

ENGROSSED  
House Bill No. 1864  
As Amended

ENGROSSED HOUSE BILL NO. 1864 - By: Hickman, Billy, Denney, Ownbey, Wright (Harold), Hilliard, Thomsen, Kern, Cannaday, Shumate, Fields, Holland, Cox, Shelton, McDaniel (Jeannie), Hoskin, DeWitt and Kiesel of the House and Brown of the Senate.

[ schools - length of the school year - calculation - days or hours - extend school days - school calendar - school month - noncodification - emergency ]

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 1-109, as last amended by Section 1, Chapter 250, O.S.L. 2006 (70 O.S. Supp. 2008, Section 1-109), is amended to read as follows:

Section 1-109. A. ~~A school year for~~ For all public schools in Oklahoma ~~shall consist of at least ten (10) months of four (4) weeks each, during which time,~~ school shall actually be in session and classroom instruction offered ~~for~~:

1. For not less than one hundred eighty (180) days. ~~Five (5) 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 September  
2 15 of the applicable school year.

3 B. Not more than thirty (30) hours each school year may be used  
4 for attendance of professional meetings and teachers may be paid for  
5 a length of term in excess thereof, under conditions hereinafter  
6 outlined. Subject to district board of education policy or  
7 collective bargaining agreement, additional professional leave days  
8 may be granted for individual teachers to attend or participate in  
9 professional meetings, staff development training, or National Board  
10 certification portfolio development as provided for in Section 6-  
11 204.2 of this title. ~~During two (2) days of the additional~~  
12 ~~professional days granted to teachers for National Board~~  
13 ~~certification portfolio development, a substitute teacher shall be~~  
14 ~~provided by the school district at no cost to the teacher.~~

15 C. A school district may authorize parent-teacher conferences  
16 to be held during a regular school day. ~~Following such~~  
17 ~~authorization~~ If authorized by the school district, these parent-  
18 teacher conferences shall be counted ~~towards a school day, as~~  
19 ~~defined in Section 1-111 of this title, and included as part of the~~  
20 ~~one hundred seventy five (175) days of~~ as classroom instruction time  
21 for no more than six (6) hours per semester, for a total of twelve  
22 (12) hours per school year.

1        D. A school district may maintain school for less than a full  
2 ~~term~~ 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        ~~B.~~ E. The State Board of Education shall establish criteria for  
7 an 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; and

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 ~~1-110 through~~ 1-111 and 1-112 of this title, but may result  
16 in fewer annual days of instruction.

17        ~~C.~~ F. The State Board of Education may authorize school  
18 districts to implement an extended-day schedule for instruction  
19 pursuant to the criteria developed. The State Board of Education  
20 shall require the participating school districts to prepare a report  
21 of the impact of the extended-day schedule.

22        ~~D.~~ G. Notwithstanding the provisions of subsections ~~B~~ E and ~~C~~ F  
23 of this section, a school district board of education subject to

1 paragraph 1 of subsection A of this section may adopt and implement  
2 an extended\_day schedule for grades nine through twelve subject to  
3 the following requirements:

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

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

12 3. The schedule adopted shall be consistent with the provisions  
13 of Sections ~~1-110 through~~ 1-111 and 1-112 of this title, except that  
14 for not more than one (1) day per week, a school day shall consist  
15 of not less than five (5) hours devoted to academic instruction in a  
16 regular classroom setting;

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

20 5. The district shall document the impact on student  
21 achievement as determined by the academic performance index score  
22 and any other relevant factors that are a result of implementation  
23 of an extended\_day schedule authorized pursuant to this subsection

1 and provide an annual report to the State Board of Education of the  
2 results. If improvement in student achievement cannot be documented  
3 in the report, the district board of education shall revoke  
4 authorization as provided by this subsection. If the district does  
5 not revoke authorization after student achievement is not documented  
6 in the report, the State Board of Education may deny accreditation  
7 of any school in violation of this subsection.

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

14 I. Nothing in this section shall be construed to affect the  
15 Fair Labor Standards Act status of any school district employee.

16 SECTION 2. AMENDATORY 70 O.S. 2001, Section 1-111, as  
17 last amended by Section 81, Chapter 5, O.S.L. 2004 (70 O.S. Supp.  
18 2008, Section 1-111), is amended to read as follows:

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

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

4 B. A school day for 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

1 in Internet-based courses, and establishing fees or charges. No  
2 district shall be liable for payment of any fees or charges for any  
3 Internet-based course for a student who has not complied with the  
4 district's policies and procedures. Districts shall require  
5 students enrolled in Internet-based courses to participate in the  
6 Oklahoma School Testing Program Act. Students participating in  
7 Internet-based courses from a remote site will be responsible for  
8 providing their own equipment and Internet access, unless the  
9 district chooses to provide the equipment. Credit may not be  
10 granted for such courses except upon approval of the State Board of  
11 Education and the district board of education.

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

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

16 Section 1-112. School taught on Saturday shall not be counted  
17 for attendance purposes in meeting the school year requirements ~~of~~  
18 ~~the law for one hundred eighty (180) days in any school term, except~~  
19 ~~for substituting~~ as set forth in Section 1-109 of this title.  
20 School taught on Saturday may be substituted for regular school days  
21 during which school has been or will be closed, ~~and except by~~  
22 ~~permission of~~ upon approval of the State Board of Education.

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

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

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

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

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

19 SECTION 5. NEW LAW A new section of law not to be  
20 codified in the Oklahoma Statutes reads as follows:

21 Schools closed for weather-related purposes during the 2008-2009  
22 school year shall be allowed to make up the instruction time missed  
23 with either the equivalent number of days added to the calendar or

1 with the equivalent number of hours being added to remaining school  
2 days previously scheduled. The time may also be made up on a  
3 Saturday if approved by the State Board of Education.

4 SECTION 6. REPEALER 70 O.S. 2001, Section 1-110, is  
5 hereby repealed.

6 SECTION 7. It being immediately necessary for the preservation  
7 of the public peace, health and safety, an emergency is hereby  
8 declared to exist, by reason whereof this act shall take effect and  
9 be in full force from and after its passage and approval.

10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-1-09 - DO  
11 PASS, As Amended and Coauthored.