



Union and District Partnerships to Expand Learning Time

Three Schools' Experiences

Melissa Lazarín and Isabel Owen November 2009

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Introduction and summary

Charter schools have been leaders in the movement to expand learning time.¹ They have the advantage of enjoying greater flexibility and autonomy than most traditional public schools, making it easier to expand the school calendar and implement new reforms.

To be fair, there are broad impacts for traditional schools and their communities when the school day or year is expanded—even when it is as little as one additional hour. School bus schedules might need to be shifted citywide; afterschool and community-based providers may have to adjust their services; and teachers' work schedules, along with compensation and benefits, must be re-examined.

While charter schools must confront these challenges as well, the length of their school day or year has fewer implications. Bus transportation schedules, staff allocation, and classroom curricula are more malleable. Charter schools are also less likely to be unionized—though recent unionization efforts among charter schools indicate that this could change. As a result, charter school leaders must ensure that their teachers and staff are content with the school workday and year, but these issues are less likely to be collectively bargained.

Despite the challenges, traditional public schools have begun to follow suit on expanding learning time. And the Obama administration is calling for more schools to rethink the school day and calendar,² making it a key reform strategy in the school turnaround and transformation models in both the Race to the Top Fund and School Improvement Grants programs under the American Recovery and Reinvestment Act of 2009.

As a result, traditional public schools—particularly struggling schools that want a bite of these federal funds to support their school turnaround efforts—will need to examine the use of time within their school day and year, as will affiliated teachers and unions. In the most successful implementations of expanded learning time, school and district leaders have worked in close collaboration with teachers and teachers' unions.

This report examines the challenges and successes of implementing expanded learning time in a traditional public school environment. It highlights the role of teachers and teachers unions in negotiating an expanded schedule and reviews relevant literature on teacher time and collective bargaining. It also takes a look at Massachusetts's experience with expanding learning time. The state has funded expanded learning time in 26 schools since 2005, and much can be learned from its experience.

In addition, we profiled three traditional public schools that have implemented a longer day or year to varying degrees to better understand the significant issues that school leaders, teachers, and union leaders have grappled with in moving to a longer day and year. The lessons that they learned along the way are invaluable to both practitioners and policymakers alike. We interviewed several school leaders, teachers, and union leaders for this report and thank them for sharing their perspectives so generously with the hope that other schools and policy can be better informed by their example.

Based on the experiences of these three schools, we find:

- Side letters or side agreements—amendments to teacher collective bargaining agreements—are often the simplest and fastest way for a union and district to agree to expand learning time. They allow one or more schools to make changes to the collective bargaining agreement—the labor agreement between the school district and teachers union—without affecting the schedule throughout the entire district. It also provides a way to implement expanded learning time without renegotiating the entire collective bargaining agreement, which can be a lengthy process.
- Third-party organizations can play an integral role in district-union negotiations over expanding learning time. They can act as a mediator and facilitate the negotiation process, keeping the negotiations focused on the key priorities for both the district and union.
- Additional compensation for teachers is not a necessary ingredient when expanding the school day. Although one school profiled in this report does supplement teachers' salaries for extra hours worked, other schools have found ways to stagger teacher workdays, resulting in no additional time worked or additional compensation.
- Unions must be brought into the process early and be active participants in designing the expanded schedule. Union support was essential to the success of the agreement and implementation of the longer day in all of the schools profiled.
- School-based planning teams offer teachers a way to be involved in the discussions and negotiations around redesigning the school day. Expanding the school day will have a tremendous effect on teachers and their input and feedback is necessary throughout the design process.
- Two of the schools profiled said that making teaching voluntary during expanded learning time was key to the success of their redesigned schedules. In some cases this means giving teachers the ability to transfer to a school that has not expanded the school day or giving teachers the option not to teach beyond their contractual time.

How union contracts affect teachers' work time

A number of factors have shaped today's school calendar and the way instructional time is used. Historical trends in the American workforce have resulted in the traditional 180-day calendar while responses to overcrowded classrooms have led to experiments with year-round schooling. State laws have reinforced tradition by stipulating the 180-school-day minimum, as well as the start of the school year in early fall.

Collective bargaining agreements have also set the parameters for much of what takes place within a school, including time. Like state laws, most collective bargaining agreements have reinforced the 180-day school calendar.³ Examining data from mostly teacher contracts and other documents pertinent to teacher work time in 26 of the 50 largest school districts in the United States, the National Council on Teacher Quality, a research organization dedicated to improving teacher quality, found that half share a 180-day school calendar, with the average hovering at 179 days.⁴

Although collective bargaining agreements were never established with the intention of supporting innovation in education—instead they were meant to inform the day-in/day-out activities and practices that take place within a school and to protect teachers from capricious administrators—they are now often vilified for obstructing innovative school reform. Many school leaders and education opinion leaders point to the necessity of having flexibility in allocating budget dollars, staff, and time, to inspiring and implementing innovative reforms. Such elements are, of course, at the heart of expanded learning time.

It is not uncommon for collective bargaining agreements to explicitly state the earliest hour in which the school day can begin, the minimum number of minutes in which teachers must report to their classroom before the start of the school day, and the number of minutes per week or day that teachers have for individual planning time. The Center for Reinventing Public Education, a research organization, examined a sample of teacher contracts and found “potentially restrictive time-use provisions” in the collective bargaining agreements they studied.⁵ Examples of such provisions include placing a limit on the number of staff meetings per year and the start and end time of the teacher workday.

