

The state refers to this as "Alternative Structured Learning Day Programs". The administration is very interested in providing this opportunity and continues to actively explore how to best implement a "Snow Day Kit" or "Inclement Weather Kit" program. Managers began exploring possibilities in the summer of 2016 and continue to discuss and work to develop an implementation plan. An obstacle is home access to technology. At the building level, principals are exploring a variety of ways to communicate learning activities when school is cancelled. The links to two recent examples are:

- Union Hill Principal, Ish Tabales, used Twitter on a snow day to reach out to kindergarten students after they read "The Biggest Snowman". See: <http://pic.twitter.com/MOk6dKG5rQ>
- Roosevelt Principal, Kelly Williamson, sent an email to teachers asking them to share this video via email to reach students and parents who are not on Facebook or Twitter. See: <https://youtu.be/8q3flREtyBQ>

Other concerns we are problem solving around this project include:

- language accessibility for English learners
- developing purposeful, engaging activities, as opposed to worksheets, that require varied levels or minimal adult support for students in general and special education settings across the grades
- related teacher planning time
- minimizing teacher correction/feedback time.

The Massachusetts DESE guidance and related policies regarding "Alternative Structured Learning Day Programs" are attached. These are being used to inform the district work on this project.

Retrieved from: <http://www.doe.mass.edu/redesign/asld-memo.html>

School Redesign

Alternative Structured Learning Day Programs

To: Superintendents, Charter School Boards of Trustees, and School Principals

From: Jeff Wulfson, Acting Commissioner

Date: January 5, 2018

This memorandum provides information to assist school committees and charter school boards of trustees with the development of "alternative structured learning day programs" as possible solutions to scheduling issues posed by inclement weather so the minimum student learning time requirement of 900 hours for elementary schools, 990 hours for secondary schools, and a total of 180 days may be met. While the concept of alternative structured learning day programs continues to be relatively new in Massachusetts, the Department of Elementary and Secondary Education (Department) recognizes that such programs are designed to reduce the number of additional school days beyond the 180 required days and minimize student learning disrupted by weather related emergencies by providing alternative learning activities for students that may be completed at home. These programs may be an alternative option for schools to pursue as long as they can ensure that the program meets the standard for structured learning time and that the assignments and/or projects are substantial. These programs must also be accessible, include appropriate oversight and teacher involvement rather than

resembling traditional homework assignments, and be approved by the district school committee or charter school boards of trustees. To the degree that learning outside of the school setting may rely upon parental involvement or access to technology, school committees and charter school boards of trustees must also account for the widely varying circumstances in students' homes and guarantee that the alternative structured learning day program is accessible to all students. In general, alternative structured learning day programs that include a digital learning component must:

- Consider how to accommodate students without internet or devices at home and households with multiple children who share a single device, for example, by developing paper materials to be used by those students who do not have internet access. However, in any case, the school must ensure that all students will have access to educational materials during a storm.
- Be able to serve all students, including students who receive special education services.
- Have teachers available who must participate on the days when the program is implemented.

Additionally, school committees and charter school boards of trustees must allow sufficient planning time for administrators, teachers, staff, and other members of the school community, as appropriate, to thoughtfully and transparently design the alternative structured learning day program prior to implementation. This includes the time needed to design the format and parameters of grade-level assignments, lessons, and/or projects for each participating grade, and if necessary, an online platform that will contain all alternative structured learning day related content and information. Given that inclement weather is somewhat unpredictable, leaders need to determine how to approach these challenges so the alternative structured learning days resemble the scope and depth of learning provided in a classroom lesson. Further, if your school committee or charter school board of trustees is considering developing and piloting such a program the following should be considered:

- Determine the circumstances for which an alternative structured learning day program will be activated, and clearly communicate this to all stakeholders in the district. For example, a school committee or charter school board of trustees may determine that the program will go into effect after 3 weather-related school closures.
- Set clear due dates for assignments and/or projects and clearly articulate what completion means.
- Conduct a survey at the end of the pilot/implementation to allow feedback from stakeholders and to evaluate the success of the alternative structured learning day program.

Given that alternative structured learning day programs are a reasonable option for creatively making up missed school days due to weather-related closures, as well as the fact that districts are required to schedule 185 days, as a back up to the required 180 days, the Department will only consider hardship waivers 603 CMR 27.00 in extraordinary circumstances. Should you have any questions regarding hardship waivers, please contact Helene Bettencourt at hbettencourt@doe.mass.edu 781-338-3120.

