

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 441

By: Quinn and Stanislawski of
the Senate

and

Baker of the House

7
8
9
10
11 COMMITTEE SUBSTITUTE

12 An Act relating to schools; amending 70 O.S. 2011,
13 Section 1-109, as last amended by Section 1, Chapter
14 6, O.S.L. 2016 (70 O.S. Supp. 2018, Section 1-109),
15 which relates to the school calendar; allowing school
16 districts to adopt school-hours policy through
17 certain school year; allowing districts to adopt
18 school-hours policy with a minimum number of days
19 beginning with certain school year; requiring
20 districts that adopt school-hours policy beginning
21 with certain school year to meet specified
22 requirements; requiring promulgation of rules;
23 subjecting rules to legislative approval; providing
24 exception if notification is provided and approval is
 received; amending Section 3, Chapter 394, O.S.L.
 2013, as last amended by Section 1, Chapter 10, 2nd
 Extraordinary Session, O.S.L. 2018 (70 O.S. Supp.
 2018, Section 18-114.14), which relates to the
 Minimum Salary Schedule; modifying the Minimum Salary
 Schedule for certified personnel; amending 70 O.S.
 2011, Section 4516, which relates to a continuous
 school program; adding and updating statutory
 references; and providing an effective date.

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

2 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-109, as
3 last amended by Section 1, Chapter 6, O.S.L. 2016 (70 O.S. Supp.
4 2018, Section 1-109), is amended to read as follows:

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

7 1. For not less than one hundred eighty (180) days; ~~or~~

8 2. ~~For~~ Through the 2019-2020 school year, for not less than one
9 thousand eighty (1,080) hours each school year, if a district board
10 of education adopts a school-hours policy and notifies the State
11 Board of Education prior to October 15 of the applicable school
12 year;

13 3. Beginning with the 2020-2021 school year, for not less than
14 one thousand eighty (1,080) hours with a minimum of one hundred
15 sixty-five (165) days of instruction each school year, if a district
16 board of education adopts a school-hours policy and notifies the
17 State Board of Education prior to October 15 of the applicable
18 school year; or

19 4. Beginning with the 2020-2021 school year, for not less than
20 one thousand eighty (1,080) hours each school year, if a district
21 board of education adopts a school-hours policy, notifies the State
22 Board of Education prior to October 15 of the applicable school year
23 and meets the requirements established by the State Board of
24 Education pursuant to subsection H of this section.

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

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

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

22 E. A school district may maintain school for less than a full
23 school year only when conditions beyond the control of school
24 authorities make the maintenance of the term impossible and the

1 State Board of Education has been apprised and has expressed
2 concurrence in writing.

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

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

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

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

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

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

23

24

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

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

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

12 5. The district shall document the impact on student
13 achievement as determined by the academic performance data score and
14 any other relevant factors that are a result of implementation of an
15 extended-day schedule authorized pursuant to this subsection and
16 provide an annual report to the State Board of Education of the
17 results. If improvement in student achievement cannot be documented
18 in the report, the district board of education shall revoke
19 authorization as provided by this subsection. If the district does
20 not revoke authorization after student achievement is not documented
21 in the report, the State Board of Education may deny accreditation
22 of any school in violation of this subsection.

23 H. Beginning with the 2020-2021 school year, a school district
24 board of education may adopt a school-hours policy as provided for

1 by paragraph 4 of subsection A of this section only if it meets or
2 exceeds the minimum guidelines for student performance and school
3 district cost savings established by the State Board of Education.
4 The State Board of Education shall promulgate rules subject to
5 approval by the Legislature establishing the minimum guidelines for
6 student performance and school district cost savings.

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

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

19 K. The provisions of this section shall not prohibit the
20 Oklahoma School for the Blind or the Oklahoma School for the Deaf
21 from adopting an alternative school-hours policy if the Oklahoma
22 School for the Blind or the Oklahoma School for the Deaf notifies
23 and receives approval from the State Board of Education prior to
24 October 15 of the applicable school year.

