

FLOOR AMENDMENT  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3122 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: \_\_\_\_\_

Amendment submitted by: Tad Jones

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 FLOOR SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 3122

By: Jones and Kern of the House

and

Jolley of the Senate

7  
8  
9 FLOOR SUBSTITUTE

10 An Act relating to schools; amending 70 O.S. 2001,  
11 Section 1-109, as last amended by Section 1, Chapter  
12 250, O.S.L. 2006 (70 O.S. Supp. 2007, Section 1-109),  
13 which relates to length of the school year; deleting  
14 certain month and week time requirement; changing  
15 calculation of the school year from days to hours;  
16 modifying time allowed for professional meetings;  
17 deleting duplicative language relating to days for  
18 professional meetings; deleting certain references;  
19 authorizing school districts to establish an  
20 extended-day schedule; deleting approval requirement  
21 by the State Board of Education; modifying  
22 requirements for a high school extended-day schedule;  
23 amending 70 O.S. 2001, Section 1-111, as last amended  
24 by Section 81, Chapter 5, O.S.L. 2004 (70 O.S. Supp.  
2007, Section 1-111), which relates to the school  
day; allowing school districts to extend school days;  
deleting references to an extended-school-day  
program; amending 70 O.S. 2001, Section 1-112, which  
relates to school taught on Saturday; deleting  
reference to certain number of school days to hours;  
modifying statutory language; amending 70 O.S. 2001,  
Section 4516, which relates to the school calendar  
for schools operating under a continuous school year;  
changing reference to certain number of school days  
to hours; repealing 70 O.S. 2001, Section 1-110,  
which relates to the school month; providing an  
effective date for the provisions of the act;

1 providing for noncodification; and providing an  
2 effective date.

3  
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5 SECTION 1. AMENDATORY 70 O.S. 2001, Section 1-109, as  
6 last amended by Section 1, Chapter 250, O.S.L. 2006 (70 O.S. Supp.  
7 2007, Section 1-109), is amended to read as follows:

8 Section 1-109. A. ~~A school year for~~ For all public schools in  
9 Oklahoma ~~shall consist of at least ten (10) months of four (4) weeks~~  
10 ~~each, during which time~~ school shall actually be in session and  
11 classroom instruction offered for not less than ~~one hundred eighty~~  
12 ~~(180) days~~ one thousand eighty (1,080) hours each school year. ~~Five~~  
13 ~~(5) days~~

14 B. Not more than fifteen (15) hours each school year may be  
15 used for attendance of professional meetings and teachers may be  
16 paid for a length of term in excess thereof, under conditions  
17 hereinafter outlined. Subject to district board of education policy  
18 or collective bargaining agreement, additional professional leave  
19 days may be granted for individual teachers to attend or participate  
20 in professional meetings, staff development training, or National  
21 Board certification portfolio development as provided for in Section  
22 6-204.2 of this title. ~~During two (2) days of the additional~~  
23 ~~professional days granted to teachers for National Board~~

1 ~~certification portfolio development, a substitute teacher shall be~~  
2 ~~provided by the school district at no cost to the teacher.~~

3 C. A school district may authorize parent-teacher conferences  
4 to be held during a regular school day. ~~Following such~~  
5 ~~authorization~~ If authorized by the school district, ~~these~~ parent-  
6 teacher conferences shall be counted ~~towards a school day, as~~  
7 ~~defined in Section 1-111 of this title, and included as part of the~~  
8 ~~one hundred seventy five (175) days of~~ as classroom instruction  
9 time.

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

15 ~~B. The State Board of Education~~ E. A school district shall be  
16 authorized to establish ~~criteria for~~ an extended-day schedule. The  
17 ~~criteria~~ extended-day schedule adopted by a school district shall:

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

20 2. Ensure that the schedule is equivalent in annual hours of  
21 instruction to ~~the one hundred eighty day school year~~ one thousand  
22 eighty (1,080) as specified in subsection A of this section; and

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24

1           3. Be consistent with the provisions of this section and  
2 ~~Sections 1-110 through~~ Section 1-112 of this title, but may result  
3 in fewer annual days of instruction.

4           ~~C. The State Board of Education may authorize school districts~~  
5 ~~to implement an extended day schedule for instruction pursuant to~~  
6 ~~the criteria developed.~~ F. The State Board of Education shall  
7 require ~~the participating~~ school districts which implement an  
8 extended-day schedule to prepare a report of the impact of the  
9 extended-day schedule.