As schools and districts continue to move forward with the development and implementation of alternative structured learning day programs, the Department encourages you to share your process and any lessons learned.

Additional Student Learning Time Resources

Massachusetts Student Learning Time Regulations 603 CMR 27.00 Under the Massachusetts Student Learning Time regulations, school committees and charter school boards of trustees are required to schedule a school year that includes at least 185-days at each school, and are required to operate each school for at least 180-days per school year. In addition, schools must ensure that students are scheduled to receive a minimum of 900 hours of structured learning time per school year for elementary school students and a minimum of 990 hours of structured learning time per school year for secondary school students. Kindergarten students must receive a minimum of 425 hours of structured learning time per school year. Please access the link above to access the Massachusetts student learning time regulations.

Student Learning Time Questions and Answers

This is a handy collection/guide of answers to Frequently Asked Questions about Student Learning Time.

Massachusetts Student Learning Time Waiver Process

In April 2013 the Massachusetts Board of Elementary and Secondary Education granted the Commissioner of Elementary and Secondary Education authority to approve waivers for innovative programs that are expecting to operate less than the hour and day requirements established in the Massachusetts Student Learning Time Regulations (603 CMR 27.00). The intent of this waiver process is to enable innovative programs and schedules that will benefit students educationally and improve student learning. This waiver process is not intended for emergency cases or extraordinary circumstances (e.g., natural disaster) that force the closing of one or more of the district's schools. Please visit the student learning time waiver process website for additional information, including but not limited to the application and timelines.

Please contact Shay Edmond (sedmond@doe.mass.edu / 781-338-3217) and/or Ruth Hersh (rhersh@doe.mass.edu / 781-338-3211) with any questions or concerns. You can also send general questions to the redesign@doe.mass.edu email address.

Retrieved from: <http://www.doe.mass.edu/lawsregs/603cmr27.html?section=all>

Education Laws and Regulations

603 CMR 27.00:

Student Learning Time

Section:

27.01: Authority, Scope and Purpose

27.02: Definitions

27.03: School Year Requirements

27.04: Structured Learning Time Requirements

27.05: Early Release of High School Seniors

27.06: Waivers
27.07: Implementation
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27.01: Authority, Scope and Purpose

(1) 603 CMR 27.00 is promulgated by the Board of Education pursuant to M.G.L. c. 69, section 1G, as amended by St. 1993, c. 71, section 29, which requires the Board to establish the minimum length for a school day and the minimum number of days in a school year for Massachusetts public schools.

(2) The purpose of 603 CMR 27.00 is to ensure that every public school in the Commonwealth provides its students with the structured learning time needed to enable the students to achieve competency in "core subjects" and "other subjects" as defined in 603 CMR 27.02.

(3) The requirements set forth in 603 CMR 27.00 are not intended to confer privately enforceable legal rights upon individual students, or persons acting on their behalf.

27.02: Definitions

As used in 603 CMR 27.00, the terms listed below shall have the following meanings:

Core subjects shall mean the core academic subjects specified in G.L. c. 69, section 1D (science, technology and mathematics, history and social science, English, foreign languages and the arts), and the subjects covered in courses which are part of an approved vocational-technical education program under M.G.L. c. 74.

Other subjects shall mean subjects other than core academic subjects that are required to be taught pursuant to G.L. c. 71, sections 1 and 3, and other subjects approved by the school committee as part of the district's program of studies.

Elementary school shall mean a school providing instruction to grades one through five, six, seven, or eight, and, where so designated by a school committee prior to the commencement of a school year, may also include a middle school or other intermediate level school providing instruction to grades five through eight or any combination thereof.

Optional school programs shall mean school activities not part of a course of study in either "core subjects" or "other subjects," which are offered by a school district to enrich the educational experience of its students and meet educational goals set by the local or regional school committee. Examples include: activity clubs; driver education; extracurricular student performance groups; non-academic assemblies; non-academic field trips; pep-rallies; sports; standardized testing other than statewide assessments conducted under M.G.L. c. 69, sections 1D and 1I; student government.

School services shall mean services which a school district provides to some or all students, either as a matter of state or federal law or regulation or local school district policy, to protect or improve student health and personal well-being, or enhance students' readiness and ability to learn. Examples include: special education diagnosis and evaluation; special education related services such as speech, physical and occupational therapy; health screening and prevention services; school breakfast and lunch.