Yet several analyses of teacher contracts find that collective bargaining agreements are surprisingly less prescriptive than generally perceived,⁶ including when it comes to time. Only 40 percent of collective bargaining agreements and district personnel policies in

the nation's largest school districts prescribe the length of the student school day, and only 26 percent dictate the length of instructional time in the school day.⁷ As noted previously, it is not uncommon for contracts to specify the minimum length of time in which teachers must report to school before the student school day begins, but many are also silent on this issue.⁸

And the Center for Reinventing Public Education's research found that a handful of contracts were also more explicit in their flexibility of using time for education reform. Los Angeles's union contract includes model language for expanded learning time reformers. The contract requires only a simple majority of teachers to agree to expanding learning time and states: "It is not the desire of UTLA or the District to discourage reasonable experimentation with school schedules."⁹

Waivers, memoranda of understanding, and side letter agreements are all methods used to amend specific portions of the contract for districts and unions to adjust provisions related to school time. They often require a formal vote and approval process for the union, but these approaches to amending contracts can help secure agreement between the union and district on specific matters outside of the collective bargaining process.

Using waivers to implement reforms does have potential disadvantages, including their unstable nature. District and school leaders may shy away from using this strategy, concerned that a waiver to expand the school day or calendar could be temporary and easily dissolved.¹⁰ Such conditions may make investment in reforming school time less likely for school leaders, teachers, and unions. Union contract experts note that the use of waivers "is an option that never really caught on in the contract world"¹¹ and that "[f]ew unions (and districts) are willing to grant schools the kind of authority to make decisions that waivers imply."¹²

On the other hand, side letter agreements and memoranda of understanding have proven to be a popular way of lengthening the school day and year. Because lengthening the school day and year is still a relatively new reform, side letter agreements have allowed districts and schools to experiment and tweak the parameters of the collective bargaining agreement without affecting the permanency of the bargaining agreement. This has been the case in Massachusetts, an early state reformer of expanding learning time, and in the sites profiled in this report.

Elements of teacher time contained in collective bargaining agreements for three schools profiled

Expanded learning time agreements adjusted some of these elements

Collective bargaining agreement examined	New York City Public Schools	Buffalo Public Schools	Boston Public Schools
Number of days per year teachers work	180	186	183
Teacher work year parameters	Thursday before Labor Day through the last weekday in June	Forty-two consecutive calendar weeks commencing no earlier than Labor Day	Begin the day after Labor Day and will terminate no later than June 30th
Teachers maximum workload per week	Twenty-five periods per week	Twenty-five periods per week of no more than 45 minutes	Determined at the school level
Compensation for time worked outside of school year		Teachers requested to return to school beyond the 42nd week shall be paid for each working day of four or more clock hours at 1/200th of their annual salary	
Length of teacher work day	Six hours and 50 minutes	Six hours and 50 minutes, beginning no earlier than 7:50 a.m. and ending no later than 3:40 p.m.	
Time for professional development	Professional development days are six hours and 20 minutes	Elementary schools have a minimum of four half-day releases for professional development. High schools have a minimum of six one-and-a-half hour early releases or delayed openings for professional development	Eighteen hours of professional development activities beyond the regular school day will be scheduled annually, plus teachers are required to participate in one full day of professional development each year
Time for collaborative planning		At least five unassigned preparation periods per week (at least one per school day)	Middle and high school teachers have planning/development time each day in blocks/periods of no less than 40 minutes each, for a total of 240 minutes per week

Sources: Buffalo Teachers Federation: Master Contract July 1, 1999; Agreement Between the Board of Education of the City School District of the City of New York and United Federation of Teachers, Local 2, AFT, AFL-CIO, (2006); Agreement Between the School Committee of the City of Boston and the Boston Teachers Union, Local 66, AFT, AFL-CIO (2007); 2008-2009 School Year Calendar Additional Information, NYC Department of Education, (2008).

Expanded learning time lessons learned from Massachusetts

The Massachusetts Expanded Learning Time Initiative—a model statewide expanded learning time program—has been in place since 2005. Twenty-six schools in 12 districts across the state have since worked collaboratively with affiliated teachers unions and faculty to establish agreements to expand learning time for students. Their leadership in this area and the process by which these schools established their agreements with teachers unions and teachers provides some important insight for other schools, districts, and even state education leaders interested in similar initiatives to expand student learning time.

As part of the Massachusetts Expanded Learning Time Initiative, districts first apply for a one-year planning grant. During this time period, district officials, school leaders, teachers, and unions work on redesigning a school's calendar, and issues related to teachers' work schedules, compensation, allocation of instructional time, and a number of other issues are discussed and negotiated.

Union engagement is encouraged from the start of the process. Union representatives are asked to serve on the school redesign committee, and a negotiated agreement between the district and the local union on expanded learning time is required of all school districts submitting an application for an expanded learning time implementation grant. After completing the planning phase a school submits an implementation proposal to the state describing the redesigned schedule, providing detail of how the schedule will be implemented and demonstrating how the plan will raise student achievement.¹³

As a state-level initiative, the Massachusetts Teachers Association, the American Federation of Teachers Massachusetts, and local teachers unions were engaged in developing and implementing the expanded learning time initiative. The state teachers' union leaders served on the statewide advisory committee and provided feedback on the design of the initiative; lobbied state legislators in support of expanded learning time; helped identify the first districts to implement the initiative; and convened local union presidents to inform them about the initiative.

In addition to the teachers unions, school district, and schools, Massachusetts 2020, a nonprofit organization that has led the effort to expand learning time in Massachusetts and elsewhere, has played an integral role in implementing the initiative. Mass 2020 co-founders Chris Gabrieli and Jennifer Davis helped advocate for passage of the state budget

language that authorized the initiative. More recently, however, Mass 2020 has played an essential role facilitating the agreements between Massachusetts school districts and teachers unions. They also provide substantial ongoing technical assistance to districts and schools that have already implemented expanded learning time.

Most Massachusetts school districts—10 of 12 districts participating in the initiative—have elected to use a side letter agreement to initially implement expanded learning time.¹⁴ The remaining two districts included expansion of learning time as part of the regular collective bargaining agreement. Mass 2020 has found that side letter agreements have helped secure district-union agreements on expanded learning time more easily, especially in districts where the collective bargaining agreement is not yet up for renewal.¹⁵ In addition, they find that side letter agreements allow schools, teachers, and unions “to learn from implementation and adjust accordingly without the pressure of creating a long-term agreement during the first year of implementation.”¹⁶

Related findings from the evaluation of Massachusetts’s initiative

The Massachusetts Department of Elementary and Secondary Education has contracted Abt Associates, a research consulting group, to conduct a multiyear evaluation of the state’s expanded learning time initiative. The evaluation has revealed important findings on union engagement, teacher satisfaction, and how teachers’ time has been affected as a result of expanded learning.

