



## Instructional Days and Time Requirements Frequently Asked Questions 2015-2016

**NOTE:** Performance Qualified High Schools and Districts are those who have earned an “A” in A-F rating and have flexibility available to them directly related to instructional time. Full information related to this option is available on the DOE Accreditation [web site](#).

### 1. What is instructional time?

Instructional time is defined as time in which students are participating in an approved course, curriculum, or educationally related activity under the direction of a teacher. Instructional time includes a reasonable amount of passing time between classes within a single school building or school campus. Instructional time does not include lunch or recess. (IC 20-30-2-1)

### 2. What is an “educationally related activity”?

An “educationally related activity” is defined as a non-classroom activity, such as a field trip or convocation, which meets ***all*** of the following criteria:

- a. Is consistent with and promotes the educational philosophy and goals of the school corporation and the Indiana State Board of Education.
- b. Facilitates the attainment of specific educational objectives.
- c. Is a part of the goals and objectives of an approved course or curriculum.
- d. Represents a unique educational opportunity.
- e. Has been approved in writing by the school principal.
- f. Cannot reasonably occur without interrupting the school day.

(IC 20-33-2-17.5)

### 3. What is the minimum length of the school year?

Each school shall conduct at least 180 student instructional days. (IC 20-30-2-3)



**4. Must a school corporation provide every student at every grade level with 180 days of instruction?**

Yes. State law requires that every student in Grades 1 through 12 be provided the opportunity to attend 180 instructional days every school year. (IC 20-30-2-3) The law, however, is not an attendance law. Excused and unexcused absences are determined according to local policy. [See below for additional information about kindergarten issues.]

**5. Are there any restrictions or requirements for school calendars beyond minimum instructional time and the 180 day requirements? (i.e. – school year start date, vacation days, school breaks, tentatively scheduled snow and/or cancelled make-up days, and graduation date.)**

No. Individual calendars are set at the local level and approved by appropriate personnel or local school board.

**6. May instructional days be scheduled on holidays, Saturdays or Sundays?**

Yes. The same instructional time requirements apply to these days as any other instructional day the school intends to count toward its 180 day requirement. In order for a day to count as a full instructional day, students in grades 1-6 must be offered five hours of instruction and students in grades 7-12 must be offered six hours of instruction, not including lunch and recess.

**7. Are there any restrictions on days that are in addition to the 180 minimum student instructional days?**

No. Indiana law establishes the minimum school day and school year. The number and structure of instructional days beyond the 180 day requirement (including, but not limited to, program and professional development, parent-teacher conferences, student days beyond 180, and other days) will be determined locally.

**8. May a school corporation establish a year-round education calendar?**

The term “school year” is defined by IC 20-18-2-17 as a period of time beginning July 1 through June 30 of the following year, except when a different period is specified for a particular purpose. A school corporation may determine locally the calendar dates



between July 1 and June 30 of any school year when the 180 student instructional days are scheduled.

**9. How is the minimum school year requirement enforced?**

If a school corporation does not conduct 180 student instructional days, the Indiana Department of Education is required to impose a financial penalty upon the school corporation. The dollar amount of the penalty is determined using a formula that yields the proportion of tuition support that would have been generated had students been in school for 180 instructional days. (IC 20-30-2-4) The minimum 180 instructional day requirement is also enforced as one of the legal standards required for accreditation. Not later than June 15, school corporations shall certify to the Indiana Department of Education, through the DOE-CID, the number of instructional days conducted during the school year. (IC 20-30-2-3)

**10. Does the Department of Education have the authority to waive the financial penalty?**

Yes. Under Indiana law, the Indiana Department of Education has the authority to grant a waiver of the financial penalty for a canceled instructional day if the day was canceled due to extraordinary circumstances. A school corporation may apply for a waiver of the financial penalty for the corporation or for an individual school by completing a **“Request for Waiver of Penalty for Loss of Instructional Days”** form. *This form is now located at the Learning Connection in the Accreditation Community.* Note, however, that schools are expected to conduct 180 days of instruction and the Department of Education will exercise its waiver authority only under the most compelling circumstances. (IC-20-30-2-5)

NOTE: In Indiana, severe weather, including snow, is not considered an extraordinary event, even in large amounts. This includes situations when a county emergency is declared. It is the local school district’s responsibility to design a school calendar that provides sufficient makeup days built into the calendar to meet the state statute requirements.

