

Policy ~~8210~~ 320 – School Calendar

Revised policy and repeal of Policy 8220 (School Day) and Policy 8800 (Religious / Patriotic Ceremonies and Observances) effective upon passage

1st reading January 24, 2019

2nd reading February 7, 2019

3rd reading

Statutory authority West Virginia Code 18-5-45, 18-5A-5, 18-5-15b and West Virginia Board of Education Policy 3234

Administrative Guidelines

- i. Emergency Operations

The Board of Education (~~"the Board"~~) recognizes that the preparation of a calendar for the instructional program of the schools is necessary for orderly educational planning and for the efficient operation of the District.

Before the Board votes on a final school calendar, the Board shall hold at least two (2) public hearings on the school calendar. The public notice of the date, time and place of the public hearing must be published in a qualified newspaper as a Class II legal advertisement, in accordance with the provisions of State law (~~WV Code 59-3-1, et seq.~~). Notices for both hearings can be published in one (1) advertisement. The first notice must be published at least ten (10) days prior to the first meeting to provide sufficient time for interested parties to plan on attending the hearing. Topics that may be addressed at the public hearing include, but are not limited to:

- A. the total number of instructional days in a school year;
- B. length of school day;
- C. noninstructional days;
- D. out-of-calendar days; and
- E. beginning and end dates of employment and instruction terms.

Pursuant to law, the Board must ~~develop~~ approve a school calendar each year and submit the proposed calendar to the State Superintendent of Schools (~~State Superintendent~~), or designee, by the established deadline.

~~The Board shall provide a calendar for its schools that contains a minimum employment term for employees of no less than 200 days and an instructional term for students of no less than 180 separate days of instruction. If the Board establishes a longer instructional term for students, the employment term shall be increased by a comparable number of days.~~

~~The Superintendent may close schools due to disease, epidemic, hazardous weather conditions, law enforcement emergencies, damage to a school building, utility failure, or inoperability of school buses or other equipment needed for school operations (collectively, "a calamity"), the schools nevertheless must be in session with students in attendance for at least the minimum number of days and hours required by State law.~~

~~The minimum instructional term may be decreased by order of the State Superintendent in any district declared a Federal or State disaster area and where the event causing the declaration is substantially related to a reduction of instructional days.~~

~~Notwithstanding any provision of State law to the contrary, the State Board may grant a waiver to a district board for its noncompliance with provisions of State law to maintain compliance in reaching the mandatory 180 separate instructional days.~~

Employment Term

~~Pursuant to West Virginia State Board of Education policy and State law, The school calendar shall provide for an minimum employment term of 200 days and a minimum instructional term of 180 separate days that meets the following criteria:specified by State law and West Virginia Board of Education policy.~~

- ~~A. An employment term of at least 200 days, excluding Saturdays and Sundays, for all regular, full-time employees, which days need not be successive, spanning no more than forty eight consecutive weeks. —~~
- ~~B. The length of the employment term (from the beginning to closing dates) cannot exceed forty eight (48) weeks, in accordance with State law. —~~
- ~~C. The minimum employment term shall consist of no less than 180 separate days of instruction, and twenty (20) noninstructional days, comprised of the following:
 - ~~1. Seven (7) paid holidays (any combination of the school holidays included in State law, which are: Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King's Birthday, Memorial Day, or West Virginia Day) In compliance with State law, any remaining school holidays are to be scheduled as nonpaid, out-of-calendar days, and are to be considered as such for all 200-day employment contracts.~~
 - ~~2. An election day, as specified in State law; —~~
 - ~~3. Six (6) days to be designated as outside of the school environment, four of which must be scheduled after the 130th day of instruction of the school calendar;~~
 - ~~4. One (1) day to be designated by the Board to be used by the employees for preparation for opening school and one (1) day to be used for preparation for closing school; and —~~
 - ~~5. The remaining days to be designated by the Board for purposes to include, but not be limited to:
 - ~~a. curriculum development;~~
 - ~~b. professional development;~~
 - ~~c. faculty senate meetings; —~~
 - ~~d. teacher student parent conferences;~~
 - ~~e. professional meetings;~~
 - ~~f. making up days when instruction was scheduled but not conducted;~~
 - ~~g. the minimum set time periods for faculty senate meetings as designated by State statute, being at least six (6) two-hour blocks of time, with at least one (1) two-hour block scheduled in the last month of the employment term, and at least one (1) two-hour block scheduled in each of the months of October, December, February, and April; and~~
 - ~~h. scheduled out-of-calendar days that are to be used for instructional days in the event school is canceled for any reason. An out-of-calendar day is a nonpaid day that is not included as part of the minimum 200-day employment term.~~~~
 - ~~6. The Board is required to provide to all professional and service personnel employed at least eighteen (18) hours of professional development annually and the school calendar must be developed in such a manner that the requirement can be met during the minimum 200-day employment term. All professional and service personnel are required to complete the number of hours of professional development provided each year by the Board.~~~~