1 SECTION 2. AMENDATORY Section 3, Chapter 394, O.S.L.
 2 2013, as last amended by Section 1, Chapter 10, 2nd Extraordinary
 3 Session, O.S.L. 2018 (70 O.S. Supp. 2018, Section 18-114.14), is
 4 amended to read as follows:

5 Section 18-114.14 A. Beginning with the ~~2018-2019~~ 2020-2021
 6 school year, certified personnel, as defined in Section 26-103 of
 7 this title, in the public schools of Oklahoma shall receive in
 8 salary and/or fringe benefits not less than the amounts specified in
 9 the following schedule:

10 MINIMUM SALARY SCHEDULE

11 National

12 Years of	Bachelor's	Board	Master's	Doctor's
13 Experience	Degree	Certification	Degree	Degree
14 0	\$36,601	\$37,759	\$37,991	\$39,381
15 1	\$37,035	\$38,193	\$38,425	\$39,815
16 2	\$37,469	\$38,628	\$38,859	\$40,249
17 3	\$37,904	\$39,062	\$39,294	\$40,684
18 4	\$38,338	\$39,496	\$39,728	\$41,118
19 5	\$38,810	\$39,968	\$40,200	\$41,590
20 6	\$39,273	\$40,432	\$40,663	\$42,054
21 7	\$39,737	\$40,895	\$41,127	\$42,517
22 8	\$40,200	\$41,358	\$41,590	\$42,980
23 9	\$40,663	\$41,822	\$42,054	\$43,444
24 10	\$41,684	\$42,844	\$43,568	\$45,945

1	11	\$42,177	\$43,336	\$44,061	\$46,438
2	12	\$42,670	\$43,829	\$44,554	\$46,931
3	13	\$43,162	\$44,322	\$45,047	\$47,424
4	14	\$43,655	\$44,815	\$45,539	\$47,916
5	15	\$44,167	\$45,327	\$46,052	\$48,430
6	16	\$44,660	\$45,820	\$46,545	\$48,923
7	17	\$45,153	\$46,313	\$47,038	\$49,416
8	18	\$45,646	\$46,806	\$47,531	\$49,909
9	19	\$46,139	\$47,299	\$48,024	\$50,402
10	20	\$46,652	\$47,813	\$48,538	\$50,917
11	21	\$47,145	\$48,306	\$49,031	\$51,410
12	22	\$47,639	\$48,799	\$49,524	\$51,903
13	23	\$48,132	\$49,292	\$50,018	\$52,397
14	24	\$48,625	\$49,785	\$50,511	\$52,890
15	25	\$50,049	\$51,232	\$51,971	\$54,395
16	<u>0</u>	<u>\$37,801</u>	<u>\$38,959</u>	<u>\$39,191</u>	<u>\$40,581</u>
17	<u>1</u>	<u>\$38,235</u>	<u>\$39,393</u>	<u>\$39,625</u>	<u>\$41,015</u>
18	<u>2</u>	<u>\$38,669</u>	<u>\$39,828</u>	<u>\$40,059</u>	<u>\$41,449</u>
19	<u>3</u>	<u>\$39,104</u>	<u>\$40,262</u>	<u>\$40,494</u>	<u>\$41,884</u>
20	<u>4</u>	<u>\$39,538</u>	<u>\$40,696</u>	<u>\$40,928</u>	<u>\$42,318</u>
21	<u>5</u>	<u>\$40,010</u>	<u>\$41,168</u>	<u>\$41,400</u>	<u>\$42,790</u>
22	<u>6</u>	<u>\$40,473</u>	<u>\$41,632</u>	<u>\$41,863</u>	<u>\$43,254</u>
23	<u>7</u>	<u>\$40,937</u>	<u>\$42,095</u>	<u>\$42,327</u>	<u>\$43,717</u>
24	<u>8</u>	<u>\$41,400</u>	<u>\$42,558</u>	<u>\$42,790</u>	<u>\$44,180</u>

