



COMMONWEALTH of VIRGINIA  
Department of Education

April 26, 2013

TO: Division Superintendents

FROM: Patricia I. Wright, Superintendent of Public Instruction

**SUBJECT: Middle and Secondary Classroom Teachers' Planning Period**

The [Regulations Establishing Standards for Accrediting Public Schools in Virginia](#), also known as the Standards of Accreditation (SOA), address the planning period for middle and secondary teachers in [8 VAC 20-131-240](#). The regulations say that a teacher's standard load shall be based on teaching no more than 5/6 of the instructional day with no more than 150 student periods per day or 25 class periods per week. The regulations further specify that each full-time middle and secondary classroom teacher shall be provided one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

Questions have been raised about whether or not the instructional day includes lunch. It does not. [8 VAC 20-131-5](#) of the SOA states that a "standard school day" is defined as a calendar day that averages at least 5½ instructional hours for students in grades 1 through 12, excluding breaks for meals and recess, and a minimum of three instructional hours for students in kindergarten. Another section in the SOA, [8 VAC 20-131-150](#), comports with this definition as follows: "The standard school year shall be 180 instructional days. The standard school day for students in grades 1 through 12 shall average at least 5 ½ instructional hours, excluding breaks for meals and recess, and a minimum of three hours for kindergarten."

Questions have also been raised about how 5/6 of the instructional day is calculated. The [Guidance Document Governing Certain Provisions of the Regulations Establishing Standards for Accrediting Public Schools in Virginia](#) says that the amount of time allocated for the unencumbered planning period should be based on the length of an instructional day in minutes regardless of the scheduling configuration used by the school. For example, if a school's instructional day is 5½ hours (330 minutes), the standard load would be 275 minutes, and the planning period would be 55 minutes. At one time, when most middle and high schools were on a six period schedule, the planning period was one class period a day. Now that virtually all middle and high schools are on a seven period day or on a block schedule, there may be more or fewer class periods on any given day, and so the calculation is based on time, rather than on class periods. The language, "one planning period per day or the equivalent," allows for adjustments to accommodate seven or eight period days and block schedules.

Finally, in reviewing this regulation, it appears that there was an error made in [8 VAC 20-131-240.E](#) when the SOA was revised in 2011. Prior to 2011, the regulation read: "E. ~~The middle school classroom teacher's standard load shall be based on teaching no more than 5/6 of the instructional day with no more than 150 student periods per day or 30 class periods per week. Beginning with the academic year 2008-2009~~ a middle school classroom teacher's standard load shall be based on teaching no more than 5/6 of the instructional day with no more than 150 student periods per day or 25 class periods per week." The intent in 2011 was to delete the first sentence and the beginning of the second sentence, so the regulation would read: "E. The middle school classroom teacher's standard load shall be based on teaching no more than 5/6 of the instructional day with no more than 150 student periods per day or 30 class periods per week. Beginning with the academic year 2008-

2009 A middle school classroom teacher’s standard load shall be based on teaching no more than 5/6 of the instructional day with no more than 150 student periods per day or 25 class periods per week.” Instead, the first sentence was inadvertently not deleted. The Board of Education plans to make revisions to the SOA this summer and fall, and this can be corrected at that time. Until then, the second sentence should prevail. It says: “A middle school classroom teacher’s standard load shall be based on teaching no more than 5/6 of the instructional day with no more than 150 student periods per day or 25 class periods per week.”

You may contact the division of policy and communications, at 804-225-2902, or by e-mail at [Policy@doe.virginia.gov](mailto:Policy@doe.virginia.gov) if you have questions about these issues.

PIW/SGP/kfg