



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

February 18, 2021

TO: The Honorable Margaret Cox
Chairperson, Board of Education Student Achievement Committee

FROM: Dr. Christina M. Kishimoto
Superintendent

A blue ink signature of Dr. Christina M. Kishimoto.

SUBJECT: **Presentation on Department of Education Requirements and Guidance Regarding Calculating Student Hours for the 2020-2021 School Year in Accordance with Hawaii Revised Statutes Section 302A-251**

1. BACKGROUND

The Coronavirus Disease 2019 (COVID-19) pandemic has led to significant changes in how the Hawaii State Department of Education (Department) delivers curriculum and instruction. Since the onset of the pandemic in March 2020, the Department required flexibility to ensure the success of our students while also protecting their safety and the safety of our employees at our schools.

During the July 23, 2020 Hawaii State Board of Education (Board) General Business Meeting, Board members acknowledged the concerns of many teachers, school staff, and school administrators and asked the Department to allow for more time for schools to prepare for reopening their campuses to students. The August 17, 2020 start date for students and the nine (9) days of training and professional development from August 4 to August 14, 2020 were agreed upon by the Department, the Hawaii Government Employees Association (HGEA), the Hawaii State Teachers Association (HSTA), and the United Public Workers (UPW). During these nine (9) days, Department staff received professional development on the delivery of instruction through blended and distance learning and training on health and safety protocols and procedures.

Delaying the start of the 2020-2021 school year for students resulted in a school year of 171 student instructional days, a reduction of nine (9) student instructional days and 54 student hours. During the July 30, 2020 Board Special Meeting, the Department requested a general waiver from the requirements of HRS §302A-251, School year; student hours. HRS §302A-251 mandates a school year of 180 days, excluding non-instructional days, for a total of 1,080 student hours (Attachment A). HRS §302A-251 permits the Board, in its discretion, the ability to grant a waiver to any school subject to this requirement. This waiver process is outlined in Board Policy 106-5, Student Instructional Hours and School Year Requirements Policy and Waiver Process (Attachment B). The revised Board Policy

500-20, School Community Council Waivers, allows the Board to grant the Department a general waiver to apply to all schools under the same circumstances (Attachment C). The circumstance in this case is the current pandemic. The Board deferred action on this waiver pending the Department's negotiations with HSTA and HGEA to convert scheduled non-instructional days to student instructional days.

Due to efforts taken to mitigate the impact of the COVID-19 pandemic, the Department found it necessary to employ various modes of instruction which includes virtual classroom instruction, in-person classroom instruction, and a blending of both virtual and in-person classroom instruction. Virtual instruction is being delivered synchronously and asynchronously. With the variety of school models implemented, the Department needed to provide guidance on how to calculate attendance and student hours to ensure consistency across all schools. For more information, the Attendance Guidance for Reopening Schools 2020-2021 may be viewed at:

<https://www.hawaiipublicschools.org/DOE%20Forms/OSSS/OSSS%20Attendance%20Guidance%20for%20Reopening%20School%20SY%202020-2021.pdf>

Student attendance is currently being tracked in the Department's student information system, Infinite Campus. Attendance of students is based on the student being present, absent, or tardy.

2. DESCRIPTION

The presentation regarding student hours (Attachment D) will provide an overview of the Department's approach to calculating student hours for the various school models employed during the 2020-2021 school year.

3. PRESENTATION

The presentation on the Department's requirements and guidance regarding calculating student hours for the current school year includes the following information:

- Definition of school hours
- Requirements and guidance issued to schools
- How student hours are calculated during distance, hybrid, and in-person learning
- How hours are calculated for synchronous, asynchronous, and in-person instruction
- Examples of how schools are instructing students and calculating student hours
- Communication to families regarding student hour calculation requirements and guidance
- Whether schools are on-track to meet student hour requirements
- Process for school reporting on student hours

4. REQUEST FOR ACTION

The Department does not intend to circumvent its responsibility to prepare all students for their future. However, due to the circumstances in which the 2020-2021 school year began, the Department is requesting that the Board considers a general waiver to waive the requirements of HRS 302A-251 for the current school year. Due to the conversion of nine

(9) instructional days to non-instructional days for training and professional development, our schools will not meet the requirement of 180 instructional days and 1080 student hours for the 2020-2021 school year.

5. CONCLUSION

The Department remains committed to supporting all of our students, maintaining the Board's student achievement standards, and securing the health and safety of Department students, leaders, teachers, and staff.

