

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 37

By: Loveless

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5
6 AS INTRODUCED

7 An Act relating to instructional days; amending 70
8 O.S. 2011, Section 1-109, as last amended by Section
9 1, Chapter 6, O.S.L. 2016 (70 O.S. Supp. 2016,
10 Section 1-109), which relates to the length of the
11 school year; prohibiting a school schedule from
12 consisting of fewer than five days per week except in
13 certain circumstances; amending 70 O.S. 2011, Section
14 1-111, as last amended by Section 1, Chapter 135,
15 O.S.L. 2016 (70 O.S. Supp. 2016, Section 1-111),
16 which relates to the school day; directing a district
17 board of education to require that instruction be
18 provided for five days per week except in certain
19 circumstances; providing an effective date; and
20 declaring an emergency.

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

22 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-109, as
23 last amended by Section 1, Chapter 6, O.S.L. 2016 (70 O.S. Supp.
24 2016, Section 1-109), is amended to read as follows:

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

1. For not less than one hundred eighty (180) days; or
2. For not less than one thousand eighty (1,080) hours each
school year, if a district board of education adopts a school-hours

1 policy and notifies the State Board of Education prior to October 15
2 of the applicable school year.

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

8 C. Teachers off contract with an employing district shall not
9 be required by the employing school district to attend professional
10 meetings unless the teacher is paid additional compensation for the
11 additional time. Teachers may be paid additional compensation for
12 attending professional meetings in excess of their contract term.
13 Subject to district board of education policy or collective
14 bargaining agreement, additional paid professional days may be
15 granted for individual teachers to attend or participate in
16 professional meetings, staff development training, or National Board
17 certification portfolio development as provided for in Section 6-
18 204.2 of this title.

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

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1 E. A school district may maintain school for less than a full
2 school year only when conditions beyond the control of school
3 authorities make the maintenance of the term impossible and the
4 State Board of Education has been apprised and has expressed
5 concurrence in writing.

6 F. The State Board of Education shall establish criteria for an
7 extended-day schedule for schools subject to paragraph 1 of
8 subsection A of this section. The criteria shall:

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

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

14 3. Be consistent with the provisions of this section and
15 Sections 1-111 and 1-112 of this title, ~~but may result in fewer~~
16 ~~annual days of instruction; and~~

17 4. Shall not result in fewer than five (5) days of school per
18 week, except in the case of inclement weather, holidays or
19 conditions beyond the control of school authorities that make
20 holding school unsafe or hazardous and the State Board of Education
21 has been apprised and has expressed concurrence in writing.

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

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

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

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

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

19 5. The schedule adopted shall not result in fewer than five (5)
20 days of school per week, except in the case of inclement weather,
21 holidays or conditions beyond the control of school authorities that
22 make holding school unsafe or hazardous and the State Board of
23 Education has been apprised and has expressed concurrence in
24 writing; and

1 6. The district shall document the impact on student
2 achievement as determined by the academic performance data score and
3 any other relevant factors that are a result of implementation of an
4 extended-day schedule authorized pursuant to this subsection and
5 provide an annual report to the State Board of Education of the
6 results. If improvement in student achievement cannot be documented
7 in the report, the district board of education shall revoke
8 authorization as provided by this subsection. If the district does
9 not revoke authorization after student achievement is not documented
10 in the report, the State Board of Education may deny accreditation
11 of any school in violation of this subsection.

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

18 I. Nothing in this section shall be construed as affecting the
19 right of an employing school district to require teachers as defined
20 in Section 6-101.3 of this title to work in excess of the one
21 thousand eighty (1,080) hours required for student instruction. In
22 addition, nothing in this section shall be construed to affect the
23 Fair Labor Standards Act status of any school district employee.