Union engagement

Although the Abt Associates researchers found that implementing a longer school day or year was often driven by school leadership, district administrators noted “that getting union leadership involved from the initial stages was crucial.”¹⁷ One superintendent stated “that inviting the union president to the first planning meeting ‘paid huge dividends.’”¹⁸

Teacher satisfaction

Surveys of teachers in Massachusetts expanded learning time schools find that they are “significantly more positive about the teaching environment within their schools in terms of being involved in school decision making, collaborating with fellow teachers, feeling supported in teaching special needs students, and spending more time on instruction.”¹⁹ Most teachers report “feeling less rushed” and having time for more thoughtful discussions with students, as well as time to engage in differentiated instruction and carry out richer classroom lessons. Teachers also report having more time to collaborate with each other.

Teachers are showing some signs of dissatisfaction, however. For example, a few schools reported a slight increase in teachers leaving in the second year of expanded learning time and fewer teachers participating in the expanded day in schools where it is not mandatory of all teachers.²⁰ Teacher surveys also signal that more teachers in expanded learning time schools are considering transferring to another school than those in non-expanded learning time schools (34 percent compared to 24 percent).²¹

Still more recent analysis of teacher surveys indicate that expanded learning time teachers are as satisfied with their choice to enter the teaching profession as non-expanded learning time teachers in Massachusetts, and they are significantly more likely to feel as though teachers are involved in making decisions for the school (72 percent compared to 59 percent), more likely to share and discuss instructional strategies with other teachers (87 percent compared to 74 percent), and have sufficient time to collaborate with colleagues (57 percent compared to 40 percent), compared to teachers across the state.²²

Teacher planning time

Individual teacher planning time across Massachusetts schools appears to have changed little as a result of expanded learning time. Expanded learning time teachers and their counterparts report spending about the same amount of time on their own planning. However, surveys of teachers in expanded learning time schools indicate that “[Extended learning time] schools spend significantly more time per week in collaborative planning time than do teachers in matched comparison schools (2.3 hours vs. 1.6 hours, respectively).”²³

Massachusetts’s pioneering work in expanded learning time yields important findings related to teacher satisfaction and union engagement. Because the expanded learning time initiative is state driven, Massachusetts schools and districts benefit from financial and technical assistance support that schools and districts in other states may lack. Still, the role of side letter agreements and third-party organizations, like Mass 2020, in negotiating agreements to expand learning time in Massachusetts provides some helpful insight to other schools and districts weighing this reform.

Three recent efforts to expand learning time

There is no one way to approach teachers and unions with the idea of expanding learning time in the classroom. The following profiles of three expanded learning time initiatives demonstrate that negotiation between school leaders, teachers, and unions will likely differ depending on the local context. Similarly, the form and substance of the agreement will vary across schools and districts.

The three sites and affiliated school districts profiled in this report were selected based on several criteria. Although charter schools have been more likely to incorporate a longer day and year, only traditional public schools were considered for this report with the hope that the lessons learned from these sites could help inform expanded learning time implementation at other noncharter public schools.

In addition, the report sought to capture the considerations for teachers given the significant impact an expanded day or year has on their work environment. Teachers unions, too, are a significant factor for many public schools—the profiled districts, therefore, all have a strong union presence to ensure that their perspectives are adequately recognized.

The role of the school, district, and state varies across all three sites. In one site, the district superintendent made a longer day a priority across the district while the redesigned school day in another site is the product of a state-driven initiative. And, in the third school, a nonprofit organization worked with the school district and teachers union to open a new school with a longer day and year. In all three sites, the initiative to expand learning time is the result of recent efforts, and therefore, most of the individuals interviewed were involved in the negotiation process, planning, and implementation of the new school schedules.

Clarence R. Edwards Middle School, Boston Public Schools

In 2005 Clarence R. Edwards Middle School, located within the district boundaries of Boston Public Schools, was in danger of being closed down due to poor student performance and low enrollment. School administrators saw an opportunity for drastic change and a way to keep the school open—the Massachusetts Expanded Learning Time Initiative. The state-sponsored initiative awards schools \$1,300 in additional funding per

Clarence R. Edwards Middle School enrollment data by race and selected population, 2008-09

Many students are minority and low income

Enrollment by race/ethnicity 2008-09	
African American	26.0 %
Asian	18.6 %
Hispanic	41.4 %
Native American	0.8 %
White	11.9 %
Multi-Race/Non-Hispanic	1.3 %

Enrollment by selected populations 2008-09	
Eligible for free lunch	79.3 %
Eligible for reduced-price lunch	10.1 %
Limited English proficient	23.6 %
Low income	89.4 %
Special education	32.1 %

Source: Massachusetts Department of Elementary and Secondary Education (2009).

student to redesign their schedule to expand academic instruction time by at least 300 hours per school year for all students, increase enrichment opportunities, and add more time for teacher preparation and professional development.

Massachusetts was the first state to allocate funding in the state budget for expanded learning time. Mass 2020, the local intermediary that played an integral role in developing and implementing the expanded learning time initiative in Massachusetts, helped Edwards develop their proposal to apply for a one-year planning grant per the initiative’s requirements. Mass 2020 provided significant guidance throughout the required one-year planning process, which was funded by the state. After the planning phase Edwards received a \$445,900 implementation grant to expand the school day for the 343 sixth- to eighth-grade students.²⁴

In September 2006 Edwards began the school year with a completely redesigned, longer school day, starting at 7:35 a.m. and ending at 4:30 p.m., three hours longer than the traditional school day.²⁵ Additional time is now given to core classes, such as English, math, and science. Each student attends four core classes every day. The schedule also includes an extra hour-long period for Academic League—time used

to provide extra, targeted instruction based on student academic needs, and is followed by a 90-minute elective period. Some electives are academic based, while other electives focus on enrichment, including rock band, step, and chorus.

