

1 **SENATE FLOOR VERSION**

2 April 1, 2013

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 1397

By: Johnson of the House

and

Stanislawski of the Senate

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9 An Act relating to schools; amending 70 O.S. 2011,
10 Section 1-109, which relates to the school year;
11 providing maximum number of hours that may be used
12 for professional meetings each school year;
13 prohibiting certain teachers from being required to
14 attend meetings for more than maximum allowed without
15 compensation; providing certain construction; and
16 providing an effective date.

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

18 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-109, is
19 amended to read as follows:

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

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

23 2. For not less than one thousand eighty (1,080) hours each
24 school year, if a district board of education adopts a school-hours
policy and notifies the State Board of Education prior to September
15 of the applicable school year.

1 B. ~~Not~~ A school district may not count more than thirty (30)
2 hours each school year may be that is used for attendance of
3 professional meetings and teachers toward the one hundred eighty
4 (180) days or one thousand eighty (1,080) hours of classroom
5 instruction time required in 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 for a length of term
10 additional compensation for attending professional meetings in
11 excess thereof, under conditions hereinafter outlined of their
12 contract term. Subject to district board of education policy or
13 collective bargaining agreement, additional paid professional leave
14 days may be granted for individual teachers to attend or participate
15 in professional meetings, staff development training, or National
16 Board certification portfolio development as provided for in Section
17 6-204.2 of this title.

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

23 ~~D.~~ E. A school district may maintain school for less than a
24 full school year only when conditions beyond the control of school

1 authorities make the maintenance of the term impossible and the
2 State Board of Education has been apprised and has expressed
3 concurrence in writing.

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

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

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

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

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

20 ~~G.~~ H. Notwithstanding the provisions of subsections ~~F~~ F and ~~F~~ G
21 of this section, a school district board of education subject to
22 paragraph 1 of subsection A of this section may adopt and implement
23 an extended-day schedule for grades nine through twelve subject to
24 the following requirements:

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

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

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

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

17 5. The district shall document the impact on student
18 achievement as determined by the academic performance index score
19 and any other relevant factors that are a result of implementation
20 of an extended-day schedule authorized pursuant to this subsection
21 and provide an annual report to the State Board of Education of the
22 results. If improvement in student achievement cannot be documented
23 in the report, the district board of education shall revoke
24 authorization as provided by this subsection. If the district does

1 not revoke authorization after student achievement is not documented
2 in the report, the State Board of Education may deny accreditation
3 of any school in violation of this subsection.

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

10 ~~F.~~ J. Nothing in this section shall be construed as affecting
11 the right of an employing school district to require teachers as
12 defined in Section 6-101.3 of this title to work in excess of the
13 one thousand eighty (1,080) hours required for student instruction,
14 provided that no teacher shall be required to work in excess of one
15 hundred eighty (180) days during a school year as defined in this
16 section. In addition, nothing in this section shall be construed to
17 affect the Fair Labor Standards Act status of any school district
18 employee.

19 SECTION 2. This act shall become effective November 1, 2013.

20 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
21 April 1, 2013 - DO PASS AS AMENDED
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