

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 758

By: Thompson

4  
5 AS INTRODUCED

6 An Act relating to schools; amending 70 O.S. 2021,  
7 Section 1-109, which relates to length of the school  
8 year; allowing a school district or certain charter  
9 school to include emergency virtual days in certain  
10 policy; providing reasons for which emergency virtual  
11 days may be used; allowing the State Board of  
12 Education to approve use of virtual instruction;  
13 defining term; requiring notification within certain  
14 time period; providing for contents of notification;  
15 requiring the State Department of Education to make  
16 certain determination within certain time period;  
17 requiring a school district or charter school to  
18 provide certain in-person instruction if certain  
19 determination is made; providing process for appeal;  
20 directing virtual instruction to consist of certain  
21 number of hours; allowing the Department to audit  
22 certain records and make certain determination;  
23 requiring certain in-person instruction if certain  
24 determination is made; providing process for appeal;  
25 defining term; requiring publication and submission  
26 of certain annual report; providing for contents of  
27 report; updating statutory language; updating  
28 statutory reference; providing an effective date; and  
29 declaring an emergency.

30 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

31 SECTION 1. AMENDATORY 70 O.S. 2021, Section 1-109, is  
32 amended to read as follows:  
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35

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

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

5 2. For not less than one thousand eighty (1,080) hours each  
6 school year, if a district board of education adopts a school-hours  
7 policy and notifies the State Board of Education prior to October 15  
8 of the applicable school year; ~~or~~

9 3. Beginning with the 2021-2022 school year, for not less than  
10 one thousand eighty (1,080) hours with a minimum of one hundred  
11 sixty-five (165) days of instruction each school year, if a district  
12 board of education adopts a school-hours policy and notifies the  
13 State Board of Education prior to October 15 of the applicable  
14 school year; or

15 4. Beginning with the 2021-2022 school year, for not less than  
16 one thousand eighty (1,080) hours each school year, if a district  
17 board of education adopts a school-hours policy, notifies the State  
18 Board of Education prior to October 15 of the applicable school  
19 year, and meets the requirements established by the State Board of  
20 Education pursuant to subsection H of this section.

21 B. A school district may not count more than thirty (30) hours  
22 each school year that are used for attendance of professional  
23 meetings toward the one hundred eighty (180) days or one thousand  
24

1 eighty (1,080) hours of classroom instruction time required in  
2 subsection A of this section.

3 C. Teachers off contract with an employing district shall not  
4 be required by the employing school district to attend professional  
5 meetings unless the teacher is paid additional compensation for the  
6 additional time. Teachers may be paid additional compensation for  
7 attending professional meetings in excess of their contract term.  
8 Subject to district board of education policy or collective  
9 bargaining agreement, additional paid professional days may be  
10 granted for individual teachers to attend or participate in  
11 professional meetings, staff development training, or National Board  
12 certification portfolio development as provided for in Section 6-  
13 204.2 of this title.

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

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

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

4 1. Prescribe a lengthened school day within limits determined  
5 not to be detrimental to quality instruction;

6 2. Ensure that the schedule is equivalent in annual hours of  
7 instruction to the one-hundred-eighty-day school year specified in  
8 paragraph 1 of subsection A of this section; and

9 3. Be consistent with the provisions of this section and  
10 Sections 1-111 and 1-112 of this title, but may result in fewer  
11 annual days of instruction.

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

16 1. The annual number of hours of instruction shall equal or  
17 exceed one thousand eighty (1,080) hours, which is the equivalent of  
18 one hundred eighty (180) days of instruction as specified in  
19 subsection A of this section for six (6) hours each day as specified  
20 in Section 1-111 of this title;

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

1           3. The schedule adopted shall be consistent with the provisions  
2 of Sections 1-111 and 1-112 of this title, except that for not more  
3 than one (1) day per week, a school day shall consist of not less  
4 than five (5) hours devoted to academic instruction in a regular  
5 classroom setting;

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

9           5. The district shall document the impact on student  
10 achievement as determined by the academic performance data score and  
11 any other relevant factors that are a result of implementation of an  
12 extended-day schedule authorized pursuant to this subsection and  
13 provide an annual report to the State Board of Education of the  
14 results. If improvement in student achievement cannot be documented  
15 in the report, the district board of education shall revoke  
16 authorization as provided by this subsection. If the district does  
17 not revoke authorization after student achievement is not documented  
18 in the report, the State Board of Education may deny accreditation  
19 of any school in violation of this subsection.

20           H. Beginning with the 2021-2022 school year, a school district  
21 board of education may adopt a school-hours policy as provided for  
22 by paragraph 4 of subsection A of this section only if it meets or  
23 exceeds the minimum guidelines for student performance and school  
24 district cost savings established by the State Board of Education.

