

From: SF Analyst Team [<mailto:SFAlystTeam@azed.gov>]
Sent: Wednesday, April 25, 2018 11:15 AM
Subject: School Closure During Strike



School Finance Memorandum 18-050

State of Arizona

Department of Education

TO: Superintendents, District Business Managers, Charter Business Managers,
Charter Holders, Administrators, and Student Data Coordinators

FROM: Lyle Friesen, Deputy Associate Superintendent of School Finance

DATE: April 25, 2018

SUBJECT: School Closure During Strike (A copy of this guidance will be available on the School Finance website)

Due to expected volume of questions, all questions must be submitted to SFAlystTeam@azed.gov

This document is prepared by the Department of Education (“ADE”) in order to offer guidance to public school districts and charter schools in the event of a teacher strike/walkout.. Each Local Education Agency (“LEA”) will determine if it will continue to operate during any period of the strike. This guidance addresses the requirements for schools that are unable to operate during the strike as well as those that choose to continue operating under a normal or abbreviated schedule.

Schools Closed During Strike

Approval from the ADE

If an LEA determines that it will not continue operations, the LEA will first need to determine if it has a policy in place to request approval of a school closure from ADE, as required by A.R.S. § 15-806(B). If no

such policy exists, and the LEA desires approval for a school closure, it should take measures to enact a policy that addresses this requirement. If a policy currently exists, the LEA, pursuant to the policy, may request approval from the ADE for a school closure. The ADE is permitted to grant school closures for multiple specified reasons, including “situations affecting the safety of persons or property.” A.R.S. § 15-806(B)(5).

Due to the likelihood that numerous school closure requests will be received by the ADE in a short period of time, LEAs may submit these requests via email to SFAnalystTeam@azed.gov. All requests should include the following information:

- Name of School and/or District
- Request for approval of closure
- Period of expected closure (may be for duration of the strike)
- Reasons for the closure, including those related to safety of persons or property
- Summary of expected hours exceeding the minimum required by A.R.S. § 15-901
- Copies of calendars with expected changes, if any

Additionally, LEAs that alter their schedule due to a school closure should also submit a Calendar Change Request Form which can be found at <http://www.azed.gov/finance/files/2016/02/CalendarChangeRequestUpdated8-16-2017.pdf>. Request forms should identify any and all changes to the previously submitted calendar. This information is maintained by ADE to comply with recordkeeping and audit requirements.

Minimum Instructional Time

Arizona law requires that LEAs provide at least 180 days of instruction or the equivalent number of minutes regardless of any approved school closure. See A.R.S. § 15-341.01(A); A.R.S. § 15-341(B). The equivalent number of minutes varies based on grade level as provided in the table below:

Required Instructional Hours*				
Grades	1.000	0.750	0.500	0.250
Preschool Students with Disabilities			216	
Kindergarten			356	
Ungraded Elementary*	712	534	356	178
1-3	712	534	356	178
4-6	890	668	445	223
7-8	1000	750	500	250

9-12

720	540	360	180
& 4 or more subjects	& 3 or more subjects	& 2 or more subjects	& 1 or more subjects

*LEAs operating under a 200 day schedule are required to provide 10% additional instruction in each respective grade level

+ Students with disabilities only

Each student’s scheduled instructional time must meet the hourly requirements listed above in order for the student to be funded as a full-time student. If all students are enrolled in scheduled instructional time equal to or greater than the hours specified for their grade, the excess hours may offset lost instructional time scheduled for the students on unplanned school closure days. Failure to meet the required minimum amount of instructional time will result in a reduction in students’ Full-Time Equivalency (“FTE”) for funding purposes.

LEAs should verify that their students currently exceed these minimum requirements and, to the extent possible, determine the number of days that the school closure would have to extend to reduce the total instructional hours to fewer than the required minimums. If excess scheduled time is not sufficient to cover the amount of instructional time lost due to school closure, sufficient instructional time must be added to increase scheduled time to the minimum required hours. This may be accomplished by (1) increasing the instructional time on presently scheduled days, (2) adding additional instructional days, or (3) a combination of both. An alternative is to review each student’s scheduled instructional time and subjects and reduce the reported FTE as necessary.

Schools Continuing to Operate during Strike

LEAs that decide to keep schools open during a teacher strike may wish to operate on an abbreviated schedule and/or assemble students in a common area during the scheduled school days due to the lack of sufficient teachers and staff necessary to conduct regularly scheduled classes. Arizona law does not expressly prohibit a school from doing so. However, to the extent possible, LEAs should provide instructional time to their students during school hours. Depending on the grade level, failure to do so may result in the exclusion of that time as instructional hours for the purposes described above. LEAs that either (1) remain open on an abbreviated schedule; (2) remain open but do not provide instruction; or (3) remain open but have sufficient instructional hours such that they do not need to provide additional instructional time, should also submit a Calendar Change Request Form to the ADE in order to identify any changes to instructional time for recordkeeping and audit purposes.

Common Schools

LEAs operating common schools should only include periods in which instruction is provided for the purposes of meeting the minimum requirements discussed above. Instructional time is defined in ADE Guideline GE-18, which can be found at <http://www.azed.gov/finance/school-finance-external->

[guidelines/. \[1\]](#) GE-18 defines instructional time as “time during an instructional program when students are engaged in regularly scheduled instruction, learning activities or learning assessments within the curriculum of study.” “Instructional hours provided by the school are characterized by a teacher, who is teaching to an objective that is taken from the academic standards approved by the Arizona State Board of Education and focused on a specific lesson, using curricular materials adopted by the school board and assessed for student performance.” GE-18.

For the purposes of common schools, instructional hours do not include periods of the day in which an instructional program is not being offered, including:

- lunch;
- recess;
- homeroom period;
- study hall;
- daily or weekly assembly; and
- periods of time that are voluntary for students to attend

If common school students are assembled in a common area during school hours, those hours may be included as instructional hours for each student attending so long as instruction is provided in accordance with GE-18. While GE-18 expressly excludes daily or weekly assemblies from instructional time, it may be possible for an LEA to provide instruction while students are assembled in a common area; however, periods in which no instruction occurs should not be included as instructional time.

High Schools

Due to recent amendments to A.R.S. § 15-901 relating solely to high schools, students attending high schools are treated differently when determining instructional time. The hours in which a student is scheduled to attend a high school during regular school days shall be included as instructional time. See A.R.S. § 15-901(A)(1)(a)(ii) & (b)(ii). However, high school students may only be funded as full-time students when they are enrolled in 4 courses which meet at least 123 hours each.

If high school students are assembled in a common area during required school hours, those hours may be counted as instructional time. However, LEAs should ensure that each offered course will meet the 123 hours of minimum course specific instructional time without inclusion of days that those courses are not held. Failure to meet this requirement may negatively impact students’ full-time status. Despite these more lenient requirements, all high school LEAs should make their best efforts to provide instruction in accordance with GE-18 during periods in which the students are assembled in a common area due to excessive teacher and staff absences.