

1 **SENATE FLOOR VERSION**

2 February 19, 2019

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 441

6 By: Quinn

7 An Act relating to the school calendar; amending 70
8 O.S. 2011, Section 1-109, as last amended by Section
9 1, Chapter 6, O.S.L. 2016 (70 O.S. Supp. 2018,
10 Section 1-109), which relates to the length of the
11 school year; allowing school districts to adopt
12 certain school-hours policy beginning with certain
13 school year if certain requirement is met; allowing
14 school districts to retain certain school-hours
15 policy beginning with certain school year if certain
16 requirement is met and certain report is submitted;
17 allowing the Oklahoma School for the Blind and the
18 Oklahoma School for the Deaf to adopt alternative
19 school-hours policy if certain notification is
20 provided and certain approval is received; amending
21 70 O.S. 2011, Section 4516, which relates to a
22 continuous school program; adding certain statutory
23 reference; updating statutory references; and
24 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.
2018, Section 1-109), is amended to read as follows:

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

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

1 2. For not less than one thousand eighty (1,080) 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
4 15 of the applicable school year and meets the requirements of
5 subsection H of this section.

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. 1. Beginning with the 2020-2021 school year, a school
4 district board of education may adopt a school-hours policy as
5 provided for by paragraph 2 of subsection A of this section only if
6 the average performance of students in the school district met or
7 exceeded the statewide average performance of students on each
8 assessment administered pursuant to Section 1210.508 of this title
9 during the previous school year.

10 2. Beginning with the 2021-2022 school year, a school district
11 that has adopted a school-hours policy as provided for by paragraph
12 2 of subsection A of this section may retain the policy only if the
13 school district meets the requirement of paragraph 1 of this
14 subsection and the school district provides evidence that adoption
15 of the four-day school week yielded cost savings during the prior
16 school year. The evidence of cost savings shall be submitted in a
17 report to the State Board of Education at the same time notification
18 is made as required by paragraph 2 of subsection A of this section.

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

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

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

13 SECTION 2. AMENDATORY 70 O.S. 2011, Section 4516, is
14 amended to read as follows:

15 Section 4516. The board of education of any school district
16 operating pursuant to the provisions of ~~this act~~ Section 4511 et
17 seq. of this title shall establish a school calendar whereby the
18 teaching sessions and vacation periods during the school year are on
19 a rotating basis.

20 Each selected school shall be closed for all students and
21 employees on regular school holidays.

22 The schools and classes shall be conducted for a total of no
23 less than one hundred eighty (180) days or no less than one thousand
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1 eighty (1,080) hours during the academic year as provided for in
2 Section 1-109 of this title.

3 The provisions of all other laws relating to compulsory full-
4 time education and the enrollment and attendance of pupils in the
5 kindergarten, elementary and secondary grades shall be applicable
6 with respect to the regular school days prescribed for the entire
7 academic year established for the school at which a program pursuant
8 to ~~this act~~ Section 4511 et seq. of this title is conducted, and to
9 the attendance area established for such school.

10 SECTION 3. This act shall become effective July 1, 2020.

11 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
12 February 19, 2019 - DO PASS AS AMENDED
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