1	<u>9</u>	<u>\$41,863</u>	<u>\$43,022</u>	<u>\$43,254</u>	<u>\$44,644</u>
2	<u>10</u>	<u>\$42,884</u>	<u>\$44,044</u>	<u>\$44,768</u>	<u>\$47,145</u>
3	<u>11</u>	<u>\$43,377</u>	<u>\$44,536</u>	<u>\$45,261</u>	<u>\$47,638</u>
4	<u>12</u>	<u>\$43,870</u>	<u>\$45,029</u>	<u>\$45,754</u>	<u>\$48,131</u>
5	<u>13</u>	<u>\$44,362</u>	<u>\$45,522</u>	<u>\$46,247</u>	<u>\$48,624</u>
6	<u>14</u>	<u>\$44,855</u>	<u>\$46,015</u>	<u>\$46,739</u>	<u>\$49,116</u>
7	<u>15</u>	<u>\$45,367</u>	<u>\$46,527</u>	<u>\$47,252</u>	<u>\$49,630</u>
8	<u>16</u>	<u>\$45,860</u>	<u>\$47,020</u>	<u>\$47,745</u>	<u>\$50,123</u>
9	<u>17</u>	<u>\$46,353</u>	<u>\$47,513</u>	<u>\$48,238</u>	<u>\$50,616</u>
10	<u>18</u>	<u>\$46,846</u>	<u>\$48,006</u>	<u>\$48,731</u>	<u>\$51,109</u>
11	<u>19</u>	<u>\$47,339</u>	<u>\$48,499</u>	<u>\$49,224</u>	<u>\$51,602</u>
12	<u>20</u>	<u>\$47,852</u>	<u>\$49,013</u>	<u>\$49,738</u>	<u>\$52,117</u>
13	<u>21</u>	<u>\$48,345</u>	<u>\$49,506</u>	<u>\$50,231</u>	<u>\$52,610</u>
14	<u>22</u>	<u>\$48,839</u>	<u>\$49,999</u>	<u>\$50,724</u>	<u>\$53,103</u>
15	<u>23</u>	<u>\$49,332</u>	<u>\$50,492</u>	<u>\$51,218</u>	<u>\$53,597</u>
16	<u>24</u>	<u>\$49,825</u>	<u>\$50,985</u>	<u>\$51,711</u>	<u>\$54,090</u>
17	<u>25</u>	<u>\$51,249</u>	<u>\$52,432</u>	<u>\$53,171</u>	<u>\$55,595</u>
18		Master's Degree +			
19	Years of	National Board			
20	Experience	Certification			
21	0	\$39,149			
22	1	\$39,583			
23	2	\$40,018			
24	3	\$40,452			

1	4	\$40,886
2	5	\$41,358
3	6	\$41,822
4	7	\$42,285
5	8	\$42,749
6	9	\$43,212
7	10	\$44,728
8	11	\$45,221
9	12	\$45,713
10	13	\$46,206
11	14	\$46,699
12	15	\$47,212
13	16	\$47,705
14	17	\$48,198
15	18	\$48,691
16	19	\$49,184
17	20	\$49,698
18	21	\$50,192
19	22	\$50,685
20	23	\$51,178
21	24	\$51,671
22	25	\$53,153
23	<u>0</u>	<u>\$40,349</u>
24	<u>1</u>	<u>\$40,783</u>

1	<u>2</u>	<u>\$41,218</u>
2	<u>3</u>	<u>\$41,652</u>
3	<u>4</u>	<u>\$42,086</u>
4	<u>5</u>	<u>\$42,558</u>
5	<u>6</u>	<u>\$43,022</u>
6	<u>7</u>	<u>\$43,485</u>
7	<u>8</u>	<u>\$43,949</u>
8	<u>9</u>	<u>\$44,412</u>
9	<u>10</u>	<u>\$45,928</u>
10	<u>11</u>	<u>\$46,421</u>
11	<u>12</u>	<u>\$46,913</u>
12	<u>13</u>	<u>\$47,406</u>
13	<u>14</u>	<u>\$47,899</u>
14	<u>15</u>	<u>\$48,412</u>
15	<u>16</u>	<u>\$48,905</u>
16	<u>17</u>	<u>\$49,398</u>
17	<u>18</u>	<u>\$49,891</u>
18	<u>19</u>	<u>\$50,384</u>
19	<u>20</u>	<u>\$50,898</u>
20	<u>21</u>	<u>\$51,392</u>
21	<u>22</u>	<u>\$51,885</u>
22	<u>23</u>	<u>\$52,378</u>
23	<u>24</u>	<u>\$52,871</u>
24	<u>25</u>	<u>\$54,353</u>

1 B. 1. When determining the Minimum Salary Schedule, "fringe
2 benefits" shall mean all or part of retirement benefits, excluding
3 the contributions made pursuant to subsection A of Section 17-108.1
4 of this title and the flexible benefit allowance pursuant to Section
5 26-105 of this title from the flexible benefit allowance funds
6 disbursed by the State Board of Education and the State Board of
7 Career and Technology Education pursuant to Section 26-104 of this
8 title.

9 2. If a school district intends to provide retirement benefits
10 to a teacher such that the teacher's salary would be less than the
11 amounts set forth in the ~~minimum salary schedule~~ Minimum Salary
12 Schedule specified in subsection A of this section, the district
13 shall be required to provide written notification to the teacher
14 prior to his or her employment or, if already employed by the
15 district, no later than thirty (30) days prior to the date the
16 district elects to provide retirement benefits such that the
17 teacher's salary would be less than the ~~minimum salary schedule~~
18 Minimum Salary Schedule.

