



RYAN WALTERS  
STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION  
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

**MEMORANDUM**

**TO:** The Honorable Members of the State Board of Education

**FROM:** Ryan Walters

**DATE:** May 23, 2024

**SUBJECT:** **Length of school year - School for less than full year – Extended-day schedule Closure for inclement weather.**

The following schools are requesting a statutory waiver of 70 O.S. 1-109. 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.

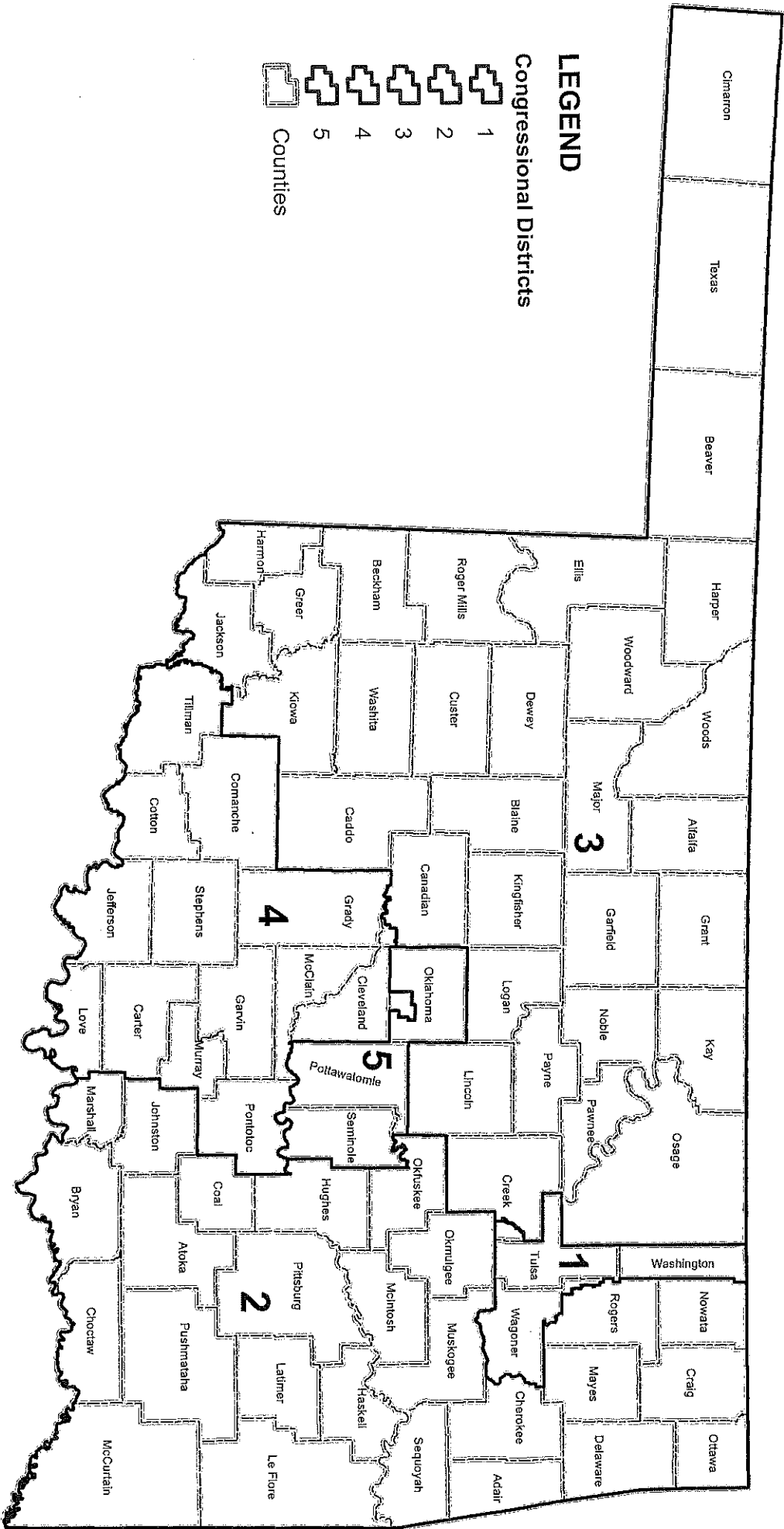
<b>County</b>	<b>District</b>
Osage	Barnsdall

\* The number in the County category represents the Congressional District.  
See the attached map.

LJ/ab

Attachments

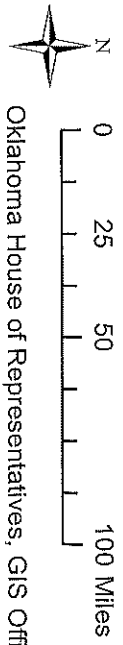
# Oklahoma Congressional Districts Elections



## LEGEND

### Congressional Districts

- 1
  - 2
  - 3
  - 4
  - 5
- Counties





# Barnsdall Public Schools

Dr. Sayra Bryant, Superintendent  
P. O. Box 629  
Barnsdall, Oklahoma 74002  
918-847-2271 ext. 102  
918-847-3029 Fax



Rene Burns  
Middle and High School Principal  
918-847-2721  
918-847-3029 Fax

Leasa Marshall  
Elementary Principal  
918-847-2731  
918-847-3125 Fax

---

May 14, 2024

Ryan Walters  
State Superintendent of Public Instruction  
Oklahoma Department of Education  
2500 North Lincoln Blvd  
Oklahoma City, OK 7315-4599

Dear Superintendent Walters:

Barnsdall Public Schools faced the difficult decision to end the 2023-2024 school year early after the City of Barnsdall issued a Disaster Emergency Declaration in response to an EF4 tornado that ripped through town on the evening of May 6, 2024.