CMK:cm

Attachments: Attachment A: HRS §302A-251 School year; student hours
Attachment B: Board Policy 106-5: Student Instructional Hours and School Year Requirements Policy and Waiver Process
Attachment C: Board Policy 500-20: School Community Council Waivers
Attachment D: Presentation on Department of Education Requirements and Guidance Regarding Calculating Student Hours for the 2020-2021 School Year in Accordance with Hawaii Revised Statutes Section 302A-251

c: Phyllis Unebasami, Deputy Superintendent
Office of Curriculum and Instruction
Office of Strategy, Innovation, and Performance
Office of Student Support Services

B. Curriculum and Instruction

Law Journals and Reviews

Helping Hawaii's Diverse Community of English Language Learners: Does the Hawai'i Department of Education Meet Federal Standards for English Language Learner Programs? 38 UH L. Rev. 35 (2016).

§302A-251 School year; student hours. (a)

Notwithstanding any other law to the contrary, beginning with the 2011-2013 school years, all public schools, excluding charter schools and multi-track public schools, shall implement a school year of one hundred eighty days, excluding professional development days and other non-instructional days negotiated pursuant to chapter 89.

(b) Notwithstanding any other law to the contrary:

(1) For the 2011-2012 school year, fifty per cent of all public elementary schools in the State, excluding charter schools and multi-track public schools, shall implement a school year that includes nine hundred fifteen student hours; and

(2) Beginning with the 2012-2013 school year, all public elementary schools in the State, excluding charter schools and multi-track public schools, shall implement a school year that includes nine hundred fifteen student hours.

(c) Notwithstanding any other law to the contrary, for the 2015-2016 school year, all public secondary schools, excluding charter schools and multi-track public schools, shall implement a school year that includes nine hundred ninety student hours.

(d) Notwithstanding any other law to the contrary, beginning with the 2016-2017 school year, all public schools, excluding charter schools and multi-track public schools, shall implement a school year of one hundred eighty days, excluding professional development days and other non-instructional days negotiated pursuant to chapter 89, that shall include one thousand eighty student hours for both elementary and secondary school grades.

(e) The board, in its discretion, may grant a waiver to any individual school subject to the student hours or one hundred eighty day school year requirements in this section. The board shall adopt policies and procedures to grant a waiver under this subsection.

(f) For purposes of this section, "student hours" shall be inclusive of the full school day in alignment with the State's general learner outcomes.

(g) The department of education, with the board of education and office of the governor, and in consultation with representatives of the affected collective bargaining units, shall submit to the legislature, no later than twenty days prior to the convening of the regular sessions of 2013, 2014, 2015, and 2016, a report on its progress and efforts to meet the requirements of subsections (a), (b), (c), and (d). [L 2010, c 167, §3; am L 2011, c 52, §1; am L 2015, c 21, §1]

POLICY 106-5

STUDENT INSTRUCTIONAL HOURS AND SCHOOL YEAR REQUIREMENTS POLICY AND WAIVER PROCESS

Upon application to the Board of Education ("Board") a school may be granted waivers from student instructional hours and school year requirements pursuant to HRS 302A-251. The Department of Education shall administer such procedures as may be adopted by the board.

Notwithstanding the multi-track public schools exemption from HRS 302A-251 requirements, multi-track public schools shall adhere to no less than 95% of the statutorily required days in a school year pursuant to HRS 302A-251. Multi-track public schools may, however, request a waiver under this policy.

Waivers shall be granted only in extraordinary circumstances. Waivers are intended to facilitate student learning and student achievement by enhancing school-level flexibility. Schools are expected to explore alternate solutions before seeking waivers.

Any school requesting a waiver shall ensure that such waiver aligns with its Academic and Financial Plan and demonstrate, with specificity, (1) the circumstances unique to the school justifying the waiver, (2) significant harm to students' learning and students' achievement should the waiver not be granted, (3) the school's plan to exit the waiver and achieve full compliance with the statutory requirements, (4) whether the complex area superintendent and the superintendent concur with the request, (5) whether other applicable processes noted in the Board Policy entitled "School Community Council Waivers and School Community Council Exceptions Policy" were completed, and (6) alternatives considered or implemented by the school prior to requesting the waiver.

The Board may grant waivers for no longer than one school year.

Due to the scope of the justification for the waiver, the principal of the applicant school shall present the request to the Board.

[Approved: 06/07/2016 (as Board Policy 106.5); amended: 06/21/2016 (renumbered as Board Policy 106-5)]

Former policy 2413 history: approved: 07/16/2013

POLICY 500-20

SCHOOL COMMUNITY COUNCIL WAIVERS

The Board has established procedures whereby School Community Councils (“SCC”), upon application to the appropriate authorities, may be granted waivers from specific provisions in statute, rules, policies, procedures, regulations, or collective bargaining agreements. The Department shall administer the procedures and make them widely available to the public.