Instructional Term

- ~~A. The school calendar shall provide an instructional term for students of no less than 180 separate days of instruction or equivalent instructional time as set forth below and in West Virginia State Board of Education~~

~~policy 3234. State law defines an instructional day to mean a day within the 180 instructional term, including the days used to reschedule canceled instructional days, that meets the following criteria:~~

- ~~1. Instruction is offered to students for at least the minimum amount of hours specified by West Virginia State Board of Education policy 2525, West Virginia's Universal Access to Early Education System for pre-kindergarten, and West Virginia State Board of Education policy 2510 for grades kindergarten through twelve. [Pre-K no less than 1,500 minutes per week and at least 48,000 minutes annually; grades K-5 315 minutes per day; grades 6-8 330 minutes per day; and grades 9-12 345 minutes per day]. The instructional day does not include time for homeroom, class changes, breaks/recess, lunch, and other non-instructional activities from the first designated assembling of the student body in groups (homeroom or first period) to the dismissal of the student body;~~
 - ~~2. Instructional time is used for instruction and/or co-curricular activities. A co-curricular activity is an activity that is closely related to identifiable academic programs or areas of study that serve to complement the academic and technical curricula for students; and~~
 - ~~3. The instruction provided meets the West Virginia content standards.~~
- ~~B. If instructional time is lost due to delayed start time for a school or multiple schools or a school or multiple schools are dismissed early on account of the prevalence of contagious disease, conditions of weather or other calamitous cause over which the Board has no control, the Board will recover lost instructional time by:~~
- ~~1. requiring additional minutes of instruction to the school day beyond the State minimums in the formulation of the calendar (by at least thirty (30) minutes per day beyond the minimum requirements as set forth above for each grade level).
This shall constitute "equivalent" instructional time as set forth in West Virginia Board of Education policy 3234 and shall be used to recover up to five (5) days of school cancellations for the purposes of meeting the 180 separate day requirement.~~
 - ~~2. authorizing the Superintendent to administratively adjust school day schedules after the school term has begun~~
 - ~~3. requiring additional days of instruction to be added by converting noninstructional days to instructional days or by using out-of-calendar days for instruction~~
- ~~C. The Board will not be required to add additional minutes to the instructional day, or convert noninstructional days to instructional days, if all affected schools have accumulated sufficient accrued instructional time through their regular schedules that can be used to make up the missed time caused by late arrivals and early dismissals.~~
- ~~D. Accrued instructional time is defined as instructional time earned during the instructional term from time added to the instructional day (one (1) to twenty nine (29) minutes per day) beyond the minimum instructional time required by West Virginia State Board of Education policy 2510. Accrued instructional time may be only used to recover instructional time lost due to: the late arrival or early dismissal of students due to inclement weather; the prevalence of contagious disease; other calamitous cause over which the Board has no control; professional development activities; or to accommodate the scheduling of faculty senate meetings on instructional days. Accrued instructional time cannot be used to avoid 180 separate days of instruction.~~
- ~~E. If it is not possible to provide 180 separate instructional days within the school calendar as originally scheduled, the Board shall schedule instruction on available noninstructional days (other than holidays, election day, or Saturdays and Sundays), regardless of the purpose for which the day was originally scheduled, use a day that was scheduled as an out-of-calendar day, and/or utilize equivalent and/or non-traditional time/days as set forth herein and within the limitations set forth in West Virginia State Board of Education policy 3234.~~

~~A noninstructional day is defined as a day within the minimum 200 day employment term in which no instruction is provided. The Board has the ability to apply for a waiver in accordance with the provisions of State law to assist with meeting the mandatory 180 days of instruction. If an out-of-calendar day is used as a make-up instructional day, the originally scheduled instructional day that was canceled becomes the out-of-calendar day (unpaid day). In accordance with State law, an employee's pay is not to be adjusted during a pay period because of this revision in the school calendar.~~

- F. If an out-of-calendar day is used as a make-up instructional day, the originally scheduled instructional day that was canceled becomes the out-of-calendar day (unpaid day). In accordance with State law, an employee's pay is not to be adjusted during a pay period because of this revision in the school calendar.
- G. The Board may designate specific noninstructional days that are not to be converted to instructional days if it can assure 180 days of instruction.
- H. In accordance with West Virginia State Board of Education policy 2510, co-curricular activities may, by their nature, be scheduled without regard to the use of accrued instructional time.
- I. Extracurricular activities do not count towards meeting the minimum instructional time for an instructional day. Extracurricular activities include athletics, noninstructional assemblies, social programs, entertainment and other similar activities. Accrued instructional time may not be used to accommodate the scheduling of extracurricular activities during instructional days.