Secondary school shall mean a school providing instruction to grades six through twelve, or any combination of those grades, except where a school committee, prior to the commencement of the school year, has designated a middle or other intermediate level school providing instruction to grades five through eight, or any combination thereof, as an elementary school.

Structured learning time shall mean time during which students are engaged in regularly scheduled instruction, learning activities, or learning assessments within the curriculum for study of the "core subjects" and "other subjects." In addition to classroom time where both teachers and students are present, structured learning time may include directed study, independent study, technology-assisted learning, presentations by persons other than teachers, school-to-work programs, and statewide student performance assessments.

27.03: School Year Requirements

(1) Prior to the beginning of each school year, every school committee shall establish school year schedules for each of the public schools under its supervision and control, based on the particular learning needs of students within each school. In determining the school year schedule for each school, the school committee shall be guided by the student learning time plan recommended by the school council for each school, and shall attempt to maximize high quality teaching, learning, and professional development opportunities.

(2) Every school committee shall schedule a school year which includes at least 185 school days at each elementary, middle, and secondary school within the school district.

(3) Every school committee shall operate the schools within its district at least 180 school days in a school year.

(4) School committees are encouraged to exceed the minimum number of school days wherever possible, and to offer extended day and extended year programs that expand student learning opportunities.

(5) A school committee may establish a separate school year and school day schedule for kindergarten programs which it maintains pursuant to the Board of Education Regulations for Kindergarten (603 CMR 8.00), so long as it provides a minimum of 425 annual hours of structured learning time. In those school districts which schedule two sessions of kindergarten daily, the school committee shall adopt a schedule for its kindergarten programs which ensures equal instructional time for all kindergarten students.

27.04: Structured Learning Time Requirements

(1) No later than the 1997 - 1998 school year, schools shall ensure that every elementary school student is scheduled to receive a minimum of 900 hours per school year of structured learning time, as defined in 603 CMR 27.02. Time which a student spends at school breakfast and lunch, passing between classes, in homeroom, at recess, in non-directed study periods, receiving school services, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.

(2) No later than the 1997 - 1998 school year, all schools shall ensure that every secondary school student is scheduled to receive a minimum of 990 hours per school year of structured learning time, as defined in 603 CMR 27.02. Time which a student spends at school breakfast and lunch, passing between classes, in

homeroom, at recess, in non-directed study periods, receiving school services, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.

27.05: Early Release of High School Seniors

(1) As a matter of policy the Board of Education encourages school districts to schedule high school graduation as close as possible to the scheduled closing date of the high school to maximize the learning time offered to graduating seniors and minimize the disruption of instruction provided to other students.

(2) Notwithstanding the minimum school year requirements set forth in 603 CMR 27.03 and 27.04(2), at the discretion of the school committee the scheduled school year for the graduating senior class of a high school or vocational/technical school may conclude, and the school graduation may be held, up to twelve school days before the regular scheduled closing date of that school.

27.06: Waivers

(1) The Board of Education may, upon the written application of a school committee and the recommendation of the Commissioner of Education, grant a waiver of any requirements set forth in 603 CMR 27.00 for good cause. School committees are encouraged to apply for waivers, as needed, to permit the district to initiate innovative programs or schedules intended to improve student learning.

(2) Upon the written request of a school district, the Commissioner of Education may, in his discretion, grant a waiver of the minimum school year requirement set forth in 603 CMR 27.03(3) in situations where an emergency or extraordinary circumstance forces the closing of one or more of the district's schools.

27.07: Implementation

(1) The requirements set forth in 603 CMR 27.00, as amended, shall be effective July 1, 1995, and shall govern the operation of all public schools within the Commonwealth of Massachusetts beginning with the 1995 - 1996 school year, with the exception of the structured learning time requirements set out in 603 CMR 27.04, which shall be effective July 1, 1997.

(2) During the 1995 - 1996 and 1996 - 1997 school years, schools and school districts are urged to meet the structured learning time requirements set out in 603 CMR 27.04 to the extent feasible. However, the following minimum learning time requirements, rather than those set out in 603 CMR 27.04(1) and (2), shall apply during the 1995 - 1996 and 1996 - 1997 school years:

- a. Elementary schools shall offer to all enrolled students a minimum of 900 hours per school year of learning time. Structured learning time, as defined in 603 CMR 27.02 shall be the focus of that time, but time spent delivering school services other than those listed below and offering optional school programs may also be counted toward meeting the minimum learning time requirement. Time scheduled for school breakfast and lunch, passing between classes, homeroom, and recess will not count toward meeting the minimum learning time requirement.

