



Title 70. Schools

Oklahoma Statutes Citationized

Title 70. Schools

Chapter 1 - School Code of 1971

Article Article I - Scope, Organization, and Definitions

Section 1-109 - School Year for Public Schools - Criteria for Extended Day Schedule

Cite as: 70 O.S. § 1-109 (OSCN 2023)

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
2. For not less than one thousand eighty (1,080) 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; or
3. Beginning with the 2021-2022 school year, for not less than one thousand eighty (1,080) hours with a minimum of one hundred sixty-five (165) days of instruction 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; or
4. Beginning with the 2021-2022 school year, for not less than one thousand eighty (1,080) hours each school year, if a district board of education adopts a school-hours policy, notifies the State Board of Education prior to October 15 of the applicable school year and meets the requirements established by the State Board of Education pursuant to subsection H of this section.

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

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

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

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

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

1. Prescribe a lengthened school day within limits determined not to be detrimental to quality instruction;
2. Ensure that the schedule is equivalent in annual hours of instruction to the one-hundred-eighty-day school year specified in paragraph 1 of subsection A of this section; and
3. Be consistent with the provisions of this section and [Sections 1-111](#) and [1-112](#) of this title, but may result in fewer annual days of instruction.

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

1. The annual number of hours of instruction shall equal or exceed one thousand eighty (1,080) hours, which is the equivalent of one hundred eighty (180) days of instruction as specified in subsection A of this section for six (6) hours each day as specified in [Section 1-111](#) of this title;
2. The annual number of days of instruction shall equal or exceed one hundred eighty (180) days as specified in subsection A of this section;
3. The schedule adopted shall be consistent with the provisions of [Sections 1-111](#) and [1-112](#) of this title, except that for not more than one (1) day per week, a school day shall consist of not less than five (5) hours devoted to academic instruction in a regular classroom setting;
4. The district shall hold a public hearing prior to the adoption of an extended-day schedule authorized pursuant to this subsection; and
5. The district shall document the impact on student achievement as determined by the academic performance data score and any other relevant factors that are a result of implementation of an extended-day schedule authorized pursuant to this subsection and provide an annual report to the State Board of Education of the results. If improvement in student achievement cannot be documented in the report, the district board of education shall revoke authorization as provided by this subsection. If the district does not revoke authorization after student achievement is not documented in the report, the State Board of Education may deny accreditation of any school in violation of this subsection.

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

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

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

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

Historical Data

Laws 1971, HB 1155, c. 281, § 1-109, eff. July 2, 1971; Amended by Laws 1978, HB 1688, c. 22, § 1, emerg. eff. March 10, 1978; Amended by Laws 1979, HB 1209, c. 1, § 1, emerg. eff. March 8, 1979; Amended by Laws 1981, HB 1272, c. 81, § 1, emerg. eff. April 20, 1981; Amended by Laws 1981, HB 1233, c. 290, § 1, emerg. eff. July 1, 1981; Amended by Laws 1982, SB 559, c. 13, § 1, emerg. eff. March 17, 1982; Amended by Laws 1983, HB 1179, c. 330, § 39, emerg. eff. July 1, 1983; Amended by Laws 1984, SB 368, c. 296, § 36, emerg. eff. July 1, 1984; Amended by Laws 1985, SB 217, c. 143, § 1, emerg. eff. July 1, 1985; Amended by Laws 1992, SB 986, c. 324, § 4, emerg. eff. July 1, 1992; Amended by Laws 1998, SB 770, c. 350, § 2, emerg. eff. June 5, 1998 ([superseded document available](#)); Amended by Laws 2002, SB 1595, c. 236, § 1, emerg. eff. July 1, 2002 ([superseded document available](#)); Amended by Laws 2006, HB 2367, c. 250, § 1, emerg. eff. July 1, 2006 ([superseded document available](#)); Amended by Laws 2009, HB 1864, c. 103, § 1, emerg. eff. April 24, 2009 ([superseded document available](#)); Amended by Laws 2013, HB 1385, c. 83, § 1, emerg. eff. July 1, 2013 ([superseded document available](#)); Amended by Laws 2013, HB 1397, c. 242, § 1, eff. November 1, 2013 ([superseded document available](#)); Amended by Laws 2016, HB 2544, c. 6, § 1, emerg. eff. July 1, 2016 ([superseded document available](#)); Amended by Laws 2019, SB 441, c. 490, § 1, eff. September 1, 2019 ([superseded document available](#)).

