

581-022-2320

Required Instructional Time

(1)(a) Except as allowed under subsections (2) and (3), eEach 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:

(~~Aa~~) Grade 12 — 966 hours;

(~~Bb~~) Grades 9–11 — 990 hours; and

(~~Cc~~) Grades K–8 — 900 hours.

(b) A student who is 18 years of age or older or an emancipated minor or the person in parental relationship to a minor student may request to annually receive the minimum hours of instructional time. The school district must honor the request except as specifically provided for by rule or law.

(2)(a) Notwithstanding the requirements of subsection (1), with the annual approval of the local school board after a public hearing, the following students are exempted from the instructional time requirement and are not included in the district’s calculation of instructional time under subsection (1):

(A) Students who have fulfilled all state requirements for graduation under OAR 581-022-2000;

(B) Students who at the start of their senior year are on track to exceed all state requirements for graduation under OAR 581-022-2000 as determined by the number and type of credits earned by the student; and

(C) Students who are earning credits toward a diploma through accelerated learning classes, such as Advanced Placement, International Baccalaureate, or classes at a post-secondary institution, internship, work-based learning, or credits by proficiency.

(b) Each year, the school district must report to the local school board the total number of students disaggregated by relevant sociodemographic group that have been exempted from the instructional time requirements under this subsection.

(3) Nothing in this rule may be construed to affect the right of a person to be admitted to the school district in which they reside under ORS 339.115.

(4) A school district may request permission to exempt an alternative education program as defined in ORS 336.615 from the requirement in subsection (1). The request must be made in writing to the Deputy

Superintendent of Public Instruction. The Deputy Superintendent is authorized to grant permission under this section without obtaining approval from the State Board of Education. Permission will be granted where:

- (a) The request is made with the approval of the school district's governing school board;
- (b) The school district is using an evidence-based strategy that includes flexible time options;
- and
- (c) The school district has implemented a system to assess students prior to placement to determine whether placement in an alternative education program is appropriate.

~~(25)~~ 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.

~~(36)~~ 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.

~~(47)~~ 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.

~~(58)~~ 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.

~~(69)~~ 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.

~~(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 581-022-2025 (credit options).~~

Statutory/Other Authority: ORS 326.011 & 326.051

Statutes/Other Implemented: ORS 326.051

History:

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ODE 2-2015, f. 1-30-15, cert. ef. 7-1-15

ODE 25-2008, f. & cert. ef. 9-26-08

EB 18-1996, f. & cert. ef. 11-1-96