

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 2570

By: Caldwell (Chad)

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6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 1-109, as last amended by Section 1, Chapter
490, O.S.L. 2019 (70 O.S. Supp. 2020, Section 1-109),
9 which relates to school year and instruction
requirements; establishing minimum requirements for
10 schools to offer in-person classroom instruction;
requiring transition to charter school; exempting
11 transition for forfeiture of certain funding;
authorizing a moratorium upon certain order or joint
12 resolution; providing for renewal of moratorium; and
providing an effective date.

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15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-109, as
17 last amended by Section 1, Chapter 490, O.S.L. 2019 (70 O.S. Supp.
18 2020, Section 1-109), is amended to read as follows:

19 Section 1-109. A. For all public schools in Oklahoma, school
20 shall actually be in session and classroom instruction offered:

- 21 1. For not less than one hundred eighty (180) days; or
 - 22 2. For not less than one thousand eighty (1,080) hours each
- 23 school year, if a district board of education adopts a school-hours
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1 policy and notifies the State Board of Education prior to October 15
2 of the applicable school year; or

3 3. Beginning with the 2021-2022 school year, for not less than
4 one thousand eighty (1,080) hours with a minimum of one hundred
5 sixty-five (165) days of instruction each school year, if a district
6 board of education adopts a school-hours policy and notifies the
7 State Board of Education prior to October 15 of the applicable
8 school year; or

9 4. Beginning with the 2021-2022 school year, for not less than
10 one thousand eighty (1,080) hours each school year, if a district
11 board of education adopts a school-hours policy, notifies the State
12 Board of Education prior to October 15 of the applicable school year
13 and meets the requirements established by the State Board of
14 Education pursuant to subsection # I of this section.

15 B. A school district may not count more than thirty (30) hours
16 each school year that are used for attendance of professional
17 meetings toward the one hundred eighty (180) days or one thousand
18 eighty (1,080) hours of classroom instruction time required in
19 subsection A of this section.

20 C. Teachers off contract with an employing district shall not
21 be required by the employing school district to attend professional
22 meetings unless the teacher is paid additional compensation for the
23 additional time. Teachers may be paid additional compensation for
24 attending professional meetings in excess of their contract term.

1 Subject to district board of education policy or collective
2 bargaining agreement, additional paid professional days may be
3 granted for individual teachers to attend or participate in
4 professional meetings, staff development training, or National Board
5 certification portfolio development as provided for in Section 6-
6 204.2 of this title.

7 D. A school district may authorize parent-teacher conferences
8 to be held during a regular school day. If authorized by the school
9 district, parent-teacher conferences shall be counted as classroom
10 instruction time for no more than six (6) hours per semester, for a
11 total of twelve (12) hours per school year.

12 E. A school district may maintain school for less than a full
13 school year only when conditions beyond the control of school
14 authorities make the maintenance of the term impossible and the
15 State Board of Education has been apprised and has expressed
16 concurrence in writing.

17 F. Beginning with the 2022-2023 school year, school districts
18 shall provide the option of in-person classroom instruction at least
19 four (4) days per week for at least eighty-five percent (85%) of the
20 school year.

21 1. A school district which fails to meet the minimum
22 requirements of this subsection, except as provided in paragraph 2
23 of this subsection, shall transition to a charter school. If the
24 school district refuses to transition to a charter school, the

1 school district shall forfeit a percentage of its State Aid and any
2 other state-appropriated revenue in the amount of the difference
3 between eighty-five percent (85%) and the actual percentage of the
4 school year in which the school district offered in-person classroom
5 instruction at least four (4) days per week.

6 2. A school district which fails to meet the minimum
7 requirements of this subsection may be granted a moratorium upon an
8 order signed by the Governor and the State Superintendent of Public
9 Instruction or upon a joint resolution passed by a majority vote of
10 both chambers of the Legislature. The moratorium shall be for one
11 (1) year but may be renewed annually through an order or joint
12 resolution as provided in this paragraph.

13 G. The State Board of Education shall establish criteria for an
14 extended-day schedule for schools subject to paragraph 1 of
15 subsection A of this section. The criteria shall:

16 1. Prescribe a lengthened school day within limits determined
17 not to be detrimental to quality instruction;

18 2. Ensure that the schedule is equivalent in annual hours of
19 instruction to the one-hundred-eighty-day school year specified in
20 paragraph 1 of subsection A of this section; and

21 3. Be consistent with the provisions of this section and
22 Sections 1-111 and 1-112 of this title, but may result in fewer
23 annual days of instruction.

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1 ~~G.~~ H. Notwithstanding the provisions of subsection ~~F~~ G of this
2 section, a school district board of education subject to paragraph 1
3 of subsection A of this section may adopt and implement an extended-
4 day schedule subject to the following requirements:

5 1. The annual number of hours of instruction shall equal or
6 exceed one thousand eighty (1,080) hours, which is the equivalent of
7 one hundred eighty (180) days of instruction as specified in
8 subsection A of this section for six (6) hours each day as specified
9 in Section 1-111 of this title;

10 2. The annual number of days of instruction shall equal or
11 exceed one hundred eighty (180) days as specified in subsection A of
12 this section;

13 3. The schedule adopted shall be consistent with the provisions
14 of Sections 1-111 and 1-112 of this title, except that for not more
15 than one (1) day per week, a school day shall consist of not less
16 than five (5) hours devoted to academic instruction in a regular
17 classroom setting;

18 4. The district shall hold a public hearing prior to the
19 adoption of an extended-day schedule authorized pursuant to this
20 subsection; and

21 5. The district shall document the impact on student
22 achievement as determined by the academic performance data score and
23 any other relevant factors that are a result of implementation of an
24 extended-day schedule authorized pursuant to this subsection and

1 provide an annual report to the State Board of Education of the
2 results. If improvement in student achievement cannot be documented
3 in the report, the district board of education shall revoke
4 authorization as provided by this subsection. If the district does
5 not revoke authorization after student achievement is not documented
6 in the report, the State Board of Education may deny accreditation
7 of any school in violation of this subsection.

8 ~~H.~~ I. Beginning with the 2021-2022 school year, a school
9 district board of education may adopt a school-hours policy as
10 provided for by paragraph 4 of subsection A of this section only if
11 it meets or exceeds the minimum guidelines for student performance
12 and school district cost savings established by the State Board of
13 Education. The State Board of Education shall promulgate rules,
14 subject to approval by the Legislature, establishing the minimum
15 guidelines for student performance and school district cost savings.

16 ~~I.~~ J. If subject to paragraph 2 of subsection A of this
17 section, a district board of education or designee may elect to
18 close a school during the school day for inclement weather purposes.
19 In such an event, the number of hours incurred in classroom
20 instruction time prior to school closure shall be counted toward the
21 one thousand eighty (1,080) hours per year requirement.

22 ~~J.~~ K. Nothing in this section shall be construed as affecting
23 the right of an employing school district to require teachers as
24 defined in Section 6-101.3 of this title to work in excess of the

1 one thousand eighty (1,080) hours required for student instruction.
2 In addition, nothing in this section shall be construed to affect
3 the Fair Labor Standards Act status of any school district employee.

4 ~~K.~~ L. The provisions of this section shall not prohibit the
5 Oklahoma School for the Blind or the Oklahoma School for the Deaf
6 from adopting an alternative school-hours policy if the Oklahoma
7 School for the Blind or the Oklahoma School for the Deaf notifies
8 and receives approval from the State Board of Education prior to
9 October 15 of the applicable school year.

10 SECTION 2. This act shall become effective November 1, 2021.

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