<i>Cite Name</i>	<i>Level</i>
Oklahoma Attorney General's Opinions	
<i>Cite</i>	<i>Name</i> <i>Level</i>
<u>2009 OK AG 15.</u>	<u>Question Submitted by: The Honorable Kenneth Corn, Oklahoma State Senator, District 4</u> Discussed
<u>2013 OK AG 26.</u>	<u>Question Submitted by: The Honorable Gus Blackwell, State Representative, District 61</u> Cited
<u>1981 OK AG 11.</u>	<u>Question Submitted by: The Honorable Helen Arnold, Oklahoma House of Representatives</u> Cited
<u>1982 OK AG 159.</u>	<u>Question Submitted by: The Honorable Dr. Leslie Fisher, State Superintendent, State Department of Education</u> Discussed
<u>1983 OK AG 152.</u>	<u>Question Submitted by: The Honorable Joe Fitzgibbon, Oklahoma House of Representatives</u> Discussed at Length
<u>1983 OK AG 247.</u>	<u>Question Submitted by: Dr. Francis Tuttle, Director, Oklahoma State Board of Vocational and Technical Education</u> Cited
<u>1983 OK AG 253.</u>	<u>Question Submitted by: The Honorable Cleta Deatherage, Oklahoma House of Representatives</u> Discussed at Length
<u>1999 OK AG 31.</u>	<u>Question Submitted by: The Honorable Mike Thornbrugh, State Representative, District 75</u> Cited

Oklahoma Session Laws - 2002

<i>Cite</i>	<i>Name</i> <i>Level</i>
<u>2002 O.S.L. 236, 2002 O.S.L. 236.</u>	<u>Schools; relating to length of school day; modifying professional days for teachers; providing for substitutes; requiring successful completion of the competency examination for teacher licensure; excepting Alternative Placement Program candidates. Effective date. Emergency.</u> Discussed

Title 70. Schools

<i>Cite</i>	<i>Name</i> <i>Level</i>
<u>70 O.S. 3-136.</u>	<u>Charter School Compliance</u> Cited
<u>70 O.S. 1210.5E.</u>	<u>Mathematics Remediation</u> Cited
<u>70 O.S. 1210.5E.</u>	<u>Remediation in mathematics.</u> Cited
<u>70 O.S. 1210.508C.</u>	<u>Assessments for Reading Skills</u> Discussed
<u>70 O.S. 18-110.</u>	<u>Adjustments and Limitations</u> Discussed

Citationizer: Table of Authority

<i>Cite Name</i>	<i>Level</i>
Title 70. Schools	
<i>Cite</i>	<i>Name</i> <i>Level</i>
<u>70 O.S. 1-109.</u>	<u>School Year for Public Schools - Criteria for Extended Day Schedule</u> Cited
<u>70 O.S. 1-109.</u>	<u>School Year for Public Schools - Criteria for Extended Day Schedule</u> Cited



Title 70. Schools

Oklahoma Statutes Citationized

Title 70. Schools

Chapter 50 - Higher Education Code

Article Article XV-A - Continuous School Program

Section 4516 - School Calendar

Cite as: 70 O.S. § 4516 (OSCN 2023)

The board of education of any school district operating pursuant to the provisions of [Section 4511](#) et seq. of this title shall establish a school calendar whereby the teaching sessions and vacation periods during the school year are on a rotating basis.

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

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

The provisions of all other laws relating to compulsory full-time education and the enrollment and attendance of pupils in the kindergarten, elementary and secondary grades shall be applicable with respect to the regular school days prescribed for the entire academic year established for the school at which a program pursuant to [Section 4511](#) et seq. of this title is conducted, and to the attendance area established for such school.

Historical Data

Laws 1975, SB 270, c. 332, § 6, emerg. eff. June 12, 1975; Amended by Laws 2009, HB 1864, c. 103, § 4, emerg. eff. April 24, 2009 ([superseded document available](#)); Amended by Laws 2019, SB 441, c. 490, § 2, eff. September 1, 2019 ([superseded document available](#)).

Citationizer[®] Summary of Documents Citing This Document

Cite	Name Level
------	------------

None Found.

Citationizer: Table of Authority

Cite	Name Level
------	------------

None Found.

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. The term of a waiver granted under this Section shall be one (1) school year. 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 for which data is available.

(A) **Requirements for early childhood centers (pre-kindergarten through 2nd grade).** The elementary school(s) that the early childhood site feeds into must meet 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 indicator letter grade is a "C" or higher on the most recent Oklahoma School Report Card issued under the school accountability system. A school's math and English Language Arts (ELA) growth is therefore a compensatory calculation for the purpose of waiver eligibility.

(ii) 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 or 82%, whichever is higher.

(ii) The school's Academic Achievement indicator letter grade is a "C" or higher on the most recent Oklahoma School Report Card issued under the school accountability system.

(iii) The school attained a postsecondary indicator of a letter grade of "C" or higher 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.

(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.

(d) All pupils attending any school within a school district shall have their names entered in the attendance register and the district's student information system (SIS).