At 10 pm on May 6, 2024 just moments after the tornado struck, the high school gymnasium became a staging area for all emergency response teams. Several school staff members in conjunction with numerous volunteers began recovery and relocation efforts for citizens in our community. By Wednesday, May 8, emergency management teams were able to determine that 181 homes had been damaged or destroyed. As a result, the school campus, which is the largest area in the community, became central command for all emergency operations.

There were seven days remaining in our school calendar to meet the 165 day requirement. We consulted with Doyle Edwards, our Regional Accreditation Officer, regarding the applicable law and accreditation standards for emergency situations such as these. Oklahoma law includes a provision for addressing these circumstances when it states that, "A school district may maintain school for less than a full school year only when conditions beyond the control of school

authorities ake the maintenance of the term impossible and the State Board of Education has been apprised and has expressed concurrence in writing.” ( 70 O.S.)

In addition, the applicable language in the accreditation standards reads as follows:

- (i) If, because of emergency situations, school has been missed more than fifteen (15) days, the State Board of Education will consider forgiving a portion of those days or in rare instances all days missed, on a case-by-case basis, exceptions to the fifteen (15) day minimum will be made at the recommendation of the state superintendent and forgiveness will be considered by the State Board of Education on a case-by-case basis.

Barnsdall Public Schools requests your recommendation to the State Board of Education that the 165 day requirement be waived in response to this emergency situation so the district may receive its full state allocation for the 2023-2024 school year. Please advise us as to any additional information that is needed or steps that should be taken.

We truly appreciate your consideration.

Sincerely,

A handwritten signature in black ink that reads "Sayra Bryant". The signature is written in a cursive, flowing style.

Sayra Bryant, Ed. D.  
Superintendent

DISASTER EMERGENCY PROCLAMATION

WHEREAS, on May 6<sup>th</sup> tornado and severe storms occurred within the City of Barnsdall in Osage County, Oklahoma, wide spread damage to public roadways, infrastructure, public and private properties, public safety, loss of life and injury; and

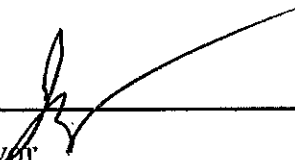
WHEREAS, immediate attention is required to protect public roadway and infrastructure from further damages and insure public safety and render emergency relief; and

WHEREAS, I JOHNNY KELLEY, Mayor of the City of Barnsdall in Osage County Oklahoma, do find that the aforementioned conditions constitute a threat to the safety and welfare to the City of Barnsdall and create an emergency disaster situation within the meaning of Section 683.3 Oklahoma Emergency Management Act of 2003, as amended;


NOW THEREFORE, I JOHNNY KELLEY Mayor of the City of Barnsdall, Osage County do hereby declare City of Barnsdall, Osage County, Oklahoma to be a disaster area, entitled to aid, relief and assistance and do hereby direct the implementation of the County Emergency Operation Plan.

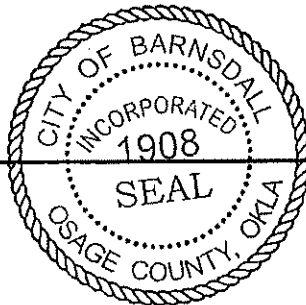
IN THE WITNESS WHEREOF, I have here unto set my hand and seal to this instrument on this 8<sup>th</sup> day of May in the year of our Lord, two thousand twenty four in the City of Barnsdall, Osage County, Oklahoma.

THIS PROCLAMATION SHALL EXPIRE AFTER 30 DAYS, UNLESS OTHERWISE EXTENDED BY THE MAYOR OF THE CITY OF BARNSDALL, OSAGE COUNTY, OKLAHOMA.

