



Instructional Minutes Considerations

BACKGROUND

The Education Trailer Bill to the 2020 Budget Act, also known as SB 98, was signed into law by Governor Newsom on July 29, 2020. The focus of this advisory is on the pieces of the legislation that includes directions for distance learning, instructional minutes for students, and guidance for synchronous and asynchronous instruction. The intent is to provide guidance on developing high quality daily schedules and activities for students within developmentally appropriate screen time guidelines, while allowing for flexible schedules for educators so they are able to develop, collaborate, and provide high quality synchronous and asynchronous activities.

Definition of Distance Learning

SB 98 added Education Codes Section 43500 through 43504. EC 43500 defines Distance Learning as:

...instruction in which the pupil and instructor are in different locations and pupils are under the general supervision of a certificated employee of the educational agency. Distance learning may include, but is not limited to all of the following:

- (1) Interaction, instruction, and check-ins between teachers and pupils through the use of a computer or communications technology.
- (2) Video or audio instruction in which the primary mode of communication between the pupil and certificated employee is online interaction, instructional television, video, telecourses, or other instruction that relies on computer or communications technology.
- (3) The use of print materials incorporating assignments that are the subject of written or oral feedback.

Components of Distance Learning

EC 43503(b) states that Distance Learning shall include all of the following:

- (1) Confirmation or provision of access for all pupils to connectivity and devices adequate to participate in the educational program and complete assigned work.
- (2) Content aligned to grade level standards that is provided at a level of quality and intellectual challenge substantially equivalent to in-person instruction.

- (3) Academic and other supports designed to address the needs of pupils who are not performing at grade level, or need support in other areas, such as English learners, pupils with exceptional needs, pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.
- (4) Special education, related services, and any other services required by a pupil's individualized education program with accommodations necessary to ensure that individualized education program can be executed in a distance learning environment.
- (5) Designated and integrated instruction in English language development including assessment of English language proficiency, support to access curriculum, the ability to reclassify as fully English proficient, and, as applicable, support for dual language learning.
- (6) **Daily live interaction** with certificated employees and peers for purposes of instruction, progress monitoring, and maintaining school connectedness. This interaction may take the form of internet or telephonic communication, or by other means permissible under public health orders. If daily live interaction is not feasible as part of regular instruction, the governing board or body of the local educational agency shall develop, with parent and stakeholder input, an alternative plan for frequent live interaction that provides a comparable level of service and school connectedness.

Instructional Minutes for Students

SB 98 also established a threshold of minimum instructional daily distance learning minutes for students in EC 43501. Table 1 shows minimum instructional distance learning minutes students must have in a single school day for 2020-21. **It is important to note, the thresholds delineate instructional minutes for students – not teachers.** Daily schedules are locally bargained.

Table 1: Daily Distance Learning Student Instructional Minutes in EC 43501

Grade Level	Minimum Instructional Minutes for Students for 2020-21
Transitional Kindergarten-Kindergarten	180
Grades 1-3	230
Grades 4-12	240
Students enrolled in a continuation high school	180
Any student in grades 11 and 12 concurrently enrolled part time at a CSU or UC	180
Any student concurrently enrolled part time in a community college	180

Time Value: In distance learning, instructional time for students shall be based on the time value of assignments as determined and certified to, by an employee of the LEA who possesses a valid certification document, registered as required by law [EC 43502 (e)(2)]. Time value is the combination of estimated minutes of synchronous and asynchronous activities students would be involved in and need to complete tasks and assignments. Again, the time value is only for students. More guidance on this is forthcoming by the CDE.

School Year: For the 2020-21 school year, schools will operate 180 instructional days and 175 days for charter schools.

Attendance: LEAs are required to document daily participation for each student every school day. If a student does not participate in distance learning, he/she will be documented as absent for that school day. Daily participation may include evidence of participation in online activities, completion of regular assignments, completion of assessments, and contacts between employees of the local educational agency and pupils or parents or guardians. Local Education Agencies (LEAs) are required to complete a weekly engagement record for each student documenting synchronous or asynchronous instruction for each whole or partial day of distance learning, verifying daily participation, and tracking assignments.

- A student who does not participate in in-person instruction or distance learning is deemed absent that day. An LEA must develop a plan for documenting student participation in its Learning and Continuity Plan.
- Tiered reengagement strategies must be developed for all students who are absent from distance learning for more than 60% of a school week.
 - Daily notification to parents of absences.
 - Plan for outreach to determine student needs, including health and social services.
 - When feasible, transitioning the student to full-time in-person instruction.
 - Each school shall regularly communicate with parents and guardians regarding a pupil's academic progress

Physical Education: EC 43502(2) states that districts shall not be required to offer the minimum instructional minutes in physical education for 2020-21.