**11. What is the minimum length of a student instructional day?**

A student instructional day consists of a **minimum** of five (5) hours of instructional time in Grades 1 through 6 and six (6) hours of instructional time in grades 7 through 12. (IC 20-30-2-2(a)) Instructional time does not include lunch or recess.



Note: Schools that include both elementary grades (1-6) and secondary grades (7-8) must provide 360 minutes of instruction for the older students.

Neither statute nor rule dictates the minimum instructional time for Kindergarten. The minimum instructional time for Kindergarten traditionally has been one-half of the instructional time for grades 1 through 6.

An instructional day for a school flex program consists of a minimum of three hours of instructional time. (IC 20-30-2-2(b))

**12. Must every instructional day be a full day?**

Yes. An instructional day must meet the minimum time requirements of five (5) hours of instruction for grades 1-6 and six (6) hours of instruction for students in grades 7-12 in order for the day to be counted toward the 180 day requirement. Two ½ days may not be combined to count as a full instructional day.

**13. Are half days of instruction allowed?**

No. Every school day must include the required minimum amount of instructional time in order to qualify as a one of the 180 instructional days. IC 20-30-2-2; IC 20-30-2-3.

**14. May a school shorten the daily instructional time requirement to conduct parent-teacher conferences or professional development activities and count the day as a full day?**

No. Parent-teacher conferences and professional development activities do not count as instructional time and must occur outside of the minimum daily instructional time requirement.

**15. Can a school shorten its instructional day by the amount of time that is in excess of the daily minimum instructional time requirements and have it count as a full day?**

Yes. Once **daily** instructional time requirements are met (5 hours grades 1-6 / 6 hours grades 7-12, it is a local decision as to how the remaining time is utilized. It has been common for school districts that exceed minimum time requirements to occasionally schedule early dismissals or late arrivals during this excess amount of time for staff development activities or parent-teacher conferences.



For example, when a school's normally scheduled day exceeds state minimum time requirements by 50 minutes, the school may choose to dismiss classes 50 minutes early each Wednesday. Those 50 minutes can then provide time for weekly staff development activities.

These planned early dismissals must be cancelled on days when inclement weather requires a delayed start to the day in order that students receive the state required instructional time.

**16. Is a day that is shortened due to an extraordinary circumstance, using either a delayed arrival or early dismissal of students, counted as a full day?**

The law defines minimum instructional time requirements for a student instructional day. A day that does not meet this minimum time requirement cannot count as a full day. However, the Department has determined that an **automatic waiver** will be granted under the following circumstances:

- a. School starts **no more than two hours** after the regular start of the school day and the delay must have been caused by weather-related conditions or a loss of utility service. The school must adjust its schedule so that students do not miss all planned instruction in any curriculum area.
- b. School is dismissed **no more than two hours** before the regularly scheduled end of the school day and the dismissal was due to weather-related conditions or loss of utility service.
- c. Schools may also utilize a **three hour delay**, provided the additional hour of lost instructional time is **added to the end of the same school day** to ensure that the net instructional time lost is no more than 120 minutes total.

***These circumstances are the only reasons for automatic waivers.*** Two hour delays or early dismissals may NOT be used for non-emergency purposes such as parent conferences or professional development.

If both situations (delay AND early dismissal) occur on the same day for any reason, the day will not be counted as an instructional day. School corporations and accredited nonpublic schools that have half-day kindergarten classes should implement a policy for



weather and emergency-related delays that ensures that neither the morning nor the afternoon kindergarten session is affected disproportionately.

