

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3122

By: Jones

4  
5  
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2001,  
8 Section 1-109, as last amended by Section 1, Chapter  
9 250, O.S.L. 2006 (70 O.S. Supp. 2007, Section 1-109),  
10 which relates to length of the school year; changing  
11 calculation of the school year from days to hours;  
12 modifying time allowed for professional meetings;  
13 deleting duplicative language relating to days for  
14 professional meetings; deleting certain references;  
15 authorizing school districts to establish an  
16 extended-day schedule; deleting approval requirement  
17 by the State Board of Education; modifying  
18 requirements for a high school extended-day schedule;  
19 amending 70 O.S. 2001, Section 1-111, as last amended  
20 by Section 81, Chapter 5, O.S.L. 2004 (70 O.S. Supp.  
21 2007, Section 1-111), which relates to the school  
22 day; allowing school districts to extend school days;  
23 deleting references to an extended-school-day  
24 program; amending 70 O.S. 2001, Section 1-110, which  
relates to the school month; deleting references to  
certain number of school days; clarifying language;  
deleting duplicative language; 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; providing an  
effective date for the provisions of the act;  
providing for noncodification; and providing an  
effective date.

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

2 SECTION 1. AMENDATORY 70 O.S. 2001, Section 1-109, as  
3 last amended by Section 1, Chapter 250, O.S.L. 2006 (70 O.S. Supp.  
4 2007, Section 1-109), is amended to read as follows:

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

10 B. The equivalent of two (2) days may be used for attendance of  
11 professional meetings and teachers may be paid for a length of term  
12 in excess thereof, under conditions hereinafter outlined. Subject  
13 to district board of education policy or collective bargaining  
14 agreement, additional professional leave days may be granted for  
15 individual teachers to attend or participate in professional  
16 meetings, staff development training, or National Board  
17 certification portfolio development as provided for in Section 6-  
18 204.2 of this title. ~~During two (2) days of the additional~~  
19 ~~professional days granted to teachers for National Board~~  
20 ~~certification portfolio development, a substitute teacher shall be~~  
21 ~~provided by the school district at no cost to the teacher.~~

22 C. A school district may authorize parent-teacher conferences  
23 to be held during a regular school day. Following such  
24 authorization by the school district, these conferences shall be

1 ~~counted towards a school day, as defined in Section 1-111 of this~~  
2 ~~title, and included as part of the one hundred seventy five (175)~~  
3 ~~days of~~ as classroom instruction time.

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

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

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

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

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

20 ~~C. The State Board of Education may authorize school districts~~  
21 ~~to implement an extended day schedule for instruction pursuant to~~  
22 ~~the criteria developed.~~ F. The State Board of Education shall  
23 require ~~the participating~~ school districts which implement an

24

1 extended-day schedule to prepare a report of the impact of the  
2 extended-day schedule.

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

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

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

15 3. The schedule adopted shall be consistent with the provisions  
16 of Sections 1-110 through 1-112 of this title, except that for not  
17 more than one (1) day per week, a school day shall consist of not  
18 less than five (5) hours devoted to academic instruction in a  
19 regular classroom setting;

20 4. 3. The district shall hold a public hearing prior to the  
21 adoption of an extended-day schedule authorized pursuant to this  
22 subsection; and

23 5. 4. The district shall document the impact on student  
24 achievement as determined by the academic performance index score

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

10 SECTION 2. AMENDATORY 70 O.S. 2001, Section 1-111, as  
11 last amended by Section 81, Chapter 5, O.S.L. 2004 (70 O.S. Supp.  
12 2007, Section 1-111), is amended to read as follows:

13 Section 1-111. A. A Except as otherwise provided for by law, a  
14 school day shall consist of not less than six (6) hours devoted to  
15 school activities, except that a school day for. A school may elect  
16 to extend the length of one or more school days to more than six (6)  
17 hours and reduce the number of school days as long as the total  
18 amount of classroom instruction time is not less than one thousand  
19 eighty (1,080) hours per year as required pursuant to Section 1-109  
20 of this title.

21 B. A school day for a nursery, early childhood education,  
22 kindergarten, extended day program, and alternative education  
23 programs shall be as otherwise defined by law or as defined by the  
24 State Board of Education. Except for schools operating under an

1 ~~extended day schedule as provided for in Section 1-109 of this~~  
2 ~~title, not~~ Not more than one (1) school day shall be counted for  
3 attendance purposes in any twenty-four-hour period.

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

12 ~~C.~~ D. Each district board of education shall adopt policies and  
13 procedures that conform to rules for Internet-based courses as  
14 adopted by the State Board. Such policies shall include criteria  
15 for approval of the course, the appropriateness of the course for a  
16 particular student, authorization for full-time students to enroll  
17 in Internet-based courses, and establishing fees or charges. No  
18 district shall be liable for payment of any fees or charges for any  
19 Internet-based course for a student who has not complied with the  
20 district's policies and procedures. Districts shall require  
21 students enrolled in Internet-based courses to participate in the  
22 Oklahoma School Testing Program Act. Students participating in  
23 Internet-based courses from a remote site will be responsible for  
24 providing their own equipment and Internet access, unless the

1 district chooses to provide the equipment. Credit may not be  
2 granted for such courses except upon approval of the State Board of  
3 Education and the district board of education.

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

6 SECTION 3. AMENDATORY 70 O.S. 2001, Section 1-110, is  
7 amended to read as follows:

8 Section 1-110. A school month shall consist of twenty (20)  
9 school days during which school is actually taught or school  
10 activities performed. ~~Provided, that holidays~~ Holidays, elections,  
11 the equivalent of two (2) days devoted to professional meetings as  
12 authorized in Section 1-109 of this title, and other days when  
13 school is closed may be included in the number of days required for  
14 a regular school month, but no holiday or other occasion when school  
15 is not in session shall be included in the ~~one hundred eighty (180)~~  
16 ~~days required to be taught, except not to exceed five (5) days may~~  
17 ~~be used for attendance of professional meetings~~ school year as  
18 defined in Section 1-109 of this title. ~~Any district may pay~~  
19 ~~teachers and other employees on the basis of calendar months for~~  
20 ~~twelve (12) months, as elsewhere provided by the Oklahoma School~~  
21 ~~Code.~~

22 SECTION 4. AMENDATORY 70 O.S. 2001, Section 1-112, is  
23 amended to read as follows:

24

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

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

8 SECTION 5. AMENDATORY 70 O.S. 2001, Section 4516, is  
9 amended to read as follows:

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

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

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

19 The provisions of all other laws relating to compulsory  
20 full-time education and the enrollment and attendance of pupils in  
21 the kindergarten, elementary and secondary grades shall be  
22 applicable with respect to the regular school days prescribed for  
23 the entire academic year established for the school at which a  
24

1 program pursuant to this act is conducted, and to the attendance  
2 area established for such school.

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

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

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

8

9 51-2-9110 KB 01/09/08

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24