If the Board of Education elects to accumulate equivalent instructional time by extending the school day by at least thirty (30) minutes or more, the school calendar may include up to five (5) days or equivalent portions of days within the instructional term as professional learning days for educators in lieu of instructional days for students, which days are not subject to cancellation or being rescheduled to make-up for instructional days lost. The days must be used as determined by the County Board, without students present and must be used exclusively for activities by educators at the school level which are designed to improve instruction.

Faculty Senate Meetings

In accordance with State law, the school calendar must provide to each faculty senate a two-hour block of time for a faculty senate meeting on a day scheduled for the opening of school prior the beginning of the instructional term and on a day scheduled for the closing of school before the end of the employment term.

The school calendar must also provide at least six (6) additional two (2) hour blocks of time, during noninstructional days. In addition to the opening and closing of school, faculty senate meetings are to be held during the months of October, December, February, and April, for a total of six (6) two (2) hour meetings. Faculty senate meetings can be held on days set aside for late arrivals and early dismissals, or part of a noninstructional day. The portion of the noninstructional day scheduled for the faculty senate meeting shall be considered as part of the purpose for which the noninstructional day is scheduled. Faculty senates may also additionally schedule a meeting during an instructional day if sufficient accrued instructional time has been earned by a school; however, every school in the district must have earned sufficient time for all faculty senates in the district to meet in this manner.

A faculty senate may also additionally meet for an unlimited block of time during a noninstructional day to discuss and plan strategies to improve student instruction and to conduct other faculty senate business.

A faculty senate may elect to schedule a meeting on an instructional day outside of the instructional time for students, and take compensatory time off on the noninstructional day that is provided by the Board for its meeting, as long as the meeting takes place prior to the day that is scheduled in the school calendar.

If a noninstructional day that is originally scheduled for faculty senates to meet is canceled due to inclement weather, the Board may, but is not required, to reschedule the noninstructional day in order for the faculty senates to meet.

Approval of Appropriate Instructional Time Alternatives

State law provides that alternatives regarding instructional time proposed by the Board or a school may be approved by the State Board of Education so long as the alternative meets the spirit and intent of applicable statutes and are intended solely to optimize student learning.

Pursuant to West Virginia State Board of Education policy 3234, successful schools are distinguishable from unsuccessful schools by the frequency and extent to which teachers discuss professional practices, collectively design materials, and

~~inform and critique each other through collaborative planning, examination of student data, and participation in high quality professional learning experiences.~~

~~To achieve successful schools, the State Board of Education must have reasonable discretion to balance the local autonomy and flexibility needed by schools to deliver a thorough and efficient education as evidenced in a proposal that includes: _____~~

- ~~A. sufficient time within the instructional term to promote the improvement of instruction and instructional practices;~~
- ~~B. school level determination of alternatives affecting time within the school day that provide teachers with:
 - ~~1. sufficient planning time to develop engaging, differentiated instruction for all students in all classes, and~~
 - ~~2. collaborative time for teachers to undertake and sustain instructional improvement;~~~~
- ~~C. consideration of how learning time must not be assumed solely to be the time that a student is seated at a desk, but can also include time in the school day during which actively engages students in the learning process; and~~
- ~~D. articulation of how schools are provided the opportunity to determine which methods will be utilized to ensure teachers can plan individually and collectively to maximize learning time, such as:
 - ~~1. scheduling;~~
 - ~~2. using special subject teachers and guest presenters;~~
 - ~~3. dedicating time set aside for professional learning experiences and/or staff development;~~
 - ~~4. implementing alternative staff utilization patterns;~~
 - ~~5. providing opportunities for administrators to teach; and/or~~
 - ~~6. utilizing accrued instructional time.~~~~

~~Submission of School Calendar to West Virginia Board of Education for Approval~~

~~In accordance with State law, prior to implementing the school calendar, the Board must secure approval of the proposed school calendar from the West Virginia Board of Education.~~

