INSTRUCTIONS
FOR PREPARING THE SCHOOL CALENDAR
FOR THE 2009-10 SCHOOL YEAR

1. **General:** Pursuant to the provisions of West Virginia Code §18-5-45, each county board is required to prepare a school calendar for the upcoming year and submit it to the State Superintendent of Schools for approval. The proposed calendar is to be submitted to the Office of School Finance for review. **Approval must also be obtained before any revisions are made to an approved calendar during the school year. This also includes the rescheduling of canceled instructional days.**

2. **Forms:** A copy of the calendar form (WVDE 11-20-35) and a sample calendar form are attached with these instructions as Excel spreadsheets for use in completing the proposed calendar for the 2009-10 year. In addition, for your convenience, the Excel forms are also available on the Department's website: **http://wvde.state.wv.us/finance/forms/**.

   The calendar must provide for minimum employment and instructional terms, as specified in WVC §18-5-45 and these instructions. WVC §18-9B-7 requires that sufficient funds be budgeted to assure these minimum terms.

3. **Due Date:** The school calendar for the 2009-10 year is to be submitted to the Department of Education, Office of School Finance on or before **Friday, May 1, 2009**, using the calendar form discussed in the preceding paragraph. **To expedite the submittal and review process, and to enable this office to place the school calendars of each district on the Department's website, the completed calendar form must be submitted to this office as an Excel spreadsheet. See Paragraph 20 for the email addresses of where the completed forms are to be submitted.**

4. **Changes This Year**: There are no changes in these instructions from the previous year at this time, but keep in mind that the Legislature is still in session, and most likely bills will be introduced that may make changes to certain provisions of WVC §18-5-45, so the information presented in these instructions may need to be revised. All boards will be notified as soon as possible should this occur.

5. **Scheduled Test Dates:** Following are the proposed test windows for the Statewide Assessment Program for the 2009-10 school year; however, be aware that the dates are subject to change:

October 26 - 30, 2009	-	Grade 8 ACT Explore Test
October 26 – 30, 2009	-	Grade 10 ACT Plan Test
November 2 – 6, 2009	-	Grade 8 ACT Explore Test Make-up
November 2 – 6, 2009	-	Grade 10 ACT Plan Test Make-up
January 25 – March 5, 2010	-	NAEP (Grades 4, 8, & 12)
March 1 – 26, 2010	-	Grade 6 - 8 Online Writing Testing Window
March 22 – April 9, 2010	-	Grade 9 - 11 Online Writing Testing Window
March 29 – April 2010	-	Grade 3 - 5 Online Writing Testing Window
April 26 – May 7, 2010	-	Alternate Performance Task Assessment (APTA)
May 10 - 14, 2010	-	WESTEST Testing Window
May 17 - 21, 2010	-	WESTEST Make-up Testing Window

   Note: State NAEP is administered every other year, see time frame above.

6. **Employment Term:** According to WVC §18-5-45, each county board must provide for an employment term for teachers of no less than two hundred days (200), exclusive of Saturdays and Sundays. The employment term is divided into ten twenty-day months, a month being defined as twenty employment days, exclusive of Saturdays and Sundays.

   The employment term shall consist of an instructional term for pupils of no less than one hundred eighty (180) separate instructional days and twenty (20) noninstructional days. The 20 noninstructional days shall be comprised of seven legal school holidays, an election day, six days to be designated as outside the school environment, and six other noninstructional days. These six days can include: curriculum

development (CD); preparation for opening/closing of schools (P); continuing professional development (CE); and teacher-pupil-parent conferences (TP).

WVC §18-5-45(g) states that **"THREE"** of the six noninstructional days designated as other must be scheduled prior to **August 26th** for the purpose of preparing for the opening of school and staff development, consequently this does not allow for discretion in the number of noninstructional days that may be scheduled prior to this date. **Three and only three noninstructional days may be scheduled prior to August 26th.** Also, according to WVC §18-5A-5(b)(12), a faculty senate meeting must also be scheduled on the preparation day for the opening of school.

According to WVC §18-5-45(h), a second preparation day for the closing of school must be scheduled after June 8th. If 180 separate days of instruction are provided, this day may be rescheduled on or before June 8th.

Therefore, for the 2009-10 school year, the minimum employment term shall be scheduled to commence on Friday, August 21, 2009 and terminate on Wednesday, June 9, 2010.

7. **Instructional Term:** According to WVC §18-5-45, each county board must provide, within the employment term, an instructional term for students of no less than 180 separate instructional days. An instructional day is defined as a day which meets the following criteria and other criteria as the State Board may determine is appropriate: instruction is offered to students for the minimum amount of time provided by State Board Policy 2510; and instructional time is used for instruction, co-curricular activities, and approved extra-curricular activities.