10           ~~D. Notwithstanding the provisions of subsections B and C of~~  
11 ~~this section,~~ a G. A school district board of education may adopt  
12 and implement an extended-day schedule for grades nine through  
13 twelve subject to the following requirements:

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

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

22           3. The schedule adopted shall be consistent with the provisions  
23 of ~~Sections 1-110 through~~ Section 1-112 of this title, except that  
24 for not more than one (1) day per week, a school day shall consist

1 of not less than five (5) hours devoted to academic instruction in a  
2 regular classroom setting;

3 ~~4.~~ 3. The district shall hold a public hearing prior to the  
4 adoption of an extended\_day schedule authorized pursuant to this  
5 subsection; and

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

17 SECTION 2. AMENDATORY 70 O.S. 2001, Section 1-111, as  
18 last amended by Section 81, Chapter 5, O.S.L. 2004 (70 O.S. Supp.  
19 2007, Section 1-111), is amended to read as follows:

20 Section 1-111. A. ~~A~~ Except as otherwise provided for by law, a  
21 school day shall consist of not less than six (6) hours devoted to  
22 school activities, except that a school day for. A school may elect  
23 to extend the length of one or more school days to more than six (6)  
24 hours and reduce the number of school days as long as the total

1 amount of classroom instruction time is not less than one thousand  
2 eighty (1,080) hours per year as required pursuant to Section 1-109  
3 of this title.

4 B. A school day for a nursery, early childhood education,  
5 kindergarten, ~~extended day program,~~ and alternative education  
6 programs shall be as otherwise defined by law or as defined by the  
7 State Board of Education. ~~Except for schools operating under an~~  
8 ~~extended day schedule as provided for in Section 1-109 of this~~  
9 ~~title, not~~ Not more than one (1) school day shall be counted for  
10 attendance purposes in any twenty-four-hour period.

11 ~~B.~~ C. Students absent from school in which they are regularly  
12 enrolled may be considered as being in attendance if the reason for  
13 such absence is to participate in scheduled school activities under  
14 the direction and supervision of a regular member of the faculty or  
15 to participate in a remote internet-based course approved by the  
16 district board of education. The State Board of Education shall  
17 adopt rules to provide for the implementation of remote Internet-  
18 based courses.

19 ~~C.~~ D. Each district board of education shall adopt policies and  
20 procedures that conform to rules for Internet-based courses as  
21 adopted by the State Board. Such policies shall include criteria  
22 for approval of the course, the appropriateness of the course for a  
23 particular student, authorization for full-time students to enroll  
24 in Internet-based courses, and establishing fees or charges. No

1 district shall be liable for payment of any fees or charges for any  
2 Internet-based course for a student who has not complied with the  
3 district's policies and procedures. Districts shall require  
4 students enrolled in Internet-based courses to participate in the  
5 Oklahoma School Testing Program Act. Students participating in  
6 Internet-based courses from a remote site will be responsible for  
7 providing their own equipment and Internet access, unless the  
8 district chooses to provide the equipment. Credit may not be  
9 granted for such courses except upon approval of the State Board of  
10 Education and the district board of education.

11 ~~D.~~ E. The school day for kindergarten may consist of six (6)  
12 hours devoted to school activities.

13 SECTION 3. AMENDATORY 70 O.S. 2001, Section 1-112, is  
14 amended to read as follows:

15 Section 1-112. School taught on Saturday shall not be counted  
16 for attendance purposes in meeting the school year requirements ~~of~~  
17 ~~the law for one hundred eighty (180) days in any school term, except~~  
18 ~~for substituting~~ as set forth in Section 1-109 of this title.

19 School taught on Saturday may be substituted for regular school days  
20 during which school has been or will be closed, ~~and except by~~  
21 ~~permission of~~ upon approval of the State Board of Education.

22 SECTION 4. AMENDATORY 70 O.S. 2001, Section 4516, is  
23 amended to read as follows:

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1 Section 4516. The board of education of any school district  
2 operating pursuant to the provisions of this act shall establish a  
3 school calendar whereby the teaching sessions and vacation periods  
4 during the school year are on a rotating basis.

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

7 The schools and classes shall be conducted for a total of no  
8 ~~fewer than one hundred eighty (180) days~~ less than one thousand  
9 eighty (1,080) hours during the academic year.

10 The provisions of all other laws relating to compulsory  
11 full-time education and the enrollment and attendance of pupils in  
12 the kindergarten, elementary and secondary grades shall be  
13 applicable with respect to the regular school days prescribed for  
14 the entire academic year established for the school at which a  
15 program pursuant to this act is conducted, and to the attendance  
16 area established for such school.

17 SECTION 5. REPEALER 70 O.S. 2001, Section 1-110, is  
18 hereby repealed.

19 SECTION 6. NEW LAW A new section of law not to be  
20 codified in the Oklahoma Statutes reads as follows:

21 The provisions of this act shall become effective beginning with  
22 the 2009-2010 school year.

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SECTION 7. This act shall become effective November 1, 2008.

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