

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4175

By: Staires

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2021, Section 1-109, as last amended by Section 1, Chapter 480, O.S.L. 2025 (70 O.S. Supp. 2025, Section 1-109), which relates to the length of the school year; allowing school districts to request a waiver of required minimum school days and hours; providing waiver requirements; mandating requests be reasonable; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 1-109, as 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:

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

1. For not less than one hundred eighty-one (181) days;
2. For not less than one thousand eighty-six (1,086) hours each school year, if a district board of education adopts a school-hours policy and notifies the State Board of Education prior to October 15 of the applicable school year;

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

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

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

18 C. Teachers off contract with an employing district shall not
19 be required by the employing school district to attend professional
20 meetings unless the teacher is paid additional compensation for the
21 additional time. Teachers may be paid additional compensation for
22 attending professional meetings in excess of their contract term.
23 Subject to district board of education policy or collective
24 bargaining agreement, additional paid professional days may be

1 granted for individual teachers to attend or participate in
2 professional meetings, staff development training, or National Board
3 certification portfolio development as provided for in Section 6-
4 204.2 of this title.

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

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

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

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

20 2. Ensure that the schedule is equivalent in annual hours of
21 instruction to the one-hundred-eighty-one-day school year specified
22 in paragraph 1 of subsection A of this section; and
23
24

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

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

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

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

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

21 4. The district shall hold a public hearing prior to the
22 adoption of an extended-day schedule authorized pursuant to this
23 subsection; and
24

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

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

20 I. If subject to paragraph 2 of subsection A of this section, a
21 district board of education or designee may elect to close a school
22 during the school day for inclement weather purposes. In such an
23 event, the number of hours incurred in classroom instruction time
24

1 prior to school closure shall be counted toward the one thousand
2 eighty-six (1,086) hours per year requirement.

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

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

18 a. the Superintendent of Public Instruction has approved
19 the virtual instruction plan submitted by a school
20 district board of education or charter school
21 governing board. A school district board of education
22 or charter school governing board shall approve its
23 virtual instruction plan, publish the plan on the
24 website for the school district or charter school, and

1 submit it to the Superintendent of Public Instruction
2 by November 1, 2025. The Superintendent shall approve
3 or disapprove all submitted virtual instruction plans
4 by January 31, 2026. A school district board of
5 education or charter school governing board shall
6 review its virtual instruction plan annually and
7 approve any necessary revisions for submission to the
8 Superintendent of Public Instruction by November 1
9 each subsequent year, and the Superintendent shall
10 approve or disapprove submitted plans by January 31
11 each subsequent year. If a plan is disapproved, the
12 school district board of education or charter school
13 governing board may approve a revised plan, publish it
14 on the website for the school district or charter
15 school, and submit it to the Superintendent. The plan
16 shall include a virtual needs assessment which shall
17 address availability of technology infrastructure to
18 deliver virtual instruction. The plan shall also
19 address how the school district or charter school
20 plans to provide:

- 21 (1) instruction to students on an Individualized
22 Education Program (IEP),
 - 23 (2) child nutrition services, and
- 24

- 1 (3) transportation for students enrolled in
2 technology center school courses or programs,
3 b. a state of emergency or proclamation has been issued
4 by the Governor for a specific reason relating to
5 school district or charter school operations, and
6 c. the school district board of education or charter
7 school governing board approves the use of virtual
8 instruction.

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

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

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

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

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

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

14 N. Notwithstanding the requirements of this section, beginning
15 with the 2026-2027 school year, school districts may apply to the
16 State Department of Education for a waiver of the minimum school day
17 and school hours requirements. Such waiver request shall include a
18 proposed schedule and an explanation of how the proposed schedule
19 best meets the student needs of the district and how such schedule
20 will ensure district accountability for student outcomes. Upon
21 receipt of a waiver request, the State Department of Education shall
22 grant the waiver for the next upcoming school year if the Department
23 determines the district's proposed schedule and explanation are
24 reasonable.

1 SECTION 2. This act shall become effective July 1, 2026.

2 SECTION 3. It being immediately necessary for the preservation
3 of the public peace, health or safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval.

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7 60-2-15828 SW 01/10/26