Waivers are designed to enhance flexibility in order to facilitate school improvement. Schools are encouraged to explore alternate solutions before seeking waivers or exceptions to collective bargaining agreements.

Schools shall ensure that requests for waivers and exceptions align with their respective school's Academic and Financial Plan and demonstrate how the waiver will improve student learning and increase student achievement.

To ensure SCCs and schools regularly review and update their Academic and Financial Plans, any waivers granted shall be effective for up to one school year. Nothing in this policy shall be construed to prohibit an SCC from requesting a waiver that may have been granted previously, provided that the waiver request still aligns with the school's Academic and Financial Plan.

The Board may grant general waivers from specific administrative rules, policies, or procedures under its jurisdiction or specific statutory provisions, as allowed by law, to apply to all schools under the same circumstances. General waivers shall be effective for up to one school year. The Board may extend general waivers if it determines a general waiver is more appropriate than changing permanently changing administrative rules, policies, or procedures or seeking permanent changes to statute.

[Approved: 11/17/2015 (as Board Policy 500.20); amended: 06/21/2016 (renumbered as Board Policy 500-20), 07/23/2020]

Former policy 2412 history: approved: 10/07/2004; amended: 05/05/2005; 01/19/2006



OFFICE OF THE
Deputy Superintendent

Presentation on Department of Education requirements and guidance regarding calculating student hours for the 2020-21 School Year in accordance with Hawaii Revised Statutes Section 302A-251

**Student Achievement Committee
Feb.18, 2021**

Phyllis Unebasami
Deputy Superintendent





Hawaii Revised Statutes (HRS) 302A-251

180
Student
Instructional
Days

36 **x** **30**
Weeks Hours/Week

1,080
Total Student Hours

bit.ly/HRS302A



Guidelines for Reporting Attendance

School Year 2020-21



1

Minimum logged in time requirements

2

Combination of Measures

- Face-to-face
- Logged in time and assignment/task completion

3

Specific assignment/task completion within a given time



Minimum Logged in Time Requirements



30-Hour Week Student Attendance Matrix

30+ hours	5 days of attendance earned
24-29 hours	4 days of attendance earned
18-23 hours	3 days of attendance earned
12-17 hours	2 days of attendance earned
6-11 hours	1 day of attendance earned
< 6 hours	0 days of attendance earned

Calculation: Logged in time = 30 hour week



Combination of Measures



30-Hour Week Student Attendance Matrix

No. hours in-person + Remote log-in time + Assignment/task completion	No. hours remote log-in time + Assignment/task completion	Calculation for daily attendance
= 30 hours	= 30 hours	5 days of attendance earned
= 24-29 hours	= 24-29 hours	4 days of attendance earned
= 18-23 hours	= 18-23 hours	3 days of attendance earned
= 12-17 hours	= 12-17 hours	2 days of attendance earned
= 6-11 hours	= 6-11 hours	1 day of attendance earned
= < 6 hours	= < 6 hours	0 days of attendance earned

*Assignment /Task completion ratio is determined by the teacher based on the structure of the delivery model.



Assignment/Task Completion

Completed assignments can and should include offline time for the assignment. *Consider the amount of time needed to complete the assignment.*



30 Hour Week Student Attendance Matrix

___ completed assignments = 30 hours	5 days of attendance earned
___ completed assignments = 24-29 hours	4 days of attendance earned
___ completed assignments = 18-23 hours	3 days of attendance earned
___ completed assignments = 12-17 hours	2 days of attendance earned
___ completed assignments = 6-11 hours	1 day of attendance earned
Assignment completion = < 6 hours	0 days of attendance earned



