

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SUBCOMMITTEE RECOMMENDATION
4 FOR
5 HOUSE BILL NO. 3151

6
7 By: Hall

8 SUBCOMMITTEE RECOMMENDATION

9 An Act relating to schools; amending 70 O.S. 2021,
10 Section 1-109, as last amended by Section 1, Chapter
11 480, O.S.L. 2025 (70 O.S. Supp. 2025, Section 1-109),
12 which relates to the length of the school year;
13 prohibiting school districts from counting
14 professional meetings and parent-teacher conferences
toward classroom instruction time; amending 70 O.S.
15 Section 1210.545, as amended by Section 2,
16 Chapter 412, O.S.L. 2025 (70 O.S. Supp. 2025, Section
17 1210.545), which relates to the Oklahoma School
18 Testing Program; eliminating reference to the use of
19 classroom instruction time for certain meetings and
20 conferences; providing an effective date; and
21 declaring an emergency.

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

23 SECTION 1. AMENDATORY 70 O.S. 2021, Section 1-109, as
24 last amended by Section 1, Chapter 480, O.S.L. 2025 (70 O.S. Supp.
2025, Section 1-109), is amended to read as follows:

25 Section 1-109. A. For all public schools in this state, school
26 shall actually be in session and classroom instruction offered:

27 1. For not less than one hundred eighty-one (181) days;

1 2. For not less than one thousand eighty-six (1,086) hours each
2 school year, if a district board of education adopts a school-hours
3 policy and notifies the State Board of Education prior to October 15
4 of the applicable school year;

5 3. Beginning with the 2025-2026 school year, for not less than
6 one thousand eighty-six (1,086) hours with a minimum of one hundred
7 sixty-six (166) days of instruction each school year, if a district
8 board of education adopts a school-hours policy and notifies the
9 State Board of Education prior to October 15 of the applicable
10 school year; or

11 4. Beginning with the 2025-2026 school year, for not less than
12 one thousand eighty-six (1,086) hours each school year, if a
13 district board of education adopts a school-hours policy, notifies
14 the State Board of Education prior to October 15 of the applicable
15 school year, and meets the requirements established by the State
16 Board of Education pursuant to subsection H of this section.

17 B. A school district ~~may shall~~ not count ~~more than thirty~~ (30)
18 hours each school year that are used for attendance of professional
19 meetings toward the one hundred eighty-one (181) days or one
20 thousand eighty-six (1,086) hours of classroom instruction time
21 required in subsection A of this section.

22 C. Teachers off contract with an employing district shall not
23 be required by the employing school district to attend professional
24 meetings unless the teacher is paid additional compensation for the

1 additional time. Teachers may be paid additional compensation for
2 attending professional meetings in excess of their contract term.
3 Subject to district board of education policy or collective
4 bargaining agreement, additional paid professional days may be
5 granted for individual teachers to attend or participate in
6 professional meetings, staff development training, or National Board
7 certification portfolio development as provided for in Section 6-
8 204.2 of this title.

9 D. A school district may authorize parent-teacher conferences
10 to be held during a regular school day. If authorized by the school
11 district, parent-teacher conferences shall not be counted as
12 classroom instruction time ~~for no more than six (6) hours per~~
13 ~~semester, for a total of twelve (12) hours per school year.~~

14 E. A school district may maintain school for less than a full
15 school year only when conditions beyond the control of school
16 authorities make the maintenance of the term impossible and the
17 State Board of Education has been apprised and has expressed
18 concurrence in writing.

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

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

24

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

4 3. Be consistent with the provisions of this section and
5 Sections 1-111 and 1-112 of this title but may result in fewer
6 annual days of instruction.

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

11 1. The annual number of hours of instruction shall equal or
12 exceed one thousand eighty-six (1,086) hours, which is the
13 equivalent of one hundred eighty-one (181) days of instruction as
14 specified in subsection A of this section for six (6) hours each day
15 as specified in Section 1-111 of this title;

16 2. The annual number of days of instruction shall equal or
17 exceed one hundred eighty-one (181) days as specified in subsection
18 A of this section;

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

24

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

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

15 H. Beginning with the 2021-2022 school year, a school district
16 board of education may adopt a school-hours policy as provided for
17 by paragraph 4 of subsection A of this section only if it meets or
18 exceeds the minimum guidelines for student performance and school
19 district cost savings established by the State Board of Education.
20 The State Board of Education shall promulgate rules, subject to
21 approval by the Legislature, establishing the minimum guidelines for
22 student performance and school district cost savings.

23 I. If subject to paragraph 2 of subsection A of this section, a
24 district board of education or designee may elect to close a school

1 during the school day for inclement weather purposes. In such an
2 event, the number of hours incurred in classroom instruction time
3 prior to school closure shall be counted toward the one thousand
4 eighty-six (1,086) hours per year requirement.

5 J. 1. Except as provided for in paragraph 2 of this
6 subsection, beginning with the 2026-2027 school year a school
7 district or charter school shall not count days or portions of days
8 when school is closed and virtual instruction is provided toward the
9 one hundred eighty-one (181) days or one thousand eighty-six (1,086)
10 hours of classroom instruction time required by subsection A of this
11 section. For the purposes of this subsection, "virtual instruction"
12 means the use of the Internet or other digital information
13 transmission systems as a form of instruction.