**17. Must high schools have class periods that meet a minimum number of minutes per week or day?**

No. Effective January 2011, the Indiana State Board of Education formally repealed the “seat time” requirement for awarding high school credit. Schools may choose to award high school credits by “demonstration of proficiency” (usually an assessment or other collection of experiences that demonstrate mastery of the content standards of the course).

“Credit” is now defined as a “demonstration of proficiency against the academic standards in a course that meets the following requirements:

1. The course is an approved course and complies with the approved course description.
2. For those courses for which Indiana academic standards are defined, the course is consistent with Indiana academic standards.
3. For those courses for which there is a Core 40 end of course assessment, the required proficiency is at or greater than that required to pass the assessment.

Multiple credits may not be awarded for the same course unless the approved course description permits multiple credits to be awarded.” 511 IAC 6-7.1-1.

Subjects/courses in grades 1-8 also do not have minimum time requirements.

**18. If our corporation has an approved e-Learning program may we use e-Learning format for our students on a scheduled make up weather day or for unscheduled closure days?**

Yes. If your school corporation has an approved application with the Department then you are permitted to host e-Learning days on a scheduled make up weather day or for unscheduled closure days.

Any questions regarding how e-Learning is used should go through the Indiana Department of Education’s E-Learning Office. 317-232-9119 or <http://www.doe.in.gov/elearning>.



**19. What is the minimum number of student instructional days for Full and Half Day Kindergarten programs?**

**Full Day Programs** – Full day kindergarten programs must **offer 180 full days of instruction**. Schools that offer a full day program are funded based on a formula distribution for the 180-day instructional school year. Activities such as, but not limited to, individual screenings and home visits that do not provide instruction to a full class of kindergarten students do not constitute an instructional day.

**Half Day Programs** – Half day kindergarten programs **must offer students 180 half days of instruction**. The Indiana State Board of Education and the Indiana Department of Education permit a school to offer an alternating full day program that operates for 90 full student instructional days. School corporations and accredited nonpublic schools should implement a policy for weather and emergency-related delays that ensures that neither the morning nor the afternoon kindergarten session is affected disproportionately. Activities such as, but not limited to, individual screenings and home visits that do not provide instruction to a full class of kindergarten students do not constitute an instructional day.

**20. Must every student have a full class schedule?**

Yes. The Indiana State Board of Education’s instructional time rules require schools to provide a full instructional day to all students. This requirement includes seniors. A student instructional day is defined as a minimum of five (5) hours of instructional time in Grades 1 through 6 and six (6) hours of instructional time in Grades 7 through 12. This means that every student in Grades 1 through 12 must have the opportunity to come to school for 180 full days.

Students may not be granted early release.

A high school student who is enrolled in at least twelve (12) credit hours of on-campus dual credit courses (as described in IC 21-43-1-2.5) is not required to comply with the minimum six hours of instructional time during the semester in which the student is enrolled in at least twelve (12) credit hours.

Shortened class schedules may be approved for students whose educational programs require a shortened schedule.



Such circumstances might include:

- a) Career and Technical students who have approved career/technical education programs that include an employment component.
- b) Special education students whose individualized education programs (IEPs), as developed under 511 IAC 7, call for a shortened schedule.
- c) Students receiving homebound instruction.
- d) Students enrolled in college courses under the post-secondary enrollment program. IC 21-43-4; IC 21-43-1-2.5.
- e) Students enrolled in adult education programs.
- f) Students enrolled in non-public schools, but who participate in public school programs on a part-time basis.
- g) Kindergarten students on a traditional half-day schedule.
- h) Students participating in the School flex program. (IC 20-30-2-2.2)
- i) Students with unusual or extraordinary circumstances such as those who are:
  - 1) Pregnant or parenting.
  - 2) Residing in a detention center.
  - 3) Participating in an alternative education program.
  - 4) Emancipated and have to work but are still of school age.
  - 5) Experiencing a temporary medical condition but do not qualify for homebound instruction.
- j) Returning to complete their graduation requirements after having dropped out of school several years ago.
- k) Attending an alternative to suspension or expulsion program.