   In addition, according to WVC §18-5-45, the instructional term shall commence no earlier than the twenty-sixth day of August and shall terminate no later than the eighth day of June.

   Therefore, for the 2009-10 school year, the instructional term shall commence no earlier than Wednesday, August 26, 2009, and terminate no later than Tuesday, June 8, 2010.

8. **Minimum Length of the Instructional Day:** According to State Board Policy 2510, §26-42-5.1, and the supplemental information provided for the pre-kindergarten program, the minimum length of the instructional day shall be:

Pre-kindergarten	300 minutes
Kindergarten through Grade 4	315 minutes
Grades 5 through 8	330 minutes
Grades 9 through 12	345 minutes

9. **Instructional Support and Enhancement Days:** Five Instructional Support and Enhancement Days must be scheduled during the instructional term, one in each of the months of **October, December, February, April, and June.** These days are to be scheduled by the board to include both instructional activities for students and professional activities for teachers to improve student instruction. They are considered an instructional day for reporting purposes

   According to WVC §18 –5-45, the required activities for the instructional support and enhancement days (ISE) do not need to be scheduled in any particular sequence. The statute simply requires that two hours of each ISE day be used for instructional activities for students that require the direct supervision or involvement of teachers; a two-hour block of time be scheduled for professional activities for teachers during which faculty senates shall have the opportunity to meet; and all remaining time in the school day, exclusive of the duty free lunch period, shall be used for other professional activities for teachers to improve student instruction. These activities may include professional staff development, curriculum team meetings, individualized education plan meetings and other meetings between teachers, principals, aides and paraprofessionals to improve student instruction, as determined and scheduled at the local school level.

ISE days are scheduled workdays for teachers and the days must be used for the activities authorized in WVC §18-5-45. Instructional support and enhancement days are also scheduled workdays for service personnel and the days must be used for training, or other tasks related to their job classification, if they are not required to perform their normal duties.

10. **Accrued Instructional Time:** According to West Virginia Code §18-5-45, accrued instructional time may be used by schools and counties to provide additional time for professional staff development and continuing education as may be needed to improve student performance and meet the requirement of the federal mandates affecting elementary and secondary education. The amount of accrued instructional time used for this purpose may not exceed three instructional days.

    According to the statute, accrued instructional time: may NOT be used to avoid 180 separate days of instruction, except when used to make up for lost instructional days in excess of the days available for scheduling of canceled instructional days and may not be used to lengthen the time provided in law (WVC §18-5A-5(b)(12)) for faculty senate meetings. The use of accrued instructional time for extracurricular activities is also to be limited by State Board guidance.

    Do not list the earning or use of accrued instructional time on the school calendar submitted to the State Board for approval.

11. **Faculty Senate Meetings:** WVC §18-5A-5(b)(12) states that a local board shall provide to each faculty senate a two-hour block of time for a faculty senate meeting on the day scheduled for the opening of school prior to the beginning of the instructional term, and a two-hour block of time on each of the five ISE days scheduled during the months of October, December, February, April, and June. As discussed in the preceding section, the two-hour block of time for faculty senate meetings during the five ISE days may be scheduled at any time during the day.

    The entire day on which the faculty senate meeting is scheduled on the opening day for school is to be considered a noninstructional day and the entire five days on which the faculty senate meetings are scheduled on ISE days are to be considered instructional days.

12. **Legal School Holidays (H):** According to WVC §18-5-45, county boards are to provide seven school holidays as specified in WVC §18A-5-2, which are to be considered days of the employment term. The seven legal school holidays that occur within the span of time of the minimum employment term are: Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King Jr.'s Birthday, and Memorial Day. Also, any day on which a primary election, general election or special statewide election is held is considered to be a holiday.

    Other legal school holidays that may need to be added to the school calendar for a particular county would be any day (except Saturday) on which a special election is held throughout the State or school district, and any day appointed and set apart by the President or Governor as a holiday or special day of observance by public schools.

    The dates of observation of the seven legal holidays and the election day for the 2009-10 year are:

September 7, 2009	-	Labor Day
November 11, 2009	-	Veteran's Day
November 26, 2009	-	Thanksgiving Day
December 25, 2009	-	Christmas Day
January 1, 2010	-	New Year's Day
January 18, 2010	-	Martin Luther King Jr.'s Birthday
May 11, 2010	-	Primary Election
May 31, 2010	-	Memorial Day

Also for informational purposes, although Good Friday and Easter are not school or State holidays, this year, Easter falls on Sunday, April 4, 2010.

For reference, WVC §18A-5-2 specifies the days that are considered legal school holidays and WVC §2-2-1 specifies the dates that are State holidays, and both specify the usual date of observance, if a holiday happens to fall on a Saturday or Sunday.