19 C. Any of the degrees referred to in this section shall be from
20 a college recognized by the State Board of Education. The Board
21 shall accept teaching experience from out-of-state school districts
22 that are accredited by the state board of education or appropriate
23 state accrediting agency for the districts. The Board shall accept
24 teaching experience from out-of-country schools that are accredited

1 or otherwise endorsed by the appropriate national or regional
2 accrediting or endorsement authority. Out-of-country certification
3 documentation in a language other than English shall be analyzed by
4 an educational credential evaluation service in accordance with
5 industry standards and guidelines and approved by the State
6 Department of Education. The person seeking to have credit granted
7 for out-of-country teaching experience shall be responsible for all
8 costs of the analysis by a credential evaluation service. The Board
9 shall accept teaching experience from primary and secondary schools
10 that are operated by the United States Department of Defense or are
11 affiliated with the United States Department of State.

12 D. For the purpose of state salary increments and retirement,
13 no teacher shall be granted credit for more than five (5) years of
14 active duty in the military service or out-of-state or out-of-
15 country teaching experience as a certified teacher or its
16 equivalent. Nothing in this section shall prohibit boards of
17 education from crediting more years of experience on district salary
18 schedules than those allowed for state purposes.

19 E. The State Board of Education shall recognize, for purposes
20 of certification and salary increments, all the years of experience
21 of a:

22 1. Certified teacher who teaches in the educational program of
23 the Department of Corrections, beginning with fiscal year 1981;

24

1 2. Vocational rehabilitation counselor under the Department of
2 Human Services if the counselor was employed as a certified teacher
3 by the State Department of Education when the Division of Vocational
4 Rehabilitation was transferred from the State Board of Career and
5 Technology Education or the State Board of Education to the Oklahoma
6 Public Welfare Commission on July 1, 1968;

7 3. Vocational rehabilitation counselor which were completed
8 while employed by the Department of Human Services if such counselor
9 was certified as a teacher or was eligible for certification as a
10 teacher in Oklahoma;

11 4. Certified teacher which were completed while employed by the
12 Department of Human Services Child Study Center at University
13 Hospital, if the teacher was certified as a teacher in Oklahoma; and

14 5. Certified school psychologist or psychometrist which were
15 completed while employed as a doctoral intern, psychological
16 assistant, or psychologist with any agency of the State of Oklahoma
17 if the experience primarily involved work with persons of school- or
18 preschool-age and if the person was, at the time the experience was
19 acquired, certified as, or eligible for certification as, a school
20 psychologist or psychometrist.

21 F. The provisions of this section shall not apply to teachers
22 who have entered into postretirement employment with a public school
23 in Oklahoma and are still receiving a monthly retirement benefit.

1 G. If a person employed as certified personnel, as defined in
2 Section 26-103 of this title, by a school district during the 2017-
3 2018 school year was receiving a salary above the step level
4 indicated by the State Minimum Salary Schedule for the 2017-2018
5 school year, the person shall receive a salary increase amount equal
6 to the amount indicated in subsection A of this section for the step
7 level indicated for the person, provided they remain employed by the
8 same district, unless the hours or the duties of the certified
9 personnel are reduced proportionately.

10 SECTION 3. AMENDATORY 70 O.S. 2011, Section 4516, is
11 amended to read as follows:

12 Section 4516. The board of education of any school district
13 operating pursuant to the provisions of ~~this act~~ Section 4511 et
14 seq. of this title shall establish a school calendar whereby the
15 teaching sessions and vacation periods during the school year are on
16 a rotating basis.

17 Each selected school shall be closed for all students and
18 employees on regular school holidays.

19 The schools and classes shall be conducted for a total of no
20 less than one hundred eighty (180) days or no less than one thousand
21 eighty (1,080) hours during the academic year as provided for in
22 Section 1-109 of this title.

23 The provisions of all other laws relating to compulsory full-
24 time education and the enrollment and attendance of pupils in the

1 kindergarten, elementary and secondary grades shall be applicable
2 with respect to the regular school days prescribed for the entire
3 academic year established for the school at which a program pursuant
4 to ~~this act~~ Section 4511 et seq. of this title is conducted, and to
5 the attendance area established for such school.

6 SECTION 4. This act shall become effective July 1, 2020.

7
8 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/15/2019 - DO PASS,
9 As Amended.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24