Combination Classes: Instructional minutes can be combined for combination classes as long as students in each grade level obtain the minimum number of instructional minutes identified in EC 43501.

Definition of Synchronous and Asynchronous Distance Learning

Research on effective distance and blended instruction can provide helpful principles for educators as distance learning can be provided synchronously and/or asynchronously. The California Department of Education (CDE) describes synchronous learning as taking place in “real time” with delivery of instruction and/or interaction with participants. Asynchronous learning is described as occurring without direct, simultaneous interaction of participants.

Table 2: Definitions of Synchronous and Asynchronous Modalities

Online learning Modalities		Types of Activities
Synchronous	Online or distance education that happens in real time through video-conferencing platforms for face-to-face interaction.	<ul style="list-style-type: none"> • Live whole-class, small group or individual meeting via an online platform or telephonic communication. • Video conferencing where teachers spend time with students during office hours. • Teachers are guiding and coaching students in peer to peer learning.
Asynchronous	Online or distance learning that occurs through online channels, including a range of learning experiences that include the use of technology tools, websites, and apps without real-time, face to face interaction.	<ul style="list-style-type: none"> • Videos featuring direct instruction of content created by the teacher. • Powerpoint presentations with voiceovers. • Simulations or modules. • Self-paced instruction like the Khan Academy, where teachers can assign students tasks to complete on their own. • Virtual field trips are another possibility where students can visit zoos and museums on their own. • Discussions, emails, and chats not occurring in real time are also considered asynchronous.

Synchronous activities should be provided by the teacher (or teacher of record) in addition to other support staff to provide students with all the supports they may need. Each certificated staff member plays an important role in the education of each student. Therefore, it will continue to be necessary to work together to create schedules that consider all services students need. Collaborative scheduling should include additional support staff to assist in small group, one-on-one, or other types of direct instruction. Schools and districts will need to be creative in pooling all certificated staff and instructional aides in supporting synchronous instruction for students. Support staff may include: resource specialists (English language Development, Resource Specialist Program, intervention, speech, etc.), counselors, Teachers on Special Assignment (TOSAs), Administrators, Title I coordinators, and others. Certificated staff can also use instructional aides for various types of small group or one-to-one activities such as break-out sessions under the supervision of the teacher.

Effective combinations of synchronous and asynchronous activities produce increased student learning. According to a recent research report:

Combining synchronous activities where students meet regularly online (or in-person) with their classmates and teachers, with “asynchronous” activities where students think deeply and engage with the subject matter and other students independently is more effective than fully synchronous on-line courses (see Appendix A for a list of recommendations).

The report goes on to explain:

Synchronous time should be set for reasonable amounts of time, punctuated with other activities to avoid attention fatigue. It can be used for short mini-lectures and for many kinds of student to student and student to teacher interaction as described below. Many students also benefit from synchronous individual or small-group support in addition to whole-group distance instruction.

Asynchronous time can provide an opportunity for students to gain exposure to concepts prior to engaging in synchronous time or as a follow up to dive more deeply to concepts that have been introduced through independent activities such as reading articles, watching videos or powerpoint presentations with voiceover, or completing modules online. Teachers can also use these asynchronous modules to provide targeted scaffolding or essential background information for those students in need of extra support in a particular area.

Screen Time and Daily Live Instruction

Daily live instruction includes a combination of teacher and peer interaction. SB 98 does not specify nor distinguish how much time a student should spend in daily live instruction. Developmental and screen time appropriateness should be considered in providing daily live instruction. The American Academy of Pediatrics (AAP) and the World Health Organization (WHO) developed a brief with [guidance on screen time](#) (2019).

Table 3: Screen Time Recommendations

Grade Level	Age	Recommended Screen Time
Pre-school	3-5 years	an hour a day
Elementary school	6-10 years	one to one and half hours per day
Middle school	11-13 years	up to two hours per day
High school	14+ years	no specific recommendations

The focus of this research was not specific to screen time for online teaching and learning experiences, but have similar interests - the health and well-being of students at home when using technology. These guidelines can be used to inform how teachers and schools determine the length of synchronous and asynchronous sessions per grade level. The following table provides recommendations for synchronous activities.

