergent perspectives about the need for a 180-day school year. One superintendent from a medium-sized district shared that they faced significant resistance to an effort to add three days to the school year to make up for inclement weather cancellations. Families plan their summer vacation schedules around the school calendar, and for these families, even one additional day in school can be perceived as a disruption. On the other hand, for families that rely on school as a safe place for their children while they work, additional days may be seen as a welcome change. Given that there is no known public data to determine how local communities would respond to additional instructional time requirements in Oregon, the work group believes it is critical that school districts engage with their local school communities on how they would plan for and implement additional time requirements.

B. Recommendations:

- 1. Include in any requirement to increase instructional time, a provision for local community input and resources for targeted school improvement strategies that are relevant and responsive to local context.** The work group believes that on its own, extending the school year to 180-days or the instructional hour equivalent (1,080 hours) across all school districts will do little to improve student achievement. The quantity of time designated for all students is not associated with the quality of outcomes for students. At an anticipated cost of over \$500 million per biennium to implement a 180-day year for all districts, participants did not think a universal new requirement would be the best return on investment. Targeted approaches may instead be more relevant for local context and be more cost effective in closing opportunity gaps. At the fraction of the cost of a 180-day school year for instance \$33 million would allow schools to provide additional summer school for struggling students to address summer learning loss.³² Therefore, the group recommends offering districts funds for implementing additional instructional hours amongst a menu of other options that may enhance quality and be more relevant to their local context. These options could be based on a School Improvement Fund (SIF) model, prescribed currently in [ORS 327.294](#).

³² Oregon Department of Education. (August 2018). Quality Education Model Final Report. Retrieved from <https://www.oregon.gov/ode/reports-and-data/taskcomm/Documents/QEMReports/2018QEMReport.pdf>.

The School Improvement Fund (SIF) is a block grant-based program for which all districts, education service districts, youth corrections programs, and juvenile detention programs are eligible; charter schools may not directly receive grants from ODE, but can receive a portion of grants awarded to their district pending a mutual agreement.³³ Though this Fund has not been funded for several years, the legislation already provides grantees the option to use grant funds for many activities if SIF is funded again, among them “increases in instructional time including summer programs and before- and after-school programs.”³⁴

School contexts and communities in Oregon are varied in many ways. Oregon has school contexts that include rural schools operating on a 4-day per week schedule and numerous charter schools, some of which are entirely online, in addition to large and medium-size districts that operate on traditional 5-day per week schedules with in-person instruction. School communities in Oregon are also varied in many ways – from their strengths and challenges to their demographics and priorities. The work group believes a one-size-fits-all approach to adding instructional time is not responsive to this context. The work group believes that the State can exercise policy authority by defining a set of allowable activities such as through SIF, while allowing districts time to engage their local communities about what their needs are and which activities would best support their needs.

- 2. Maintain instructional time requirements in terms of hours, not days.** If the Legislature provides funding to extend Oregon’s school year, the work group recommends using hours as the compliance metric - instead of days - to maintain consistency with existing state policy and minimize confusion. Just as many states consider 1,080 hours to be equivalent to 180 days, so too can Oregon use this approach.

To demonstrate how Oregon’s existing policy framework could translate to the equivalent of 180 days, [Table C](#) provides sample approaches to increasing instructional time similar to states that specify 180-day requirements. It is important to note that the work group did not discuss or take a position on the merits of either particular sample minimum hour approach.

³³ [Oregon Revised Statute 327.297\(2-3\)](#).

³⁴ [ORS 327.294\(1\)\(c\)](#).

Table C. Sample Approaches to Extending Instructional Hour Requirements to 1,080 Hours

	Oregon’s Current Approach	Washington Approach	Iowa & Oklahoma Approach	California Approach
Half-day Kindergarten	450 hours	N/A	N/A	N/A
Full-day Kindergarten-8 th Grade	900 hours	1,000 hours	1,080 hours	<u>Kindergarten</u> 600 hours <u>Grades 1-3</u> 840 hours <u>Grades 4-8</u> 900 hours
Grades 9-12	<u>Grades 9-11</u> 990 hours <u>Grade 12</u> 966 hours*	1,080 hours	1,080 hours	1,080 hours

Source: Education Commission of the States. (2018). Instructional Time Policies - 50 State Comparison. Retrieved from <https://www.ecs.org/50-state-comparison-instructional-time-policies/>.