Edwards’s expanded learning time initiative has been successful. Students’ scores on the Massachusetts Comprehensive Assessment System— which measures student progress and gathers information to improve student performance—have improved since Edwards implemented the redesigned schedule three years ago, and the school is one of the most improved middle schools in the district across grades six through eight.

In spring 2006, before the school expanded its schedule, only 12 percent of eighth grade students scored advanced or proficient on the math section of the Massachusetts Comprehensive Assessment System, but by spring 2009, the third year of expanded learning time, that number had increased to 56 percent. Similarly, in 2006 only 15 percent of sixth graders scored advanced or proficient on the math section of the Massachusetts Comprehensive Assessment System, but by 2009, 37 percent of sixth graders scored advanced or proficient.²⁶ In the 2008-09 school year, Edwards was in year two of restructuring—a measure of accountability of the No Child Left Behind Act of 2001—but the school’s adequate yearly progress results—a measure of student achievement defined by No Child Left Behind—show that students are on target in math and above target in English language arts.²⁷

Buffalo Public Schools

In 2007 the superintendent and district administrators in Buffalo Public Schools were strategizing ways to improve student achievement in the 17 schools that had been designated by the state as low performing, or Schools Under Registration Review. Inspired by such models as the Miami School Improvement Zone, they thought about grouping low-performing schools together in a special cohort. Superintendent James A. Williams, who had previously worked in Montgomery County, Maryland, where he helped turn around a low-performing Title I school by adding 20 days to the school year, also wanted to find a way to lengthen the school day and year for Buffalo schools.

At the same time, former Governor of New York Eliot Spitzer announced that Buffalo Public Schools would be one of 55 districts to receive an additional \$15 million in funding set aside in the state budget under the Contracts for Excellence. In an effort to raise student achievement and accountability, the state designated the Contracts for Excellence funds to aid reform using established and successful methods. To receive the funds the district was required to enter into a contract with the state to establish how the funds would be spent.²⁸

Under the Contracts for Excellence with agreement from the Buffalo Teachers Federation, the local union, Williams created the Superintendent’s School Improvement District, or SSID, which brought together the 17 Schools Under Registration Review, established a 20-day summer school period, and lengthened the school day for SSID schools by one hour to seven-and-a-half hours. At the elementary and middle school level, the additional time is devoted to math and English language arts, while the extra hour is used for enrichment such as SAT preparation courses at the high school level. Although one hour is not a significant increase in time, the Buffalo model of staggering teacher’s schedules—by having two shifts of teachers, one which starts earlier than the other—highlights a unique strategy to lengthen the school day while working within the parameters of the teacher contract.

Each SSID school principal designed the schedule for their school to incorporate the additional hour. As an example, P.S. 79 Pfc. William J. Grabiarz School of Excellence, a middle school serving grades five to eight, has changed its schedule from an eight-period day to block scheduling. Students receive math and English language arts in two 90-minute blocks each day.

Under the Contracts for Excellence, Buffalo also created a 20-day summer session. Summer school is not mandatory for teachers or students, except for students below

Buffalo’s P.S. 79 Pfc. William J. Grabiarz School of Excellence enrollment data by race and selected population, 2007-08

Majority of students are minority and low income

Enrollment data by race/ethnicity, 2007-08	
American Indian/Alaskan Native	2 %
Asian/Native Hawaiian/Other Pacific Islander	1 %
Black/African American	60 %
Hispanic/Latino	17 %
White	20 %

Enrollment data by selected population, 2007-08	
Eligible for free lunch	87 %
Eligible for reduced-price lunch	7 %
Limited English proficient	1 %

Source: The New York State Report Card: Accountability and Overview Report 2007-08: Grabiarz School of Excellence (2009).

grade level. Summer programs in SSID schools run the full day, with two shifts of teachers—one in the morning and one in the afternoon. Non-SSID schools in the district run half-day summer classes.

SSID students are showing signs of improved achievement. Seven of the 17 schools that were originally on the Schools Under Registration Review list have been removed. P.S. 79 was taken off the list in 2009.²⁹ In addition, a recent evaluation of the voluntary Buffalo summer program finds that reading scores among students who attended at least 75 percent of the summer session have improved—19 percent saw reading scores increase, compared to 13 percent of students who attended less than 75 percent of the summer session.³⁰

Brooklyn Generation, New York City Public Schools

For some time the United Federation of Teachers, or UFT, in New York City had been trying to figure out ways to expand the school day, which they believed would emphasize quality instruction time. The union's interest in expanded learning time dates back to the Chancellor's District of the mid-1990s when then-New York City Chancellor of Education Rudy Crew, the union, and the school board collaborated to improve the lowest-performing schools by bringing them together in a single district. The Chancellor's District featured a longer school day and school year, with pro-rated salary increases for teachers.³¹

Although the Chancellor's District was dissolved in 2002, the interest in expanded learning time did not disappear. The union was willing to consider another opportunity to expand learning time and entered into negotiations and planning with Generation Schools, a nonprofit in Brooklyn, New York, dedicated to whole-school and systematic reform.

Generation Schools Founder Furman Brown and Co-Founder and Chief Operating Officer Jonathan Spear were both inspired to rethink the student and teacher experience, believing that the way schools are traditionally organized does not provide teachers with enough time to plan and work collaboratively, or provide students adequate time to learn. In 2004 they founded Generation Schools, and in 2006 they applied to open a new school, Brooklyn Generation, using a model that prioritizes up to 30 percent more student learning time, small class sizes, substantial time for teacher planning time and professional development, and college readiness skills. The New York City Department of Education approved the opening of Brooklyn Generation in January 2007, and the school opened with its first class the following August as a district-run public school.