Table 4: Suggested Synchronous Class Time Session Length

Grade Level	Recommended Synchronous Time	Key Considerations
TK-K	<p>30 to 60 minutes (not all in one session)</p> <p>Can include whole class session, small group, and one-to-one personalized instruction.</p>	<p>Schedules should be flexible to address ongoing needs of students and local context.</p>
1-3	<p>60 to 90 minutes (not all in one session)</p> <p>Can include whole class session, small group, and one-to-one personalized instruction.</p>	<p>Small group sessions should include flexible grouping to address ongoing needs of students.</p>
4-5	<p>90 to 120 minutes (not all in one session)</p> <p>Can include whole class session, small group, and one-to-one personalized instruction.</p>	<p>Though all lessons can include the integration of Physical Education and the Arts, it can help to dedicate a day of the week to these equally important content areas.</p>
6-8	<p>15 - 30 minutes/class 90-180 minutes total</p> <p>Can include whole class session, small group, one-to-one personalized instruction, and electives.</p>	<p>Schedules should be designed to best fit the needs of students and the local context.</p>
9-12	<p>15 - 30 minutes/class 90-180 minutes total</p> <p>Can include whole class session, small group, one-to-one personalized instruction, and electives.</p>	<p>Student schedules can be organized by holding 3 periods two days a week (i.e., even periods Mon/Wed, odd periods Tues/Thus) and leaving Fridays for small group instruction as needed or specialized instruction (i.e., Designated English language development for English language learners by proficiency level.)</p> <p>Block scheduling can also be another option.</p> <p>Though the limited time may prioritize core subject areas, electives are very important for adolescents to stay engaged and support their social-emotional well-being.</p>

Instructional Time

EC 43502(e)(2) states that instructional time for distance learning shall be based on the time value of assignments as determined, and certified to, by an employee of the local educational agency who possesses a valid certification document, registered as required by law. Instructional time for distance learning is calculated based on the time value of synchronous and/or asynchronous assignments.

Teaching Virtually on the School Site

Some districts are mandating that teachers provide instruction from their classrooms. If the teacher is required to use the classroom computer or to hook up their laptops to the district server, the district could download time usage or delivery of daily live interaction directly from the server. The district could also account for minimum instructional minutes for students. Local associations should be aware of this potential issue as it relates to teacher evaluation and privacy.

Teacher Preparation Time

Teacher preparation is critical for distance learning. Districts need to provide sufficient time for planning, professional development, peer interaction and collaboration.

Staffing Flexibilities

Flexibility in schedules may require staffing flexibilities. For additional guidance on possible staffing flexibilities, please review the *IPD/C4OB Advisory Q&A Credentialing Rules When Reopening Schools During Covid-19 Pandemic* available to chapter presidents and bargaining chairs on www.ctasearch.org.

Leadership & Advocacy

Local associations can and should be proactive in advocating for quality schedules for students and educators. Central to this is creating a feedback loop among members to continually assess and re-assess existing schedules. Local associations should develop a structure for site reps to check-in with members. A distance learning committee which includes members (across departments, grades, subject areas, education specialists, etc.) and site reps would help inform local leaders on a consistent basis on what's working and what's not working to adjust existing schedules and MOUs if needed.

Bargaining Advisories: Locals should use this advisory in conjunction with bargaining advisories from CTA's C4OB department. The following advisories may prove useful:

1. C4OB Advisory Bargaining a Return to Work During the Covid Crisis
2. C4OB Advisory COVID-19 Sample MOU Contract Language for Reopening Schools
3. C4OB Advisory Distance Learning During Covid-19
4. C4OB Advisory Virtual Organizing

Advisories are available to chapter presidents and bargaining chairs at www.ctasearch.org.

Webinars: In addition to these advisories, past webinars are archived for viewing on the C4OB training page and additional information may be found at the leader resource page.

- www.cta.org/C4OBTrainings
- <https://www.cta.org/leader-resources/covid-19-resources-for-educators>

Appendix A:

Excerpt from Linda Darling-Hammond, Abby Schachner, & Adam Edgerton, (2020). *Restarting and Reinventing School: Learning in the Time of COVID and Beyond*, [Learning Policy Institute](#).

What We Can Learn from Research on Distance and Blended Learning

Research on effective distance and blended instruction can provide helpful principles for educators. It is useful to know that *well-designed on-line or blended instruction can be as or more effective than in-classroom learning alone*. While many worry that distance learning is necessarily less effective than in-person learning, many studies show that well-designed distance learning that has the features described below is often more effective than traditional in-classroom learning alone (US Department of Education, 2010; see also Policy Analysis for California Education, 2020). Key elements include:

1. A strategic combination of synchronous and asynchronous instruction:

Combining synchronous activities where students meet regularly online (or in-person) with their classmates and teachers, with “asynchronous” activities where students think deeply and engage with the subject matter and other students independently is more effective than fully synchronous on-line courses.

Synchronous time should be set for reasonable amounts of time, punctuated with other activities to avoid attention fatigue. It can be used for short mini-lectures and for many kinds of student to student and student to teacher interaction as described below. Many students also benefit from synchronous individual or small-group support in addition to whole-group distance instruction.

Asynchronous time can provide an opportunity for students to gain exposure to concepts prior to engaging in synchronous time or as a follow up to dive more deeply to concepts that have been introduced through independent activities such as reading articles, watching videos or powerpoint presentations with voiceover, or completing modules online. Teachers can also use these asynchronous modules to provide targeted scaffolding or essential background information for those students in need of extra support in a particular area.

