

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES
SUBCHAPTER 1. GENERAL PROVISIONS**

210:10-1-4. Length of term

(a) **Minimum length of the school year.** The minimum length of the school year will be one hundred eighty (180) days or one thousand eighty (1,080) hours, provided up to five (5) days or thirty (30) hours per school year may be used for attendance of professional meetings. A school district that adopts a 1,080 hours policy rather than a 180 day policy shall notify the State Board of Education prior to October 15 of the applicable school year, and provide a copy of the school calendar as approved by the district's board of education. Except as otherwise authorized by law, beginning with the 2021-2022 school year, school must be in session and classroom instruction offered for a minimum of one hundred sixty-five (165) days each school year in every public school. Where professional days are taken, they shall be so recorded in the register of attendance in a like manner as holidays are recorded. The legal aggregate days attendance will be divided by days actually taught to obtain the legal average daily attendance. Any school district holding less than a full term will have its state aid reduced proportionately. No district may have less than a full term of school unless conditions over which it has no control exist that would prevent the district's holding a full term. In cases where sites within a district have different length terms the average daily membership (ADM) and average daily attendance (ADA) should be calculated for each site separately.

(b) **Criteria for an alternate school calendar authorization.** Beginning with the 2021-2022 school year, a school district or charter school must meet the eligibility requirements below in order to request a waiver from the State Board of Education authorizing the district to implement a school year calendar for one or more site(s) that includes fewer than one hundred sixty-five (165) days when school is in session and classroom instruction offered. A district that wishes to apply for a waiver authorizing an alternate length school year shall submit an application addressing all criteria in this subsection no later than June 30 prior to the school year for which the waiver is requested. In order to enable school districts to adequately plan their academic calendars, a waiver application for this purpose may be submitted at any time after the student performance data and federal Every Student Succeeds Act (ESSA) status designations addressed under (b)(1) have been released to schools, provided all such applications must be received by June 30 prior to the applicable school year. The State Board of Education shall render a decision on school calendar waiver applications within sixty (60) days of receipt of a completed application and all necessary supporting materials. To be eligible to apply for an alternate school calendar authorization, a school district must submit a narrative detailing how the proposed calendar is intended to benefit students, and evidence that the district meets all of the following requirements:

(1) **Student performance.** Specific performance criteria apply to schools with different grade ranges, and a district applying for a school calendar waiver must demonstrate that each of its school sites for which the waiver is requested meets the appropriate requirements.

(A) Requirements for early childhood centers (pre-kindergarten through 2nd grade).

The elementary school(s) that the early childhood site feeds into must meet(s) all eligibility criteria under (b)(1)(B).

(B) Requirements for elementary schools and middle schools (pre-kindergarten through 8th grade).

(i) The school's student growth value is at or above the state average in English Language Arts (ELA) on the most recently administered Oklahoma School Testing Program (OSTP) assessments for which data is available.

(ii) The school's student growth value is at or above the state average in math on the most recently administered Oklahoma School Testing Program (OSTP) assessments for which data is available.

(iii) The school is not currently identified for Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI), or Additional Targeted Support and Improvement (ATSI).

(C) Requirements for high schools (9th grade through 12th grade).

(i) The school's 4-year cohort graduation rate is at or above the most recently reported state average graduation rate, provided that regardless of the most recent state average graduation rate an eligible high school's graduation rate must be at or above 82%.

(ii) The percentage of students that met the achievement targets on the most recently administered Oklahoma School Testing Program (OSTP) assessments is at or above the state average.

(iii) The school attained a postsecondary indicator at or above the state average on the most recent school report card issued under the school accountability system.

(iv) The school is not currently identified for Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI), or Additional Targeted Support and Improvement (ATSI).

(2) **Financial criteria.** Due to significant differences in the size and resources of school districts that make a universal standard for cost savings impractical, each district applying for a school calendar waiver shall submit a budget and a narrative describing cost savings. The budget submitted with the narrative describing cost savings shall be the most recent Estimate of Needs submitted by the school district or charter school to the County Excise Board.

~~(b)~~(c) **Attendance determination for students participating in school activities.** School activities must be under the direction or supervision of the teacher or supervisor whether such activities take place within or without the school building or school grounds in order to be considered a school day or part of a school day for attendance purposes. Pupils dismissed and not under the direction or supervision of the teacher cannot be considered as participating in scheduled school activities, provided that a student participating in online coursework or other remote instruction authorized by law for public school students may be included in attendance if the attendance requirements of the instruction program are satisfied. A student serving as a Page to the Legislature may be counted in attendance.

~~(e)~~ All pupils attending any school within a school district ~~including underage, overage, non-resident, and non-transferred pupils~~ shall have their names entered in the attendance register and the district's student information system (SIS). ~~and have their attendance recorded in the same manner as any other pupil.~~