Brooklyn Generation was one of five new schools established to phase out South Shore High School, a school that was experiencing problems with violence and was one of the least requested high schools in New York City. Brooklyn Generation opened with a ninth grade in 2007 and has added a grade each year.

The school day at Brooklyn Generation begins at 9:00 a.m., and students are dismissed at 4:00 p.m. The school year is 200 days—20 days longer than the traditional school year. The calendar was built to focus on core math and English instruction, while allowing teachers more time for planning, professional development, and administrative support.

Students’ school days include time for 85-minute “foundation” classes in math and the humanities, which includes English language arts. The school day also includes three, one-hour studio courses, which average 24 students per class and include additional required classes—such as literature—and enrichment opportunities, such as a physical education.

The expanded school year also includes month-long intensive courses, which focus on college and career readiness and include real world experience. These courses are designed to give students ideas about what they can do after high school. Each grade participates in two intensive courses per year, which are staggered throughout the year.

Brooklyn Generation, while still a young school, is showing promise of high student performance as the school continues to enroll more grades and reach capacity. During the 2008-09 school year, Brooklyn Generation had a ninth and tenth grade, and all subgroups made adequate yearly progress in English language arts and math.³²

Brooklyn Generation School enrollment data by race and selected population, 2007-08

Large majority of students are African American, low income, and require special education

Enrollment data by race/ethnicity 2007-08

Asian/Native Hawaiian/Other Pacific Islander	4%
Black/African American	85%
Hispanic/Latino	11%

Enrollment data by selected population 2007-08

Eligible for free lunch	77%
Eligible for reduced-price lunch	8%
Limited English proficient	5%
Special education	20%

Source: The New York State School Report Card: Accountability and Overview Report 2007-08: Brooklyn Generation School (2009); Personal communication from Jonathan Spear, Co-Founder and Chief Operating Officer, Generation Schools, October 23, 2009.

Issues considered in negotiating expanded learning time

When negotiating expanded learning time agreements between districts and unions, the major issues include teachers' work schedules, their compensation, their choice in participating in an expanded schedule, and how both student and teacher time would be allocated. In addition, the manner in which unions and teachers are approached about the prospect of expanding learning time bears some consideration.

Planning process

Expanding the school day and year requires significant planning and decisions on staffing, bus transportation, food services, public safety, and parent and community engagement.

Clarence R. Edwards Middle School

In Massachusetts, the planning period for all expanded learning time schools is a deliberate, strategic part of the process. Like other schools in the commonwealth, Edwards's expanded learning time grant from the state required a one-year planning period to design, negotiate, and approve the terms of the agreement with school staff, the teachers union, and other stakeholders. Schools receive a grant during this period, and at Edwards, some of these grant funds were used to pay teachers for their time in participating in planning meetings, which often took place after school hours.

The Boston Teacher's Union and state teachers union were involved at the earliest stages of the planning process. Representatives from the American Federation of Teachers Massachusetts served on a state advisory board that helped design the state initiative and worked with Mass 2020 and the Boston Public Schools superintendent to identify potential schools. Mass 2020 worked with the superintendent and BTU President Richard Stutman to develop an agreement in the form of a letter to the state supporting an expanded learning time planning grant.

Stutman gave his approval to pursue a planning grant to expand learning time with some misgivings. He said that the district initially approached him with the expectation that he would readily sign the planning grant application. He eventually agreed to the planning application with the caveat that his approval merely reflected a willingness to discuss the

prospect of an expanded schedule further. Stutman noted that Paul Reville, who headed the independent policy organization the Rennie Center at the time, was a useful mediator in his conversations with Mass 2020 and the district.

Despite the initial concerns about submitting a planning grant application, Stutman spoke positively of the planning process that ensued at Edwards. The school planning team included teachers, lead partner Citizen Schools, and building union representatives—teachers who are elected by other teachers in their building to serve as a line of communication between the building and the union. Stutman noted that “there was no lack of opportunities for feedback.”³³ He was also invited to the school to talk with the teachers privately, a gesture he appreciated.

Brooklyn Generation

Brooklyn Generation founders Furman Brown and Jonathan Spear engaged the UFT in the early stages of developing their school model, even before they knew they would have an opportunity to open a new school. At the time they were debating whether they should pursue a charter school or a traditional public school, and they felt they needed union support—as former teachers, they felt it was necessary to bring in the union to think through the role of teachers in their model. “We spent a lot of time developing relationships,” Spear says.³⁴

Generation Schools worked with the New York City Department of Education’s Office of New Schools in 2006 to implement a school model based on their research and design. The district’s new school process builds in union engagement by incorporating them into the planning team early on. In 2007 Generation Schools secured a one-year side letter agreement. The union and NYC Department of Education helped Generation Schools define the parameters of the side letter agreement, but they also left enough room in the agreement for Brooklyn Generation staff to fill out the details of the school day and year. UFT Vice President of Academic High Schools Leo Casey says that the union and department shared a “good, collaborative relationship during the process” of planning Brooklyn Generation’s implementation.³⁵ In 2008 the side agreement was extended by another three years.

Buffalo Public Schools

Buffalo Public Schools was eying the Contracts for Excellence funds to expand learning time in 2007. The application for funds required public input, and the district knew that the underlying expectation would include working collaboratively with the teachers union. The district and union entered into negotiations with Amber Dixon, executive director of evaluation, accountability, and project initiatives in the district office representing the superintendent, while the Buffalo Federation of Teachers union executive team carried the union’s perspective. Although Buffalo Teachers Federation President Philip Rumore initially rejected Dixon’s ideas of expanding the school day, the two teams were able to compromise by including a class-size reduction effort in the agreement, a union priority. Rumore describes the negotiations as “amicable.”³⁶

Union engagement was also important at the school level because each school affected by the new schedule was responsible for determining their own schedule. In general, union building representatives, school principal, and teachers worked collaboratively to determine each school's schedule.