14 2. Beginning with the 2026-2027 school year, a school district
15 or charter school may count up to two (2) days or twelve (12) hours
16 when school is closed and virtual instruction is provided toward the
17 one hundred eighty-one (181) days or one thousand eighty-six (1,086)
18 hours of classroom instruction time required by subsection A of this
19 section only if:

20 a. the Superintendent of Public Instruction has approved
21 the virtual instruction plan submitted by a school
22 district board of education or charter school
23 governing board. A school district board of education
24 or charter school governing board shall approve its

virtual instruction plan, publish the plan on the website for the school district or charter school, and submit it to the Superintendent of Public Instruction by November 1, 2025. The Superintendent shall approve or disapprove all submitted virtual instruction plans by January 31, 2026. A school district board of education or charter school governing board shall review its virtual instruction plan annually and approve any necessary revisions for submission to the Superintendent of Public Instruction by November 1 each subsequent year, and the Superintendent shall approve or disapprove submitted plans by January 31 each subsequent year. If a plan is disapproved, the school district board of education or charter school governing board may approve a revised plan, publish it on the website for the school district or charter school, and submit it to the Superintendent. The plan shall include a virtual needs assessment which shall address availability of technology infrastructure to deliver virtual instruction. The plan shall also address how the school district or charter school plans to provide:

- (1) instruction to students on an Individualized Education Program (IEP),

- (2) child nutrition services, and
- (3) transportation for students enrolled in technology center school courses or programs,

- b. a state of emergency or proclamation has been issued by the Governor for a specific reason relating to school district or charter school operations, and
- c. the school district board of education or charter school governing board approves the use of virtual instruction.

10 3. The provisions of this subsection shall not apply to
11 statewide virtual charter schools or full-time virtual education
12 programs operated by a school district.

13 K. By June 30, 2027, and by June 30 each subsequent year, the
14 State Department of Education shall publish on its website and
15 electronically submit to the Governor, the President Pro Tempore of
16 the Senate, and the Speaker of the House of Representatives a report
17 with information regarding the use of virtual instruction as
18 authorized by subsection J of this section. The report shall
19 include, at a minimum:

20 1. The school districts and charter schools that closed school
21 and provided virtual instruction as authorized by subsection J of
22 this section and the length of time virtual instruction was
23 provided; and

1 2. The reason for which school was closed and virtual
2 instruction was provided.

3 L. Nothing in this section shall be construed as affecting the
4 right of an employing school district to require teachers as defined
5 in Section 6-101.3 of this title to work in excess of the one
6 thousand eighty-six (1,086) hours required for student instruction.
7 In addition, nothing in this section shall be construed to affect
8 the Fair Labor Standards Act of 1938 status of any school district
9 employee.

10 M. The provisions of this section shall not prohibit the
11 Oklahoma School for the Blind or the Oklahoma School for the Deaf
12 from adopting an alternative school-hours policy if the Oklahoma
13 School for the Blind or the Oklahoma School for the Deaf notifies
14 and receives approval from the State Board of Education prior to
15 October 15 of the applicable school year.

16 SECTION 2. AMENDATORY 70 O.S. 2021, Section 1210.545, as
17 amended by Section 2, Chapter 412, O.S.L. 2025 (70 O.S. Supp. 2025,
18 Section 1210.545), is amended to read as follows:

19 Section 1210.545. A. Except as otherwise provided, as part of
20 the accountability system developed as provided for in Section
21 1210.541 of this title, the State Board of Education shall prepare
22 annual reports of the results of the Oklahoma School Testing Program
23 which describe student achievement in the state, and each school
24 site, pursuant to the Elementary and Secondary Education Act of 1965

1 (ESEA) as reauthorized by P.L. No. 114-95, also known as the Every
2 Student Succeeds Act (ESSA), and any related federal regulations.

3 B. The annual report as required pursuant to subsection A of
4 this section shall identify school sites as having one of the
5 following grades for each indicator, separately, and by a single
6 overview grade of all indicators, defined according to rules of the
7 State Board of Education:

- 8 1. "A" means schools making excellent progress;
- 9 2. "B" means schools making above average progress;
- 10 3. "C" means schools making satisfactory progress;
- 11 4. "D" means schools making less than satisfactory progress;

12 and

- 13 5. "F" means schools failing to make adequate progress.

14 C. Each school that has students who are tested and included in
15 the school grading system as provided for in this section shall
16 receive a school grade, except as follows:

17 1. A school shall not receive a school grade if the number of
18 students tested and included in the school grading system is less
19 than the minimum sample size necessary for statistical reliability
20 and prevention of the unlawful release of personally identifiable
21 student data. The State Board of Education is directed to establish
22 the lowest minimum sample size necessary to meet the requirements of
23 this paragraph; and

24

1 2. The academic performance of students who are enrolled full-
2 time in an online program that is offered by a school district or
3 charter school that is not the district of residence or is not
4 located in the district of residence of the student shall be
5 reported separately by the school district or charter school and
6 shall not be included when determining the grade of the school site
7 or charter school.