  
\_\_\_\_\_  
Mayor

5/8/2024  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
City Clerk



5/8/2024  
\_\_\_\_\_  
DATE



J. Kevin Stitt  
Office of the Governor  
State of Oklahoma

FILED  
May 7, 2024  
OKLAHOMA SECRETARY  
OF STATE

**EXECUTIVE DEPARTMENT  
SECOND AMENDED  
EXECUTIVE ORDER 2024-07**

I, J. Kevin Stitt, Governor of the State of Oklahoma, pursuant to the power vested in me by Section 2 of Article VI of the Oklahoma Constitution, hereby declare the following:

1. Severe storms, tornadoes, straight-line winds, hail, and flooding beginning Thursday, April 25 and continuing have caused damage to public and private properties within the State of Oklahoma; and said damages have caused an undue hardship on the citizens of this State.
2. It may be necessary to provide for the rendering of mutual assistance among the State and political subdivisions of the State with respect to carrying out disaster emergency functions during the continuance of the State emergency pursuant to the provisions of the Oklahoma Emergency Management Act of 2003.
3. There is hereby declared a disaster emergency caused by the severe storms, tornadoes, straight-line winds, hail, and flooding in the State of Oklahoma that threatens the lives and property of the people of this State and the public's peace, health, and safety. The counties included in this declaration are:  
  
Blaine, Carter, Cleveland, Comanche, Cotton, Craig, Custer, Garfield, Hughes, Johnston, Kay, Kingfisher, Lincoln, Love, McClain, Murray, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Payne, Pittsburg, Pontotoc, Pottawatomie, Tillman, Wagoner, Washington, and Washita
4. The State Emergency Operations Plan has been activated and resources of all State departments and agencies available to meet this emergency are hereby committed to the reasonable extent necessary to protect lives and to prevent, minimize, and repair injury and damage. These efforts shall be coordinated by the Director of the Department of Emergency Management with comparable functions of the federal government and political subdivisions of the State.

Based on the foregoing, pursuant to the power vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution and 63 O.S. §§ 683.1 *et seq.*, and pursuant to 49 C.F.R. Part 390.23, I hereby declare that there is a State of Emergency continuing in the State of Oklahoma.

Due to impacts from severe storms, tornadoes, straight-line winds, hail, and flooding beginning April 25, 2024 including extensive damage to power lines and infrastructure, it is necessary to assist and expedite all efforts of relief. In order to accommodate this need and to provide assistance to the residents of the State of Oklahoma in this extraordinary situation, I hereby order the temporary suspension of the following in all 50 states as they apply to vehicles in the support efforts:

1. The requirements for size and weights permits of oversized vehicles under Title 47 of the Oklahoma Statutes whose sole purpose is transportation of materials and supplies used for emergency relief and power restoration;

52421

2. The cost and fees of overweight permits required of carriers whose purpose is the transportation of materials and supplies used for emergency relief and power restoration, which require an overweight permit under Title 47 of Oklahoma statutes;
3. The requirements under Parts 390 through 399 pursuant to part 390.23 of Title 49 of the Federal Motor Carrier Safety Administration Regulations;
4. The requirements for licensing/operating authority as required by the Oklahoma Corporation Commission; and
5. The requirements for licensing/registration authority as required by the Oklahoma Tax Commission.

Nothing contained in this declaration shall be construed as an exemption from the Controlled Substance and Alcohol Use and Testing requirements (49 C.F.R. Part 382), the Commercial Driver License requirements (49 C.F.R. Part 383), the Financial Responsibility requirements (49 C.F.R. Part 387), or any other portion of the regulations not specifically identified herein. Motor carriers that have an Out-Of-Service Order in effect cannot take advantage of the relief from regulation that this declaration provides.

This Executive Order shall be effective for thirty (30) days.

Copies of this Executive Order shall be distributed to the Director of Emergency Management, Oklahoma Corporation Commission, Oklahoma Department of Transportation, Oklahoma Tax Commission, Oklahoma Adjutant General's Office, Office of Management and Enterprise Services, and the Oklahoma Department of Public Safety, who shall cause the provisions of this Order to be implemented by all appropriate agencies of State government.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, this 7th day of May.

**BY THE GOVERNOR OF THE STATE OF OKLAHOMA**



\_\_\_\_\_  
J. KEVIN STITT

ATTEST:



\_\_\_\_\_  
Josh Cockroft, SECRETARY OF STATE



## Title 70. Schools

### Oklahoma Statutes Citationized

#### Title 70. Schools

##### Chapter 1 - School Code of 1971

##### Article I - Scope, Organization, and Definitions

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

as: 70 O.S. § 1-109 (OSCN 2024)

For all public schools in Oklahoma, school shall actually be in session and classroom instruction offered:

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

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

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 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

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 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.

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.

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.

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.

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 State Board of Education has been appraised and has expressed concurrence in writing.

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:

Prescribe a lengthened school day within limits determined not to be detrimental to quality instruction;

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



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 extended-day schedule subject to the following requirements:

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;

The annual number of days of instruction shall equal or exceed one hundred eighty (180) days as specified in subsection A of this section;

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 not less than five (5) hours devoted to academic instruction in a regular classroom setting;

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

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.

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.

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.

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.

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 Law 82, 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 1996, 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 9, 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 97, 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](#)).

**Oklahoma Attorney General's Opinions**

Cite	Name	Level
<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 Cieta 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**

Cite	Name	Level
<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

**70 - Schools**

Cite	Name	Level
<u>70 O.S. 3-136</u>	<u>Charter School Compliance - Contract - Charter</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

**Authorizer: Table of Authority**

e Name	Level
<b>e 70. Schools</b>	Level
Cite	Cited
<u>70 O.S. 1-109</u>	Cited
<u>70 O.S. 1-109</u>	Cited