Teachers' workday, compensation, and participation

Discussions and planning of staffing the longer day or year hit three common themes across the three sites—how teachers' workdays would change, how teachers' compensation would be affected, and whether teacher participation in a longer day or year would be voluntary or mandatory.

Clarence R. Edwards Middle School

At Edwards Middle School, everyone involved in the planning process agreed that making expanded learning time voluntary for teachers was the best option. No teacher is forced to work past their contractual time of 1:40 p.m. However, teaching at least a portion of the expanded schedule is mandatory for new and provisional teachers.³⁷ All teachers who worked at Edwards before the schedule was expanded were grandfathered into the voluntary provision, regardless of how long they taught at the school. Every Edwards teacher who wants to teach during the new expanded hours is able to do so. The program gives preference to teachers before allowing external providers, who play a significant role in Edwards's longer day, to teach.

Citizen Schools teaching fellows are a second force of teachers who compliment the traditional teachers. Citizen Schools is an organization dedicated to providing more learning opportunities to middle school students through afterschool programs and expanded learning time. Citizen Schools staff oversee and provide the afternoon programming for Edwards's sixth-grade class from 1:45 p.m. to 4:15 p.m. (time in school year 2009-10 changed to 1:00 p.m. to 3:45 p.m.) while seventh and eighth graders attend Academic League and electives with regular Edwards's teachers and other outside providers. The partnership has helped Edwards avoid teacher burnout and fill gaps created by teachers who choose not to participate in expanded learning time.

According to the Boston Teachers Union-Boston Public Schools agreement, teachers and provisional teachers who work the additional hours are compensated at their hourly contractual rate, of approximately \$41 per hour. Teachers choose the extra hours they want to teach each semester—whether they want to teach Academic League and an afternoon elective course, just Academic League or an elective, or no additional courses after 1:40 p.m. If a teacher chooses to teach an elective, but not during Academic League, they do not get paid for the hour of Academic League even if they remain in the building. Almost all teachers stay for Academic League, and about three-quarters stay to teach an elective block. This additional compensation is pension eligible.

Buffalo Public Schools

The actual length of teachers' workdays at Buffalo Public Schools has not increased, remaining at the contractual time of six hours and 50 minutes long. To compensate for the additional hour in the student school day, teachers' schedules are staggered to include an early shift that begins at 7:50 a.m. and ends at 2:40 p.m., and a late shift from 8:50 a.m. to 3:40 p.m.

The teachers' use of time, however, changed to focus exclusively on teaching. Teacher aides and paraprofessionals have been hired to supervise students during times when they are in school, but not in class, such as arrival, breakfast, lunch, and dismissal—times that teachers used to supervise students. Now all of a teacher's time can be dedicated to teaching.

Although teachers' workdays were not lengthened, teacher choice was still a key element in the agreement between the Buffalo Teachers Federation and the school district. Teachers can opt out of teaching in a SSID school with a longer day and request to be transferred to a school that does not have an expanded schedule. Teachers in SSID schools are also able to choose between working the early or late schedule. Schedule preferences are honored based on seniority. Teachers who are not assigned the schedule they request are allowed to transfer to another school. However, there have been very few switches.

Since teachers do not teach for any more time, they do not receive any additional compensation, and therefore benefits and pensions are not affected. Teachers who choose to teach during the summer school session, however, are compensated by one two-hundredth, or 0.005 percent, of their salary per day. For example, if a teacher makes \$50,000 per year, they would receive \$250 per day for teaching during the summer session.

Brooklyn Generation

Although the school day and year at Brooklyn Generation is longer for students, teachers do not teach a minute more per year than their counterparts in other schools. Generation Schools “offset[s] longer school days with somewhat shorter training days: trading time for time” so that total teacher work time is equivalent to teacher schedules in other schools. This results in a 180-day work year, a seven-hour school day, and a five-hour, 45-minute teacher training day, all within the parameters of the traditional teacher contract and without any extra funding.³⁸

As discussed earlier, students participate in two one-month-long “intensive courses” that focus on college and career readiness. Intensive courses are taught by a group of teachers who only teach intensives, working with each grade throughout the year—tenth grade in March and November, eleventh grade in April and December, and ninth grade in January and June. While students participate in intensive courses, their regular grade-level teachers take a month-long break: a three-week vacation followed by a week of professional development and planning time. Teachers who teach intensives have time off during the months while no grade is participating in intensives.

The teaching schedule, as it has been designed, is mandatory for all teachers at Brooklyn Generation. Brooklyn Generation had the advantage of being a new school. All teachers were hired after the calendar was developed, and therefore they understood the details of the expanded schedule before they began working. During the hiring process the principal is explicit about the schedule's design, so every new teacher fully understands the calendar and is committed to the model before they are hired. Since teachers at Brooklyn Generation do not teach any more time than is stated in the UFT contract, teachers do not receive additional compensation.

Teachers are not paid more, but the school had to find a way to change the district's payroll system to accommodate teachers' unique work schedules at Brooklyn Generation and the fact that they start and end their work year at a different time compared to other district teachers. In the first year, compensation for Brooklyn Generation teachers was deferred because the district's payroll system was unable to account for the early start in the school year. The problem has since been resolved with a short-term strategy, but molding the traditional teacher payroll system to the school's innovative school year and use of human capital was one of the more challenging issues that the school, district, and union confronted. Generation Schools is working with the New York City Department of Education and UFT on a long-term solution that builds more flexibility into the system, in general.

Professional development, preparation, and collaborative planning time

Additional planning time and/or professional development to account for the increase in instructional time was included in the agreements across the three sites. The amount of such teacher time, however, varied significantly.

