

By Jeff Vincent, Chair

There is much to agree with in Jami Lund's Op-Ed about the importance of instructional time ("Shorter school year shortchanges students," Sept. 23). His arguments for protecting instructional time are well made, but his conclusions about the State Board of Education are not.

For starters, Lund's assessment of the effect of the new proposal being considered by the Board is incorrect. The proposal would make it *harder* to receive a 180-day waiver, not easier. That's no small detail to miss. Indeed, the whole reason for the proposal was to establish clear standards for a more rigorous approach to waiver review and, when appropriate, rejection.

But if the number of waivers granted to school districts is Lund's ultimate concern, the reasons for this are not mysterious. However, it isn't because, in Lund's words, the State Board of Education has "put the interests of adults ahead of the interests of students."

First, the legislature continues to create more waiver programs. Included in this recent list are "economy and efficiency waivers," created in 2009, and "innovation waivers," created in 2011, the latter of which actually flips the burden of proof from the school district to the State Board of Education, making it difficult for the Board to deny them. Needless to say, if fewer waivers is the goal, then the legislature would need to stop creating new ways to obtain them.

Second, the state has, over the last few years, enacted a series of programs that require professional development for effective implementation while at the same time eliminating funding for professional development days. The Common Core standards and the new professional evaluation system for teachers and principals are a couple programs that fall into this category. Waivers are one way that districts can provide the professional development required to implement these changes while attempting to preserve the total instructional hours students need. Faced with this difficult choice, the Board has typically chosen to focus on preserving the total hours of instruction and providing districts flexibility in managing their calendars.

Finally and perhaps most important, there is no minimum instructional time requirement for a school day. When it comes to state law, a half day is a full school day. Some districts have more than 30 partial days which is allowable under current law, without a waiver.

This obviously makes waiver applications a bit of a challenge for the State Board of Education. Districts denied a waiver for three days can simply resort to 6 half days and comply with the law. In that case, what is accomplished for kids?

Mr. Lund's advocacy on behalf of children is laudable. But if he wants to make a difference, he needs to keep his eye on the ball.

The real issue is the lack of investment in critical areas of education, especially given the diverse needs of our state's children. The funding provided to schools is inadequate and unconstitutional – the Supreme Court has said so. These financial pressures have contributed to the proliferation of more half and partial days in our schools. Ultimately, waivers from the State Board of Education are a small part of this story. If we want a meaningful 180-day school year, the legislature will need to clearly define what a school day is, then fund it.