- b. Secondary schools shall offer to all enrolled students a minimum of 990 hours per school year of learning time. Structured learning time, as defined in 603 CMR 27.02 shall be the focus of that time, but time spent delivering school services other than those listed below and offering optional school programs may also be counted toward meeting the minimum learning time requirement. Time scheduled for school breakfast and lunch, passing between classes, homeroom, and recess will not count toward meeting the minimum learning time requirement.

(3) In preparation for the 1995 - 1996 school year, each school council shall submit to the district school committee, as part of its school improvement plan, any recommended scheduling changes or changes in school practices or structure that will be needed to ensure that their school will be in compliance with the learning time requirements set out in 603 CMR 27.07(2) and school year requirements set out in 603 CMR 27.03.

(4) During the 1995 - 1996 school year, each school council shall submit to the district school committee, as part of its school improvement plan, recommended actions to be taken to ensure that, no later than September 1997, each student within the school will be scheduled to receive at least the minimum required hours per year of structured learning time required under 603 CMR 27.00, and the school will comply with all other requirements set forth in 603 CMR 27.00.

(5) No later than June 30, 1996, every school district shall submit to the Department of Elementary and Secondary Education, for review and approval, a Learning Time Implementation Plan which describes changes that are being undertaken at the school and district level to ensure that, on or before September 1997, every student in every school within the district is scheduled to receive at least the minimum amount of structured learning time per school year specified in 603 CMR 27.04, and the district's schools will comply with all other requirements set forth in 603 CMR 27.04. The Department of Elementary and Secondary Education shall issue guidelines regarding the issues to be addressed in school district-wide Learning Time Implementation Plans.

Regulatory Authority:

603 CMR 27.00: M.G.L. c. 69, s.1G; St. 1993, c.71, s.29.

Retrieved from: <http://www.doe.mass.edu/news/news.aspx?id=6682>

Education Laws and Regulations

Policy Statement: School Day and Structured Student Learning Time Requirements November 2012 Under the Massachusetts Student Learning Time regulations (603 CMR 27.00), school committees are required to schedule a school year that includes at least 185 days at each school, and are required to operate the schools for at least 180 school days in a school year. In addition, schools must ensure that students are scheduled to receive a minimum of 900 hours of structured learning time per school year for elementary school students and a minimum of 990 hours of structured learning time per school year for secondary school students. Kindergarten students must receive a minimum of 425 hours of structured learning time per school year.

Guidelines for Waiving the 180-day Requirement

The Student Learning Time regulations include a provision (603 CMR 27.06) that allows the commissioner to waive the 180-day requirement when an emergency or extraordinary circumstance forces the closing of one or more of the district schools. To clarify when districts will be expected to make up lost time, how much time will need to be made up, and when waivers will be considered, we have established the following guidelines:

1. All days lost to health, weather, or safety emergencies between the first day of the school year and March 31 must be made up by rescheduling full school days to ensure a 180-day school year.
2. All days lost to health, weather, or safety emergencies between April 1 and June 1 must be made up to ensure a 180-day school year or at least until the district has reached its previously-scheduled 185th day, whichever comes first. If all five snow days have been used prior to this point, the district is not required to schedule additional school days.
3. Districts will not be expected to make up any days lost to health, weather, or safety emergencies that occur after June 1.

The Board of Elementary and Secondary Education adopted the 185-day regulation in anticipation that at least 5 days might be lost each year to weather emergencies. Increasingly, school districts have taken the initiative to start the school year before Labor Day, thereby building in additional flexibility to make up lost days before the end of June. Such planning is commendable. Making up missed days can be done in several ways. School districts may decide to take one or more of these actions: cancel or shorten the February or April vacation periods, convert scheduled professional development days into school days for students, hold school days on Saturday, keep school open on Good Friday, or add days later in June beyond the originally scheduled last day of school.

Answers to Frequently Asked Questions about Student Learning Time

1. Q: If the school year is extended beyond June 30 in order to comply with the 180-day requirement, may the district pay salaries and costs incurred from the current year's budget?

