

An Act

ENROLLED SENATE
BILL NO. 441

By: Quinn and Stanislawski of
the Senate

and

Baker and Dills of the
House

An Act relating to the school calendar; amending 70 O.S. 2011, Section 1-109, as last amended by Section 1, Chapter 6, O.S.L. 2016 (70 O.S. Supp. 2018, Section 1-109), which relates to the length of the school year; allowing school districts to adopt certain school-hours policy with certain minimum number of days beginning with certain school year; requiring school districts that adopt certain school-hours policy beginning with certain school year to meet certain requirements; requiring promulgation of certain rules, subject to approval by the Legislature; allowing the Oklahoma School for the Blind and the Oklahoma School for the Deaf to adopt alternative school-hours policy if certain notification is provided and certain approval is received; amending 70 O.S. 2011, Section 4516, which relates to a continuous school program; adding certain statutory reference; updating statutory references; and providing an effective date.

SUBJECT: School calendar

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-109, as last amended by Section 1, Chapter 6, O.S.L. 2016 (70 O.S. Supp. 2018, 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 policy and notifies the State Board of Education prior to October 15 of the applicable school year; or

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

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

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

C. Teachers off contract with an employing district shall not be required by the employing school district to attend professional meetings unless the teacher is paid additional compensation for the additional time. Teachers may be paid additional compensation for attending professional meetings in excess of their contract term. Subject to district board of education policy or collective bargaining agreement, additional paid professional days may be granted for individual teachers to attend or participate in

professional meetings, staff development training, or National Board certification portfolio development as provided for in Section 6-204.2 of this title.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 2. AMENDATORY 70 O.S. 2011, Section 4516, is amended to read as follows:

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

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

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

The provisions of all other laws relating to compulsory full-time education and the enrollment and attendance of pupils in the kindergarten, elementary and secondary grades shall be applicable with respect to the regular school days prescribed for the entire academic year established for the school at which a program pursuant to ~~this act~~ Section 4511 et seq. of this title is conducted, and to the attendance area established for such school.

SECTION 3. This act shall become effective September 1, 2019.

Passed the Senate the 20th day of May, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of May, 2019.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____