**21. Is there a minimum percentage of students who must be in attendance to have the day count as an instructional day?**

No. Public and accredited nonpublic schools are required to develop a local attendance system for reporting symptoms and health outbreaks. The school nurse is required to report any known or suspected reason for the excessive rate of absenteeism directly to the superintendent or designated administrator. 512 IAC 1-2-1.

Public and accredited nonpublic schools are required to report to the local health department and the state attendance officer the percentage of student absences when the percentage of students absent from a school is equal to or greater than 20% of the enrolled students. Reports are not required on days immediately before or after a



school vacation day or a scheduled instructional day that is canceled due to any weather-related-emergency. 512 IAC 1-2-2.

More information regarding communicable diseases can be found on the Department's Health page. <http://www.doe.in.gov/student-services/health>.

The online form for absences equal to or greater than 20% can be found at <http://www.doe.in.gov/student-services/health/reporting-form-absenteeism-over-20>

School districts who have to make difficult decisions to make-up classes by extending the school year or holding classes on holidays or Saturdays must make every effort to encourage students to treat these days as any other day of school. Accurate attendance records must be kept for these days.

**22. If a school is experiencing excessive absences because of health issues, will the school receive a waiver of the financial penalty for failing to meet the 180 day requirement if the school closes?**

For a waiver approval consideration, the DOE requires that a school be ordered to close by their county health department in such cases.

Schools experiencing these issues should contact the Department for guidance before making the decision to close. There is an online form for this purpose. Once completed, the Department will have someone respond and consult with school officials.

<http://www.doe.in.gov/accreditation/school-closure-consideration-form-due-health-related-reason>.

**23. May schools permit students not participating in the high school ISTEP+, End of Course Assessment testing or Final Exams to attend less than a full instructional day on scheduled test days?**

No. All students must attend a full instructional day on scheduled test days. Late arrival or early dismissal waivers are only permissible in instances of inclement weather or loss of utility services and may not be used for purposes of test administration.

**24. Is travel time for area career and technical school programs counted as instructional time?**

Some students participating in area career and technical school programs do not receive a full instructional day due to transportation difficulties. Reasonable travel time to these programs may be included in computing the minimum school day.



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**25. May seniors attend fewer than 180 instructional days to facilitate graduation-related activities?**

No. All students, including seniors, must be offered 180 days of instruction. The State Board rule allowing for a senior graduation waiver has expired.

**26. May students graduate from high school after six semesters of attendance in Grades 9 through 12?**

Yes. Minimum semester requirements were repealed a few years ago, allowing students to graduate whenever they meet state and local graduation requirements, including passing the required graduation exam and meeting minimum (Core 40) diploma requirements.

An individual is eligible for a Mitch Daniels Early Graduation Scholarship [IC 21-12-10] if the individual:

- a) is a resident of Indiana, as defined by the commission;
- b) attended a publicly supported school on a full-time equivalency basis (as defined in IC 20-43-1-14) for at least the last two (2) semesters before the individual graduated from high school;
- c) had legal settlement (as defined in IC 20-18-2-11) in Indiana for at least the last two (2) semesters before the individual graduated from high school;
- d) met at least the minimum requirements set by the Indiana state board of education for granting a high school diploma by the end of grade 11 (including any summer school courses completed before July 1 of a year) and was awarded after December 31, 2010, a high school diploma by the publicly supported school that the individual last attended for course credits earned before the end of grade 11;
- e) was not enrolled in a publicly supported school for any part of grade 12;
- f) applies to the commission for a Mitch Daniels early graduation scholarship in the manner specified by the commission; and
- g) within five (5) months after graduating from high school, becomes a student in good standing at an approved postsecondary educational institution whose



students are eligible to receive a higher education award (IC 21-12-3-11) or a freedom of choice grant (IC 21-12-4-4) and is engaged in a program that will lead to an approved postsecondary degree or credential.