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1 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1-111, as
2 last amended by Section 1, Chapter 135, O.S.L. 2016 (70 O.S. Supp.
3 2016, Section 1-111), is amended to read as follows:

4 Section 1-111. A. Except as otherwise provided for by law, a
5 school day shall consist of not less than six (6) hours devoted to
6 school activities. A district board of education may elect to
7 extend the length of one (1) or more school days to more than six
8 (6) hours ~~and reduce the number of school days as long as the total~~
9 ~~amount of classroom instruction time is not less than one thousand~~
10 ~~eighty (1,080) hours per year as required pursuant to Section 1-109~~
11 ~~of this title.~~ A district board of education shall require that
12 instruction be provided no fewer than five (5) days per week, except
13 in the case of inclement weather, holidays or conditions beyond the
14 control of school authorities that make holding school unsafe or
15 hazardous and the State Board of Education has been apprised and has
16 expressed concurrence in writing.

17 B. A school day for nursery, early childhood education,
18 kindergarten, and alternative education programs shall be as
19 otherwise defined by law or as defined by the State Board of
20 Education. Except as otherwise provided for in this subsection, not
21 more than one (1) school day shall be counted for attendance
22 purposes in any twenty-four-hour period. Two (2) school days, each
23 consisting of not less than six (6) hours, may be counted for
24 attendance purposes in any twenty-four-hour period only if one of

1 the school days is for the purpose of parent-teacher conferences
2 held as provided for in Section 1-109 of this title.

3 C. Students absent from school in which they are regularly
4 enrolled may be considered as being in attendance if the reason for
5 such absence is to participate in scheduled school activities under
6 the direction and supervision of a regular member of the faculty or
7 to participate in an online course approved by the district board of
8 education. The State Board of Education shall adopt rules to
9 provide for the implementation of supplemental online courses which
10 shall include, but not be limited to, provisions addressing the
11 following:

12 1. Criteria for student admissions eligibility;

13 2. A student admission process administered through the
14 district of residence, which provides the ability for the student to
15 enroll in individual courses;

16 3. A process by which students are not denied the opportunity
17 to enroll in educationally appropriate courses by school districts.
18 For the purposes of this section, "educationally appropriate" means
19 any instruction that is not substantially a repeat of a course or
20 portion of a course that the student has successfully completed,
21 regardless of the grade of the student, and regardless of whether a
22 course is similar to or identical to the instruction that is
23 currently offered in the school district;

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- 1 4. Creation of a system which provides ongoing enrollment
2 access for students throughout the school year;
- 3 5. A grace period of fifteen (15) calendar days from the first
4 day of an online course for student withdrawal from an online course
5 without academic penalty;
- 6 6. Mastery of competencies for course completion rather than
7 Carnegie units;
- 8 7. Student participation in extracurricular activities in
9 accordance with school district eligibility rules and policies and
10 any rules and policies of a private organization or association
11 which provides the coordination, supervision, and regulation of the
12 interscholastic activities and contests of schools;
- 13 8. Parent authorization for release of state test results to
14 online course providers, on a form developed by the State Department
15 of Education; and
- 16 9. A review process to identify and certify online course
17 providers and a uniform payment processing system.
- 18 D. Each district board of education shall adopt policies and
19 procedures that conform to rules for online courses as adopted by
20 the State Board. Such policies shall include criteria for approval
21 of the course, the appropriateness of the course for a particular
22 student, authorization for full-time students to enroll in online
23 courses, and establishing fees or charges. No district shall be
24 liable for payment of any fees or charges for any online course for

1 a student who has not complied with the district's policies and
2 procedures. School districts shall not deny students the
3 opportunity to enroll in educationally appropriate courses and shall
4 provide an admissions process which includes input from the student,
5 the parent or guardian of the student, and school faculty.

6 E. Districts shall require students enrolled in online courses
7 to participate in the Oklahoma School Testing Program Act. Students
8 participating in online courses from a remote site will be
9 responsible for providing their own equipment and Internet access,
10 unless the district chooses to provide the equipment. Credit may
11 not be granted for such courses except upon approval of the State
12 Board of Education and the district board of education.

13 F. The school day for kindergarten may consist of six (6) hours
14 devoted to school activities.

15 SECTION 3. This act shall become effective July 1, 2017.

16 SECTION 4. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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