Clarence R. Edwards Middle School

Although the collective bargaining agreement already provides for one 40-minute planning block each day, additional planning and preparation time is not built into the Edwards agreement. It is one issue that teachers interviewed remarked needed to be addressed given the expanded school day for students. The agreement, however, does include time for professional development on Fridays, which is an early release day. Students are dismissed at 11:45 a.m., and teachers stay for professional development until 2 p.m.³⁹

Buffalo Public Schools

Class-size reduction at these schools was coupled with implementation of a longer school day, and the Buffalo Teachers Federation thought it would be beneficial to include more professional development in the expanded schedule to help teachers learn how to teach smaller classes. Therefore, five days of paid, voluntary professional development is included in the agreement. Teachers are compensated by one-two hundredth, or 0.005

percent, of their salary per day for participating. For example, a teacher who makes \$50,000 annually will receive \$250 per day for participating in professional development. Most teachers choose to attend these professional development sessions. Teachers also have one 45-minute preparation period per day, and may choose to take their preparation period before students arrive or after they leave.

Brooklyn Generation

Planning time and professional development are integral components to Brooklyn Generation's model. By staggering teacher workdays throughout the year, the school offers a two-week summer conference for all staff, two week-long grade-level conferences, and a whole school conference every year. In addition, two hours of common planning time are built into the teacher workday. The school also has one early-release day per week, and teachers use this time to meet and work collaboratively.

Other important issues for teachers and unions

A number of other issues arose in the district-union negotiations, many of them site-specific and reflective of the dynamics within each individual school or district. At Edwards, for example, teachers were most concerned with how the extra time would be used. They wanted to ensure that time would benefit student performance, and expressed apprehension that the additional time could essentially be a glorified daycare program.

Edwards teachers were also concerned about the role of outside providers. For example, teachers were concerned about sharing classroom space since Citizen Schools teachers would use the same rooms in the afternoon that Edwards staff used in the morning. Teachers also worried about the level of experience of Citizen Schools staff and undercutting the professionalism of the Edwards teaching staff. And they worried that students would not respect outside providers, or that the providers would be unable to handle disruptive students. Also, teachers wanted to ensure that principals did not view Citizen School staff as a way to cut costs.

In negotiations between Buffalo Public Schools and the union, class-size reduction was a major bargaining issue. The Buffalo Teachers Federation was not invested in the superintendent's effort to expand the student school day—they preferred that the Contracts for Excellence dollars be used to reduce class sizes. A compromise was struck between the district and union—the union agreed to expand the school day based on the condition that class sizes would be reduced. Kindergarten through third grade classes were reduced to 20 students; fourth through twelfth grade classes were reduced to 25 students; and students below grade level were placed in classes of 10. The Contracts for Excellence dollars were used to hire additional staff, including instructional aides and paraprofessionals, to achieve the smaller class sizes.

Voting process

The collective bargaining agreement was not negotiated at any of the sites profiled; side letter agreements and memoranda of understanding formed the basis of the agreement between the unions and districts. Still, these side agreements required a formal vote dictated by the parameters of the union's collective bargaining agreement. In some cases, a formal vote was taken at the school.

Clarence R. Edwards Middle School

Through the course of a one-year planning grant, the union and the school negotiated a new school schedule and the tentative terms of implementation, such as teacher compensation and allocation of time. The final agreement needed approval from the union and the superintendent. Edwards teachers agreed to the expanded schedule with a simple majority vote. The agreement between Edwards and the Boston Teachers Union, or BTU, was approved through a side letter and was also approved with a simple majority vote of the whole union membership. Although the agreement would initially affect just three schools within the Boston Public Schools district, a full union membership vote was needed given the possibility that the expanded learning time initiative could broaden to other Boston schools in the future. In addition, Edwards and Citizen Schools modified their memorandum of understanding to reflect the role that Citizen Schools would take in providing instruction for Edwards's sixth graders in the expanded schedule.

Buffalo Public Schools

The Buffalo Teachers Federation did not want to change the collective bargaining agreement to accommodate an expanded schedule. Instead, the union and the Buffalo Public Schools signed a memorandum of understanding detailing how the Contracts for Excellence funds would be allocated to Buffalo schools. District administrators asked each school affected by the agreement to approve the memorandum. This involved the principal's approval as well as simple majority vote by a council of delegates, which is made up of the school's union representatives.

Brooklyn Generation

The UFT and the New York City Department of Education signed a side agreement to allow Brooklyn Generation to operate under a different calendar than other schools in the district. The original side agreement lasted one year. When it expired, the UFT and the district renegotiated a three-year agreement. Included in the side letter agreement is a provision that at least 65 percent of teachers in the school must approve the calendar.

Once the school opened, the staff approved the alternative daily schedule through a school-based option agreement, which allows union members to do something differently than what is prescribed in the UFT contract. The New York City Department of Education thought it was important to make sure teachers were not asked to vote without the support from the highest levels within the union and district. Union staff worked to get support from UFT President Randi Weingarten, while staff at the Department of Education worked to get the support of Chancellor Joel Klein.

Teacher and union satisfaction with expanded learning time

Overall, district leaders, school staff, and union leaders report that teachers are generally satisfied with the new schedule at their schools and with the terms of the agreement. Few teachers voiced concerns or identified items that they would like to revisit in a future negotiation process.

Clarence R. Edwards Middle School

Edwards teachers report that they are generally satisfied with the new schedule. However, they also report some issues with fatigue. The length of the school day has decreased slightly since the first year expanded learning time was implemented at the school, and teachers report being happier with the current length of the day. The previous school day schedule, they felt, was too long. This was echoed by the BTU Union President Richard Stutman. While he believes that teachers are generally satisfied with the longer day, he was pleased that the schedule was shortened slightly after the first year, echoing teachers' concerns about the previously longer schedule.

Edwards teachers indicated that they would like to have more planning time. However, they generally felt that the compensation was fair and valued having a choice to participate in the longer schedule.

Citizen Schools teaching fellows also report being satisfied with the schedule, and have had positive experiences working at Edwards. The relationship between Citizen Schools and Edwards is strong and built on mutual respect, proven by the fact that a number of Citizen Schools teaching fellows have been hired by Edwards to fill full-time positions.