8 D. The State Board of Education may adopt alternate systems of
9 accountability for statewide virtual charter schools, alternative
10 education programs as defined in Section 1210.568 of this title, and
11 schools serving only grades prekindergarten or kindergarten through
12 two.

13 E. The grade of a school shall be based on a multimeasures
14 approach to accountability in accordance with the Elementary and
15 Secondary Education Act of 1965 (ESEA) as reauthorized by P.L. No.
16 114-95, also known as the Every Student Succeeds Act (ESSA) and any
17 federal regulations that include, but are not limited to, the
18 following indicators:

19 1. Statewide assessments including the establishment of student
20 performance bands;

21 2. Graduation rates for high schools;

22 3. Statewide academic measures for elementary and middle
23 schools;

24 4. English language proficiency for English learners; and

1 5. At least one additional statewide measure of school quality
2 or student success including, but not limited to, school climate,
3 school safety, student engagement, educator engagement, and/or
4 advanced coursework and postsecondary readiness. Chronic
5 absenteeism shall not be included as a statewide measure of school
6 quality or student success.

7 F. The grade of an elementary or middle school site shall
8 include, but not be limited to:

- 9 1. Up to forty (40) points based on a measure of status for
10 English language arts (ELA), math, and science;
- 11 2. Up to thirty-five (35) points based on growth in ELA and
12 math; and
- 13 3. Up to ten (10) points based on English language proficiency
14 assessment (ELPA) progress.

15 G. The grade of a high school site shall include, but not be
16 limited to:

- 17 1. Up to fifty-five (55) points based on a measure of status
18 for English language arts (ELA), math, and science;
- 19 2. Up to ten (10) points based on English language proficiency
20 assessment (ELPA) progress;
- 21 3. Up to ten (10) points based on the graduation rate; and
- 22 4. Up to ten (10) points based on postsecondary opportunities.

23 For purposes of this section, postsecondary opportunities shall
24 include advanced placement, International Baccalaureate, dual and

1 concurrent enrollment, scoring Silver level or above on American
2 College Testing (ACT) WorkKeys, internships, mentorships and
3 apprenticeships, military readiness as evidenced by being accepted
4 for enlistment into any branch of the military within the first year
5 after high school graduation or earning a military readiness score
6 on the Armed Services Vocational Aptitude Battery (ASVAB), and
7 industry certifications. The Board shall adopt a timeline for
8 moving from completion of such opportunities to crediting
9 achievement of such opportunities.

10 H. Elementary, middle, and high school sites shall be eligible
11 for the following bonus point amounts to be used in the calculation
12 of the site's single overview grade:

13 1. Up to three (3) bonus points if the school site provides in-
14 person classroom instruction in excess of the requirements of
15 paragraphs 1 and 2 of subsection A of Section 1-109 of this title,
16 ~~not including in-person classroom instruction time used for~~
17 ~~professional development or parent-teacher conferences;~~ and

18 2. Up to two (2) bonus points if the school site's chronic
19 absenteeism rate shows improvement.

20 I. The annual report shall identify the performance of each
21 school as having improved, remained the same, or declined. This
22 school improvement rating shall be based on a comparison of the
23 student and school performance data of the current year to the
24 previous year data.

1 J. The State Department of Education shall annually develop a
2 school site report card to be delivered to parents or legal
3 guardians throughout each school district. The report card shall be
4 in accordance with the requirements of the Elementary and Secondary
5 Education Act of 1965 (ESEA) as reauthorized and amended by P.L. No.
6 114-95, also known as the Every Student Succeeds Act (ESSA), and
7 include the grade for the school, information regarding school
8 improvement, an explanation of school performance, and indicators of
9 return on investment. The report card for each school site shall be
10 published annually by the Department on its website, and every
11 school district shall provide the school site report card to the
12 parent or legal guardian of each student enrolled in the school
13 site. In order to provide information regarding school performance
14 for school report cards issued during the 2016-2017 and 2017-2018
15 school years, the Department shall include an explanation of the
16 changes to the statewide system of student assessments as required
17 in Section 1210.508 of this title and how the transition in
18 assessments may impact school performance. The Department shall
19 issue school report cards using the 2016-2017 school year assessment
20 data that is available.

21 K. The Legislature may factor in the performance of schools in
22 calculating any performance-based funding policy that is provided to
23 public school districts.

24

1 L. The State Board of Education shall amend the ESSA
2 consolidated State plan in accordance with the requirements of the
3 Every Student Succeeds Act (ESSA) to replace the measure of chronic
4 absenteeism to reflect the provisions of this section. The Board
5 shall submit the proposed amendment to the United States Department
6 of Education no later than August 1, 2025.

7 M. The State Board of Education shall promulgate rules to
8 implement the provisions of this section.

9 SECTION 3. This act shall become effective July 1, 2026.

10 SECTION 4. It being immediately necessary for the preservation
11 of the public peace, health or safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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