2. Student control over how they engage with asynchronous instruction:

Research shows that students do better when they can go at their own pace, on their own time, when they have some choice over the learning materials to use and the learning strategies that work best for them, and when materials are set-up to enable them to engage deeply and critically with course content by managing how they use videos or print materials. As [one successful on-line teacher explains](#):

Rather than assigning only worksheets or reading questions that often lead to frustration and disengagement, offer students different approaches so they can build and apply knowledge. For example,

provide a recorded lecture, two or three videos, and two readings about the topic. The students must listen to the lecture and then choose to complete a combination of the remaining content options. Provide links to reading assignments at different reading levels so that all students find a path to comprehension, with tools like [Newsela](#), [Rewordify](#), [News in Levels](#), and [more](#). Give two or three choices for completing a task, such as writing, recording a video, building a slide deck, using Minecraft Education to demonstrate math concepts, or historical and literary events, through building. Allow students to upload their work onto the classroom learning platform to share with peers.

- 3. *Frequent, direct, and meaningful interaction.*** The more interaction students have with other students, with their teachers, and with interactive content, [the stronger the learning gains](#). In online learning environments where there is little student-student, student-instructor, and student-content interaction, students often become disengaged. Activities such as experiments, debates, data analysis, and groups solving challenging applications together can serve to synthesize and extend student knowledge. Students can interact with peers and the teacher in multiple formats – whole group and small group discussion in synchronous instruction (for example in zoom breakout rooms), chat rooms and discussion boards that may be synchronous or asynchronous, quick polls and votes followed by debate and discussion are all means to improve engagement, and create positive effects on learning gains, as do interactive materials.
- 4. *Collaborative learning opportunities.*** Opportunities for students to engage in interdependent cooperative learning are important and improve achievement. Teachers can structure learning opportunities that encourage collaboration by accommodating flexible grouping options for completing work and by setting class norms for collaborative activities. This includes group engagement in shared projects and presentations as well as smaller daily activities. Small groups can work on tasks together during synchronous time in breakout rooms and then return to share their ideas. Asynchronous tasks can also be structured to offer opportunities for students to collaborate and build learning together, for example through discussion boards and by providing peer feedback. Students can pursue projects in asynchronous time by being taught to set up their own collaboration in on-line platforms.
- 5. *Interactive materials.*** High-quality distance learning incorporates the use of interactive multimedia materials, typically during asynchronous learning. For example, researchers found that 8th-grade students whose teachers integrated the use of the Pathways to Freedom Electronic Field Trips—an online collection of interactive activities designed by Maryland Public Television—in their teaching about slavery and the Underground Railroad, outperformed those who had the same unit without these materials. Fifth-grade science students who used a virtual Web-based science lab, which allowed them to conduct virtual experiments while teachers observed student work and corrected errors online, outperformed those who did an in-person manual science lab. Elementary special education students across 5 urban schools who used a Web-based

program supporting writing in action by prompting attention to the topical organization and structure of ideas during the planning and composing phases of writing outperformed those who had the same materials in hardcopy in the classroom (US Department of Education, 2010).

- 6. *Assessment through formative feedback, reflection, and revision.*** Formative assessment is very important in on-line and blended learning, and it promotes stronger learning when it provides feedback that allows students to reflect on and revise their work. For example, researchers found that students performed better when they used a formative online self-assessment strategy that gave them resources to explore when they answered an item incorrectly. Similarly, students who received quizzes that allowed them the opportunity for additional practice on item types that had been answered incorrectly did better over time than those who received quizzes identifying only right and wrong answers. Studies have found positive effects of a variety of reflection tools during on-line learning, ranging from questions asking students to reflect on their problem-solving activities to prompts for students to provide explanations regarding their work, student reflection exercises during and after online learning activities, and learning guidance systems which ask questions as students design studies or conduct other activities that support students' thinking processes without offering direct answers (US Department of Education, 2010).
- 7. *Explicit teaching of self-management strategies.*** Students who receive instruction in self-regulation learning strategies perform better in online learning. Teachers can help students with tools that help them schedule their time, set goals, and evaluate their own work. They can also provide checklists that are readily available to students and parents that break out the steps for task completion to help them understand the scope of the work and the milestones they'll accomplish along the way.

References

Policy Analysis for California Education (2020). Supporting Learning in the COVID-19 Context: Research to Guide Distance and Blended Instruction.

https://edpolicyinca.org/sites/default/files/2020-07/r_myung_jul20.pdf

U.S. Department of Education, Office of Planning, Evaluation, and Policy Development (2010.) Evaluation of Evidence-Based Practices in Online Learning: A Meta-Analysis and Review of Online Learning Studies, Washington, D.C.

<https://www2.ed.gov/rschstat/eval/tech/evidence-based-practices/finalreport.pdf>