Edwards teachers do not currently have a formal process for providing feedback to the union or the school administration. However, the BTU president and Edwards principal report that they share an open line of communication, and teachers can voice concerns informally at regularly scheduled staff meetings and department meetings throughout the week. Union building representatives share this feedback with the union. Citizen Schools teaching fellows participate in some of these meetings, providing an opportunity to provide their own feedback. Feedback between Citizen Schools and the school administration is also informal and ongoing.

Buffalo Public Schools

The Buffalo school district and the Superintendent's School Improvement District convene two meetings per year to discuss the expanded schedule and other items related to SSID schools. The SSID community superintendent, district staff, teachers, and union members attend these meetings. The union chooses which teachers will attend the meetings. At P.S. 79 Pfc. William J. Grabiarz School of Excellence, teachers informally provide feedback about the expanded schedule to the principal or department chairs at the school who can then relay concerns to the district administration.

Teachers are generally happy with the new schedule as well as the smaller class sizes and do not have many complaints. Feedback mostly concerns schedule logistics, such as how to best move students between classes. Some interviewees indicated that teachers would be interested in working longer days if they were compensated appropriately, but in general the new arrangement is working well.

The Buffalo Teachers Federation also solicits feedback from teachers about the expanded schedule through formal surveys, and informally from union building representatives. In October 2007, shortly after the expanded schedule had been implemented, the union conducted a formal written survey to collect teacher feedback. Teachers were mainly concerned with logistics, and had no animosity toward the schedule. At P.S. 79, building delegates can request time to talk to teachers during regular staff meetings, and this is one method of collecting feedback. Union building representatives share any teacher feedback at union meetings.

Buffalo Teachers Federation President Philip Rumore does not believe that the longer day has improved student learning and would rather Contracts for Excellence dollars be spent solely on reducing class sizes. In fact in a Buffalo Public Schools press release announcing the third year of the reforms made under the Contract for Excellence, Rumore stated, "The most important aspect of this agreement [is] the significant lowering of the class sizes across the district."⁴⁰

Brooklyn Generation

According to the side agreement, at least 65 percent of teachers in the school must approve the calendar for the following year before the school year ends. This is one way to ensure teacher satisfaction with the schedule. In general, people who apply to work at Brooklyn Generation have prior knowledge of the schedule and want to work there because they believe in the model. Therefore, teachers are usually content with the calendar before they actually begin teaching. Of the school's 14 founding faculty and staff, 11 are still at the school.

The union building representative at Brooklyn Generation surveyed the teachers shortly after the school opened. The union building representative also informally collects teacher feedback throughout the year. In addition, Leo Casey, vice president of academic high schools at the UFT, visited Brooklyn Generation at the end of the school's first year and asked teachers what they liked about the school and what was not working. The teachers did not have any complaints about the calendar. Casey does not think it is hard to attract teachers to Brooklyn Generation, and his biggest concern was that teacher compensation not be deferred at the beginning of the school year.

Findings and recommendations

Redesigning and expanding the school day or year requires strong collaboration between the school district, union leaders, the school principal, and teachers. A closer look at schools and districts that have expanded learning time, as well as a review of related research and analysis, reveals some important issues that traditional schools and teachers unions should consider as they approach expanding learning time:

- **Side letter agreements are the most common way districts and unions have negotiated the terms of the longer school day or year.** This is true across schools in Massachusetts and in the sites profiled in this report. However, districts and unions should consider the temporary nature of using a side letter agreement. Side letter agreements can stimulate experimentation with time reforms without the pressure of too much commitment, but the tentative nature of such agreements can perhaps limit the permanency of expanded learning time.
- **District-union agreements to expand time were most robust and successful when a third-party organization was involved.** In Massachusetts, Mass 2020 has played an important intermediary role between local unions and district leaders. Generation Schools, too, carried out this function in negotiating an agreement between the UFT and the New York City school district for Brooklyn Generation, despite their role as the school's operator.
- **Expanding learning time can include compensating teachers for additional hours worked but can be accomplished by staggering teacher schedules at little additional cost.** Most districts and schools that expand learning time have more and/or longer teacher workdays, and, therefore compensate teachers for their additional time. However, some schools and districts have successfully lengthened the day or year for students without affecting the parameters of teacher time as outlined in the collective bargaining agreement. There is no one right way of expanding learning time.
- **Teachers unions should be brought into the negotiation process early, when discussions about expanding learning time get underway.** Massachusetts's model requires representation of the local union on the redesign and planning team. This ensures that the union is engaged early in the process and can be an active partner in designing the agreement and expanded schedule.

- **Develop a school-level planning team that includes union representation.** Mass 2020 believes that it is important for union leaders to select these individuals and ensure there is regular communication with union officers and the union executive board.⁴¹
- **Teachers' ability to opt out of some or all of the additional hours in an expanded schedule is often a key element to the successful implementation of an expanded schedule.** Although some teachers are enthusiastic about expanded learning time, not all want to teach during an expanded day or year. Giving teachers the ability to opt out of some or all of the teaching during the expanded schedule provides teachers with flexibility. Some schools give teachers the choice not to participate in expanded learning time, while others allow teachers to transfer to a school with a traditional schedule. In newly established schools it is important for expanded learning time to be explained clearly during the hiring process, so a prospective teacher understands the demands of an expanded calendar.

No magic formula exists to implement expanded learning time. The profiles in this report depict three distinct approaches to tackling the various challenges of schedule redesign. While expanding the school day and year has resulted in dramatic gains in student achievement, it has also created environments that allow teachers to thrive by providing more time for collaboration and professional development. Of course, other successful expanded learning time models restructure rather than increase teacher time, which have also led to improved student achievement. As shown in this report learning time can also be expanded with little additional cost.

No matter the model, school leaders, teachers, and unions all play an integral role to ensuring the successful development and implementation of an expanded schedule, and without all three parties, the effort is likely to fail. Done right, expanded learning time holds the promise of remarkable change for students and teachers alike.

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