~~Unless the West Virginia Board of Education requests otherwise, the authority to approve the annual school calendar is delegated to the State Superintendent. This does not include the approval of waiver requests.~~

~~The school calendar, and any additional requested information, must be submitted in accordance with the annual instructions issued by the State Superintendent.~~

School Day

~~The Board of Education authorizes the school day to be arranged and scheduled by the administration. It is to offer the maximum education for the time spent within the limitations of school facilities and the laws and regulations of the State.~~

~~The minimum instructional week for students in Pre-K shall be no less than 1,500 minutes per week and at least 48,000 minutes annually. The minimum instructional day for students in grades K-5 is 315 minutes, 6-8 is 330 minutes, and 9-12 is 345 minutes. It does not include time for homeroom, class changes, breaks/recess, lunch, and other noninstructional activities from the first designated assembling of the student body in groups (homeroom or first period) to the dismissal of the student body.~~

~~The Superintendent may close the schools, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members. S/He The Superintendent shall ~~prepare~~ develop administrative guidelines for the proper and timely notification of concerned persons in the event of any emergency closing of the schools.~~

~~The Superintendent shall have the authority to determine which school-related activities may be conducted if the schools are closed for a period of time. S/He The Superintendent shall ~~prepare appropriate~~ develop administrative~~

guidelines for communication to students, parents, and others regarding the scheduling and the conduct of such activities.

The Board shall require at least 30 additional minutes of instruction to be added to the school day beyond the State minimums required in state law in the formulation of the school calendar and authorizes the Superintendent to administratively adjust school day schedules after the school year has commenced to recover time lost due to late arrivals and early dismissals.

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 - ~~1. scheduling;~~
 - ~~2. using special subject teachers and guest presenters; ———~~
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 - ~~4. implementing alternative staff utilization patterns;~~
 - ~~5. providing opportunities for administrators to teach; and/or~~
 - ~~6. utilizing accrued instructional time.~~~~

Religious / Patriotic Ceremonies and Observances

~~Decisions of the United States Supreme Court have made it clear that it is not the province of a public school to advance or inhibit religious beliefs or practices. Under the First and Fourteenth Amendments to the Constitution, this remains the inviolate province of the individual and the church of his/her choice. The rights of any minority, no matter how small, must be protected. No matter how well intended, either official or unofficial sponsorship of religiously oriented activities by the school are offensive to some and tend to supplant activities which should be the exclusive province of individual religious groups, churches, private organizations, or the family.~~

~~County staff members shall not use prayer, religious reading, or religious symbols as a devotional exercise or in an act of worship or celebration, in a school setting. The County shall not act as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on County property by any party shall be in accordance with Policy 7510 and AG 7510A — Use of County Facilities and Policy 9700 — and AG 9700 — Relations with Special Interest Groups.~~

The Board acknowledges that it is prohibited from adopting any policy or rule respecting or promoting an establishment of religion or prohibiting any student from the free, individual, and voluntary exercise or expression of the student's religious beliefs, other than the limitation of the same to appropriate time and place such as during lunch period or at other non-instructional time periods when students are free to associate.

Observance of religious holidays through devotional exercises or acts of worship is also prohibited. Acknowledgement of, explanation of, and teaching about religious holidays of various religions is encouraged. Celebration activities involving nonreligious decorations and use of secular works is permitted, but it is the responsibility of all faculty members to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on minority groups or individuals, and do not interfere with the regular school program.

~~The Board shall not conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.~~

The Board shall not include religious invocations, benedictions, or formal prayer at any school-sponsored event.

The flag of the United States, four by six feet, of regulation bunting shall be raised above each school and/or at other appropriate places during all school sessions, weather permitting. The flag shall be raised before the opening of school and taken down at its close every day unless the flag is lighted. Any United States flag of flag or the State of West Virginia purchased out of the County Board building fund or with State funds must be manufactured in the United States. The teacher, custodian or other person in charge of the building during the session is responsible for this flag being displayed at the school.

Professional staff members are ~~authorized~~ required to lead students in the Pledge of Allegiance at ~~an appropriate time~~ the beginning of each school day. However, no student shall be compelled/required to participate in the recitation of the Pledge. Additionally, the Board prohibits the intimidation of any student by other students or staff for the purposes of coercing participation. ~~The Superintendent shall develop administrative guidelines which ensure that any staff member who conducts this activity does it at an appropriate time, in an appropriate manner, and with due regard to the need to protect the rights and the privacy of a nonparticipating student.~~