

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 3543

By: Caldwell

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2011, Section 1-109, as last amended by Section 1, Chapter 6, O.S.L. 2016 (70 O.S. Supp. 2017, Section 1-109), which relates to public school year criteria; prohibiting school year from beginning earlier than the first Monday in September; providing exception for alternative calendar if approved by school district voters; requiring use of local funds if operating costs are increased; repealing 70 O.S. 2011, Section 1-109.1, which relates to an optional extended school year program; repealing 70 O.S. 2011, Sections 4511, 4515, 4516, 4517 and 4518, which relate to the continuous school program; and providing an effective date.

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. 2017, Section 1-109), is amended to read as follows:

Section 1-109. A. For all public schools in Oklahoma, the school year shall begin no earlier than the first Monday in September except as provided in subsection J of this section and school shall actually be in session and classroom instruction offered:

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

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

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

11 C. Teachers off contract with an employing district shall not
12 be required by the employing school district to attend professional
13 meetings unless the teacher is paid additional compensation for the
14 additional time. Teachers may be paid additional compensation for
15 attending professional meetings in excess of their contract term.
16 Subject to district board of education policy or collective
17 bargaining agreement, additional paid professional days may be
18 granted for individual teachers to attend or participate in
19 professional meetings, staff development training, or National Board
20 certification portfolio development as provided for in Section 6-
21 204.2 of this title.

22 D. A school district may authorize parent-teacher conferences
23 to be held during a regular school day. If authorized by the school
24 district, parent-teacher conferences shall be counted as classroom

1 instruction time for no more than six (6) hours per semester, for a
2 total of twelve (12) hours per school year.

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

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

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

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

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

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

23 1. The annual number of hours of instruction shall equal or
24 exceed one thousand eighty (1,080) hours, which is the equivalent of

1 one hundred eighty (180) days of instruction as specified in
2 subsection A of this section for six (6) hours each day as specified
3 in Section 1-111 of this title;

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

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

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

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

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

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

15 J. A school district may begin the school year earlier than the
16 first Monday in September if the district board of education passes
17 a resolution outlining alternative calendar dates and operational
18 costs which is approved by the voters of the district in a special
19 election held pursuant to subsection C of Section 13A-103 of Title
20 26 of the Oklahoma Statutes. The school district may implement the
21 alternative calendar in the first fiscal year after it is approved
22 by the voters. Any increased operating costs incurred by a school
23 district using an alternative calendar shall be paid with local
24 funds.

1 SECTION 2. REPEALER 70 O.S. 2011, Sections 1-109.1,
2 4511, 4515, 4516, 4517 and 4518, are hereby repealed.

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

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