

Act 461 of the 1989 Regular Session.

Act 461

HB1158

By: Representative Hatfield

"AN ACT TO AMEND ARKANSAS CODE 6-10-106 TO ESTABLISH A UNIFORM DATE FOR THE BEGINNING OF THE SCHOOL YEAR IN THE PUBLIC SCHOOLS OF THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 6-10-106 is hereby amended to read as follows: 6-10-106. Uniform dates for beginning and end of school year.

(a) (1) Beginning with the 1989-90 school year and in each school year thereafter, the first day of the school year for student attendance in the public elementary and secondary schools of the state of Arkansas shall be no earlier than the Monday of the week immediately preceding the date observed as Labor Day. Provided that Labor Day is celebrated as a school holiday in all the school districts of the state and school shall not be held on these dates.

(2) School districts which have unavoidably lost an average of six (6) or more scheduled days of student attendance over the past five (5) years, as determined by the Arkansas Department of Education, due to contagious disease outbreaks, inclement weather, or other acts of God will be authorized to have the first day of the school year for student attendance as early as the second preceding Monday to the date observed as Labor Day. The five-year average will be calculated by taking the number of days unavoidably lost for each of the preceding five (5) years, dropping the highest and lowest numbers, and dividing the sum of the remaining numbers by three (3). Averages will be rounded to the nearest and next whole number.

(3) Contracts of employment for certified and noncertified employees of school districts may require school district employees to begin performance under their contract of employment prior to the first day of student attendance.

(4) If the school year in any school district extends beyond the date observed as Memorial Day, such date shall be a holiday in the district. Provided that upon approval of the Arkansas Department of Education, this date may be used as a make-up day in any school district which has unavoidably lost more than five (5) scheduled days of student attendance during the course of the school year due to contagious disease outbreaks, inclement weather or other acts of God.

(b) No other waiver from the requirements of this section shall be granted.

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the Seventy-Seventh General Assembly that due to an outbreak of influenza several school districts may need the benefit of the provisions of this Act in the 1988-89 school year. Therefore, an emergency is hereby declared to exist, and

this act being immediately necessary for the preservation of the public peace, health, and safety shall be in full force and effect from and after its passage and approval.

APPROVED: March 10, 1989

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