1 The State Board of Education shall promulgate rules, subject to  
2 approval by the Legislature, establishing the minimum guidelines for  
3 student performance and school district cost savings.

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

10 J. 1. A school district or charter school created pursuant to  
11 Section 3-132 of this title may include in its policy adopted  
12 pursuant to subsection A of this section one or more emergency  
13 virtual days during which instruction shall be delivered to students  
14 virtually. For the purposes of this subsection, reasons for an  
15 emergency virtual day shall only include inclement weather,  
16 unavailability of teachers and support staff due to illness, and  
17 building maintenance issues. No school district or charter school  
18 may close school to provide virtual instruction except as provided  
19 for in this subsection or as approved by the State Board of  
20 Education. For the purposes of this subsection, "virtual  
21 instruction" means the use of the internet or other digital  
22 information transmission systems as a form of instruction.

23 2. a. If a school district administrator determines it  
24 necessary to use an emergency virtual day, he or she

1 shall notify the State Department of Education within  
2 seventy-two (72) hours of the determination being  
3 made. The notification shall include the date or  
4 dates during which virtual instruction was to be  
5 provided and the reason for providing virtual  
6 instruction.

7 b. Within one (1) calendar week of receiving the  
8 notification required by subparagraph a of this  
9 paragraph, the State Department of Education shall  
10 determine whether the use of virtual instruction  
11 complied with the provisions of this subsection. If  
12 the Department determines use of virtual instruction  
13 did not comply with the provisions of this subsection,  
14 the school district or charter school shall be  
15 required to provide an additional day of in-person  
16 instruction.

17 c. If the State Department of Education determines the  
18 use of virtual instruction did not comply with the  
19 provisions of this subsection, the school district or  
20 charter school may appeal the decision to the State  
21 Board of Education.

22 3. a. Instruction delivered virtually pursuant to the  
23 provisions of this subsection shall consist of:  
24

- 1           (1) a minimum of five and one-half (5 1/2) hours for  
2           grades kindergarten through eight including at  
3           least three (3) hours of synchronous instruction,  
4           and  
5           (2) a minimum of six (6) hours for grades nine  
6           through twelve including at least four (4) hours  
7           of synchronous instruction.

8           b. Upon receiving the notification required by  
9           subparagraph a of paragraph 2 of this subsection, the  
10           State Department of Education may audit school  
11           district or charter school records to determine  
12           whether a majority of students enrolled in the school  
13           district or charter school complied with the minimum  
14           hours of synchronous instruction required by this  
15           paragraph. If the Department determines less than a  
16           majority of students enrolled in the school district  
17           or charter school complied with the minimum hours  
18           required by this paragraph, the school district or  
19           charter school shall be required to provide an  
20           additional day of in-person instruction.

21           c. If the State Department of Education determines less  
22           than a majority of students enrolled in the school  
23           district or charter school complied with the minimum  
24           hours required by this paragraph, the school district



1 or charter school may appeal the decision to the State  
2 Board of Education.

3 For the purposes of this subsection, "synchronous instruction" means  
4 real-time interaction between a teacher and students as the primary  
5 format of instruction.

6 K. By June 30, 2026, and by June 30 each subsequent year, the  
7 State Department of Education shall publish on its website and  
8 electronically submit to the Governor, the President Pro Tempore of  
9 the Senate, and the Speaker of the House of Representatives a report  
10 with information regarding the use of emergency virtual days, as  
11 provided for in subsection J of this section. The report shall  
12 include, at a minimum:

13 1. The school districts and charter schools that used emergency  
14 virtual days and the number of emergency virtual days used by each  
15 school district and charter school;

16 2. The reason for which emergency virtual days were used; and

17 3. The school districts and charter schools, if any, that were  
18 required to provide an additional day of in-person instruction  
19 pursuant to subparagraph b of paragraph 2 of subsection J of this  
20 section.

21 L. Nothing in this section shall be construed as affecting the  
22 right of an employing school district to require teachers as defined  
23 in Section 6-101.3 of this title to work in excess of the one  
24 thousand eighty (1,080) hours required for student instruction. In

1 addition, nothing in this section shall be construed to affect the  
2 Fair Labor Standards Act of 1938 status of any school district  
3 employee.

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

10 SECTION 2. This act shall become effective July 1, 2025.

11 SECTION 3. It being immediately necessary for the preservation  
12 of the public peace, health, or safety, an emergency is hereby  
13 declared to exist, by reason whereof this act shall take effect and  
14 be in full force from and after its passage and approval.

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16 60-1-180 EB 1/19/2025 5:42:46 AM