Attendance Recording

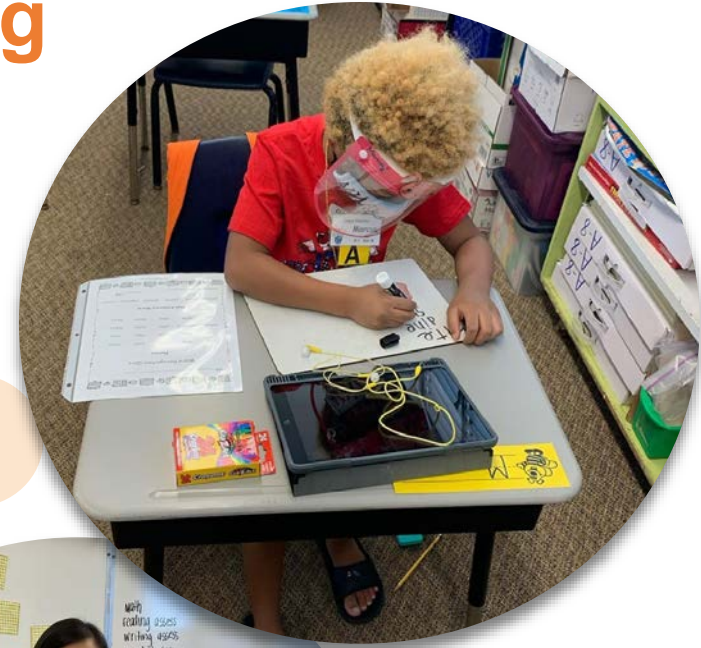


Models	Infinite Campus	Grade-book	Attendance Options
Elementary	✓	✓	Model A: Face to Face Learning Model B: Blended Rotation
Middle/ Intermediate	✓	✓	Model A: Face to Face Learning Model B: A/B Rotation Learning Model C: Combination Rotation
High School	✓	✓	Model A: Face to Face Learning Model B: A/B Two Day Rotation Model C: Hybrid Rotation



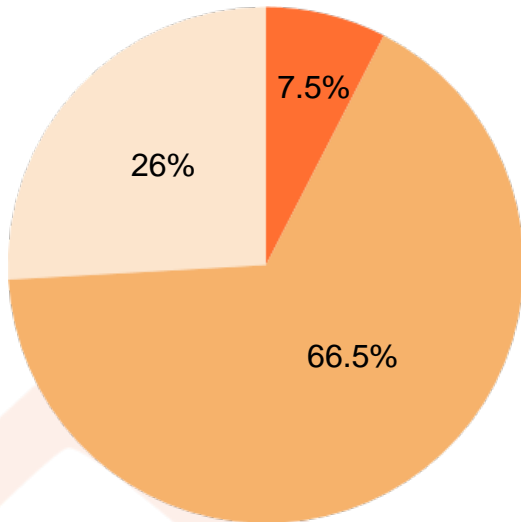
Return to In-Person Learning

- Schools are gradually transitioning back to in-person learning.
- School models are updated as the pandemic conditions change.
- Students provided with multiple opportunities for engagement.
- Schools are complying with Department of Health guidance.

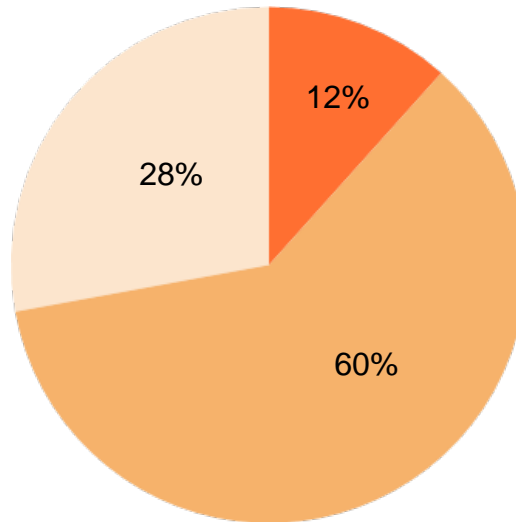




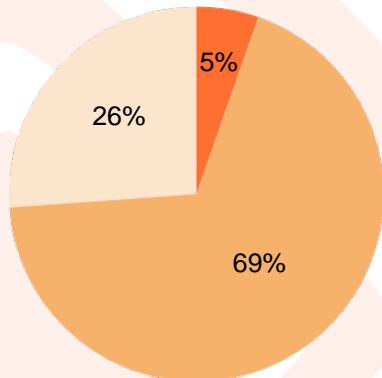
Where We Are Now



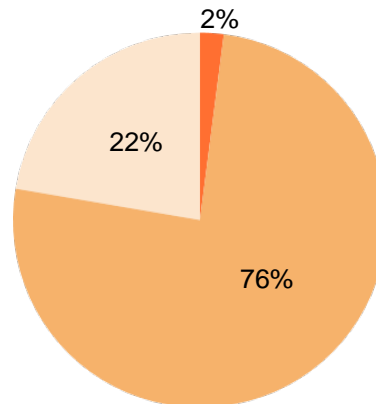
Total






Elementary



Middle



High

-  Students in full in-person learning
-  Students in blended learning (i.e., some dedicated face-to-face instruction)
-  Students only on-line by parent choice



As reported for Quarter 2 of SY 2020-2021



Mahalo!