- 3. Modernize the definition of instructional hours to include more high-quality activities that lead to graduation.** As noted earlier, Oregon’s instructional time rules currently exclude many practices that may be of high-quality because they engage students in building knowledge and skills and are responsive to individual needs. If a 180-day or 1,080 hour requirement is created, the work group recommends modernizing and simplifying the definition of instructional time by limiting exceptions and ensuring it is broad enough to capture enrichment opportunities, culturally-specific programming, and intervention supports, and acknowledge that quality learning happens outside of what current policy defines as instructional hours.

Possible changes could be similar to the relative simplicity offered by Washington and Pennsylvania's definitions earlier in this report.

- 4. Make certain sufficient time is provided for districts to renegotiate with labor partners, vendors, and other community partners.** If a 180-day or 1,080 hour requirement is created, it will require all districts who are not currently meeting the requirement to renegotiate collective bargaining agreements with labor associations and agreements with contractors and other service providers. Given timelines in existing agreements, this may take up to four years unless memorandums of understanding, expedited bargaining processes or other methods can be mutually agreed to by districts and their partners. Additionally, work group members recommended ensuring that districts are able to work with their local school boards and communities to identify the most pressing school improvement needs and prioritize how to meet those needs if significant additional funding is available.

- 5. Ensure that any additional accountability requirements are able to be easily implemented.** Any community plans or compliance reporting that are required in conjunction with greater instructional time requirements should be integrated with existing processes required by ODE. One such process is that districts are required to provide ODE with Continuous Improvement Plans that assess what is working well and what needs to change; establish and implement a process to engage the community to improve outcomes; leverage effective practices; and use data to monitor progress.³⁵ This tool could be modified to include how additional investments in their district are best spent given local needs, and would allow for districts to engage their communities on what success looks like beyond traditional achievement metrics. Small schools and districts do not benefit from the economies of scale in reporting on myriad requirements because their staff are often tasked with playing many different roles. Therefore, integrating additional requirements within existing ones is critical.

³⁵ Oregon Department of Education. (2019). Continuous Improvement Process and Planning. Retrieved from <https://www.oregon.gov/ode/schools-and-districts/Pages/CIP.aspx>.

Appendix A – Work Group Participant List

Group	Name	Organization
Students		
	Derek Evans	Oregon Association of Student Councils
	Olivia Caudell	Oregon Student Voice
Parents		
	Scott Overton	Oregon PTA
	Lori Delman	Portland Parents Coalition
School Districts		
	Kevin Hunking	Arlington School District
	Mark Witty	Baker School District
	Chris Parra	Bethel School District
	Phil Long	Butte Falls School District
	Phil Pearson	Corbett School District
	Randy Trani	Corbett School District
	Ryan Noss	Corvallis School District
	Earl Petit	Cove School District
	Raymon Smith	Echo School District
	Art Houghtaling	Falls City School District
	Lisa Riggs	Gresham Barlow School District
	Kona Lew-Williams	Hillsboro School District
	George Mendoza	LaGrande School District
	Lane Tompkins	McKenzie River School District
	Dirk Dirksen	Morrow County School District

	Nanette Hagen	Myrtle Point School District
	Matt Utterback	North Clackamas School District
	Lance Dixon	North Powder School District
	Eric Milburn	Perrydale School District
	Joe LaFontaine	Portland Public School District
	John Zwemke	Reedsport School District
Education Service Districts		
	Analicia Nicholson	Douglas Education Service District
Virtual Programs		
	Daniel Huld	Baker Web Academy
	Linda Harrington	Hillsboro Online Academy
Community Organizations		
	Eric Richardson	Eugene Springfield branch of the NAACP
	Veronica Leonard	Latino Network
Legislators		
	Rep. Barbara Smith Warner	Co-Chair of the Joint Committee on Student Success
Education Advocacy Organizations		
	Morgan Allen	Confederation of Oregon School Administrators
	Roberta Dunn	FACT Oregon
	Dave Novotney	Oregon Association of Education Service Districts

	Iris Maria Chavez	Oregon Coalition of Community Charter Schools
	Laurie Wimmer	Oregon Education Association
	Mary Paulson	Oregon School Boards Association
	Tim Stoelb	Oregon School Employees Association
	Samantha Holquist	Oregon Student Voice
	Toya Fick	Stand for Children
Governor Brown		
	Lindsey Capps	
State Board of Education		
	Anthony Veliz	
Oregon Department of Education		
	Colt Gill	
	Zoe Larmer	
	Emily Nazarov	
	Donna Newbeck	
	Kate Pattison	
	Brian Reeder	
	Cody Sibley	
	Darryl Tukufu	
	Jessica Ventura	
Consultant to ODE to draft work group report		
	Pooja Bhatt	