A: The Department of Revenue's Division of Local Services has advised that the answer is yes. If the school year must be extended beyond June 30 to comply with state law on student learning time, that would extend the scope of the municipality's appropriation for the schools beyond June 30. See Mass. General Laws Chapter 71, Section 40, which provides that the compensation paid teachers is deemed "fully earned at the end of the school year, and proportionately earned during the school year" (emphasis added). Teachers, therefore, could teach school in early July to comply with the 180-day requirement, and any salaries paid would appear on warrants payable for the fiscal year that ended on June 30. In short, state law permits the school year (and salary payments) to extend beyond June 30 in these circumstances. School officials still should consult with their own legal counsel to determine whether any provisions in collective bargaining agreements or local ordinances would affect the decision to schedule school days after June 30.

2. Q: Does the school district need a waiver to close school for one or more days in cases where it will still provide at least 180 school days and the required hours of structured learning time?

A: No. As long as the school is providing at least 180 days for students (and 900 hours for elementary schools, 990 hours for secondary schools, and 425 hours for kindergarten), the district does not need a waiver from the commissioner.

3. Q: Can shortened school days (e.g., parent/teacher conferences, early release for a holiday, professional development) be counted toward the 180 school days?

A: Shortened days may count toward the 180 school day requirement, but only the actual time spent on structured learning time can count towards the student learning time requirement of 900 hour requirement for elementary schools, 990 hour requirement for secondary schools, and 425 hour requirement for kindergarten.

4. Q: Is a waiver required if students and teachers must leave school early for an emergency situation, such as a safety threat at school or heating failure?

A: No. If students and teachers report to school but must then leave because of an emergency situation, the day may still count toward the 180 school days, but only the actual time spent on structured learning time can count towards the 900 hour requirement for elementary schools, 990 hour requirement for secondary schools, and 425 hour requirement for kindergarten.

5. Q: Can the school committee schedule early release days for professional development as may be called for in the teachers' contract?

A: Yes, as long as the schedule still meets the 180 school days and 900 hours (elementary), 990 hours (secondary), 425 hours (kindergarten) of structured learning time for students. Consult with the district's legal counsel about specific issues involving collective bargaining agreements.

6. Q: If the school year is extended to make up for snow days, does high school graduation need to be rescheduled?

A: No, the graduation date does not have to be rescheduled. Per 603 CMR 27.05, school districts are encouraged to schedule high school graduation as close as possible to the scheduled closing date of the high school, and graduation may be held up to twelve days before the regularly scheduled closing date. The earliest permissible release day for seniors is twelve school days prior to the regularly scheduled closing date of the school, which means that high schools operating on a 180 day year for students may release the seniors as early as the 168th day of school. If the date for high school graduation has been set and subsequently a few more days are added to the school year to make up for snow days or other emergencies, the original graduation date does not need to be changed, as long as it is no more than twelve school days before the originally scheduled closing date for the school year.

7. Q: Does Massachusetts law mandate specific start and end dates for school, or specific weeks of school vacation?

A: No. Start and end dates for the school year are a local decision. Similarly, although public schools and public offices are required to be closed on legal holidays (see the list posted at <http://www.sec.state.ma.us/cis/cishol/holidx.htm>) the dates of school vacation weeks are also a local decision. In order to build in flexibility and ensure that all students receive the teaching and learning time to which they are entitled, we strongly recommend that school officials consider taking the following actions to facilitate meeting the 180-day school year and student learning time requirements:

- o Hold the first day of school before Labor Day.
- o Schedule a one-week vacation in March instead of week-long vacations in February and April.
- o Notify parents, teachers, and students when the school calendar is adopted that the February and/or April vacations may be cancelled if multiple school days have to be made up due to inclement weather or other extraordinary circumstances.

8. Q: To make up some lost days, may school be open on a holiday?

A: No. State law requires all public offices to be closed on statewide legal holidays. The Attorney General issued an opinion in the 1970s confirming that public schools are considered "public offices" under this law. Therefore, public schools may not be open for business - i.e., teaching students or providing required professional development for teachers - on a legal holiday. Any exceptions to this would require special legislation. For a list of Massachusetts legal holidays, please consult the Secretary of State's Office at <http://www.sec.state.ma.us/cis/cishol/holidx.htm>. Please note that all holidays falling on Sunday must be observed on Monday, under state law.

If you have any questions about the information contained in the Policy Statement, please contact Helene Bettencourt or call 781-338-3120.