13. **Election Day (E):** Although elections in the State are held every two years, one of the election dates occurs every school year, either a primary or general election. During the 2009-10 school year, there is a Primary Election scheduled for Tuesday, May 11, 2010.

14. **Outside School Environment Days (OS):** According to WVC §18-5-45, six days are to be designated by the county board to be used by the employees outside the school environment. At least four of these days must be scheduled after March 1st.

15. **Noninstructional Days:** According to WVC §18-5-45, six noninstructional days must be scheduled each year, to be designated by the county board for any of the following purposes: curriculum development, preparation for opening and closing school, professional development, teacher-pupil-parent conferences, and professional meetings.

    As discussed in a preceding section, three of the six noninstructional days must be scheduled prior to August 26th for the purpose of preparing for the opening of school and staff development and one non-instructional day must be scheduled after June 8th for preparing for the closing of school. **Therefore for the 2009-10 year, the noninstructional day scheduled for the closing of school must be scheduled on June 9, 2010.** If after March 1 it is determined that 180 separate instructional days will occur prior to this date, the day may be rescheduled earlier.

16. **Continuing Education Days (CE):** According to State Board Policy 5500, county boards are required to schedule three noninstructional days of staff development for professional staff, two of which must be scheduled prior to January 1. The remaining CE day can be scheduled at the board's discretion. In addition, State Board Policy 5500.02 requires county boards to schedule eighteen hours of staff development annually for service personnel, twelve of which must be scheduled prior to January 1. These days are to be designated as Continuing Education (CE) days on the school calendar.

17. **Canceled Instructional Days:** If, on or after the first day of March, a county board determines that it is not possible to complete 180 separate days of instruction, the board must schedule instruction on any available noninstructional day scheduled prior to and including June 8th, except for holidays or election days, regardless of the purpose for which the day was originally scheduled.

    - County boards are not required to use the noninstructional days scheduled prior to March 1 to reschedule canceled instructional days. Boards are also not required to use the Instructional Support and Enhancement (ISE) days scheduled after March 1 to reschedule canceled instructional days, since these days are already considered instructional days. If the ISE days are used to schedule students to attend school, the two-hour block of time scheduled for faculty senate meetings cannot be used.

    - If it becomes necessary to cancel an Instructional Support and Enhancement (IS) day due to inclement weather, this day is to be the last instructional day to be rescheduled, in order to maximize the number of instructional days provided to students.

    - If a continuing education (CE) day is canceled due to inclement weather, the day must be scheduled using any remaining noninstructional days after all canceled instructional days have been rescheduled.

    - A county board may require additional minutes of instruction to be added to the school day to make up for lost instructional days in excess of the days available through rescheduling and to avoid scheduling instruction on the noninstructional days previously scheduled for continuing professional development, if in the opinion of the board, it is reasonable and necessary to improve student performance.

18. **Symbols:** The following symbols are to be used in completing the school calendar form:

Instructional Days - For the 175 instructional days when students are required to be in attendance, list the actual date in the bottom portion of each cell on the School Calendar (Form WVDE 11-20-35) and do not enter a symbol in the top portion of the cell.

Instructional Support and Enhancement Days - For the five instructional support and enhancement days, enter the following symbol in the top portion of the cell in the school calendar on which the date is scheduled:

IS	-	Instructional Support and Enhancement Days

Noninstructional Days - For the 20 noninstructional days, enter one of the following symbols in the top portion of the cell in the school calendar on which each of the noninstructional days is scheduled:

CD	-	Curriculum Development
P	-	Preparation for Opening/Closing Schools
CE	-	Continuing Professional Development
TP	-	Teachers-Pupil-Parent Conference
OS	-	Outside School Environment
SE	-	Special or Bond Levy Election
E	-	Primary or General Election
H	-	Holidays

Notes: (1) The "FS" code for faculty senate meetings has been deleted, since it is no longer needed. (2) For consistency among the various county boards, use ONLY the symbols listed above.

19. **Out-of-Calendar Days:** For the days that fall within the employment term but are not used as employment days, enter a double asterisk (**) in the top portion of the cell in the school calendar on which these days are scheduled.

20. **Submission: Please submit the completed Excel forms attached to an email to the following coordinators:**

- **For the county boards Barbour through McDowell, send the forms to Misty Price, whose email address is: mistyprice@access.k12.wv.us;**
- **For the county boards Mercer through Wyoming, send the forms to Susan Smith, whose email address is: susmith@access.k12.wv.us.**

Signed copies of the forms do not need to be mailed. The Excel file must be submitted not later than **Friday, May 1, 2009**. Each calendar will be reviewed and approved as quickly as possible. If there are any questions, please do not hesitate to contact the Office of School Finance at 558-6300.

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