



JANET BARRESI
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
STATE OF OKLAHOMA

MEMORANDUM

TO: The Honorable Members of the State Board of Education
FROM: Janet Barresi *JB*
DATE: June 27, 2013
SUBJECT: Statutory Waiver to Allow Two School Days in a 24-Hour Period

The following schools are requesting a statutory waiver of 70 O.S. § 1-111 for the 2013-2014 school year; whereby, they can count a full day of school and six (6) hours of parent-teacher conferences as two school days. Approval is recommended.

District	County	Duration of Waiver (Years)
Bennington Public Schools	Bryan *(2)	6
Braggs Public Schools	Muskogee *(2)	2
Broken Bow Public Schools	McCurtain *(2)	1
Colbert Public Schools	Bryan *(2)	5
Durant Public Schools	Bryan *(2)	3
Lane Public Schools	Atoka *(2)	4
Sterling Public Schools	Comanche *(4)	4

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

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Attachments

Section 10. Extended School Year.

A. School districts shall have the option of establishing and offering an extended school year according to the provisions of this section. The Optional Extended School Year Program provided in paragraph 15 of subsection A of Section 109 of this act means those programs which school districts may provide at the district, site or class level. For the purposes of this program, a school year shall consist of either eleven (11) or twelve (12) months in which school is offered in excess of two hundred (200) days of at least six (6) hours each day. The purpose of the program shall be to improve academic achievement of students participating in the extended school year. The program shall be funded by means of the pupil category weight to be determined by the State Board of Education based upon an amount of funding specified in the State Board of Education's annual appropriation and the level of participation.

B. The State Board of Education shall establish criteria for participation in the program which shall include:

1. A competitive application process based upon requests for proposals;
2. A plan for determining measurable results in terms of academic achievement, pupil retention and other indicators of educational success, including the remediation needs of the district's students;
3. Diversified participation by school district size and geographic location and by amount of school district budget. At least one school district in each of the following categories shall be included: General Fund of less than One Million Dollars (\$1,000,000.00); General Fund of from One Million Dollars (\$1,000,000.00) to Five Million Dollars (\$5,000,000.00); General Fund of from Five Million Dollars (\$5,000,000.00) to Ten Million Dollars (\$10,000,000.00); and General Fund of Ten Million Dollars (\$10,000,000.00) or more. Provided, participation in one of the above categories may be disallowed if no district meeting such fund requirements makes application for the program. (70-1-109.1)

Section 11. School Month - Length - Pay of Teachers for Twelve Months.

A school month shall consist of twenty (20) school days during which school is actually taught or school activities performed. Provided, that holidays, elections, days devoted to professional meetings and other days when school is closed may be included in the number of days required for a regular school month, but no holiday or other occasion when school is not in session shall be included in the one hundred eighty (180) days required to be taught, except not to exceed five (5) days may be used for attendance of professional meetings. Any district may pay teachers and other employees on the basis of calendar months for twelve (12) months, as elsewhere provided by the Oklahoma School Code. (70-1-110)

Once a board of education has determined that a certain day will be used for a professional meeting, superintendent is without authority to excuse teacher from attendance. June 10, 1981 (AG Op. No. 81-118).

Section 12. School Day - Six Hours - Exceptions.

A. A school day shall consist of not less than six (6) hours devoted to school activities, except that a school day for nursery, early childhood education, kindergarten, extended day program, and alternative education programs shall be as otherwise defined by law or as defined by the State Board of Education. Except for schools operating under an extended day schedule as provided for in Section 1-109 of this title, not more than one (1) school day shall be counted for attendance purposes in any twenty-four-hour period.

B. Students absent from school in which they are regularly enrolled may be considered as being in attendance if the reason for such absence is to participate in scheduled school activities under the direction and supervision of a regular member of the faculty or to participate in a remote internet-based course approved by the district board of education. The State Board of Education shall adopt rules to provide for the implementation of remote Internet-based courses.

C. Each district board of education shall adopt policies and procedures that conform to rules for Internet-based courses as adopted by the State Board. Such policies shall include criteria for approval of the course, the appropriateness of the course for a particular student, authorization for full-time students to enroll in Internet-based courses, and establishing fees or charges. No district shall be liable for payment of any fees or charges for any Internet-based course for a student who has not complied with the district's policies and procedures. Districts shall require students enrolled in Internet-based courses to participate in the Oklahoma School Testing Program Act. Students participating in Internet-based courses from a remote site will be responsible for providing their own equipment and Internet access, unless the district chooses to provide the equipment. Credit may not be granted for such courses except upon approval of the State Board of Education and the district board of education.

D. The school day for kindergarten may consist of six (6) hours devoted to school activities. (70-1-111)

A day devoted to parent-teacher conferences is counted as a school day even though pupils are not in attendance. August 10, 1983 (AG Op. No. 83-152).

Section 13. School Taught on Saturday

