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2 91st General Assembly
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4

A Bill

HOUSE BILL 1457

5 By: Representatives C. Douglas, Hammer
6

For An Act To Be Entitled

8 AN ACT TO ALLOW A PUBLIC SCHOOL DISTRICT AND AN OPEN-
9 ENROLLMENT PUBLIC CHARTER SCHOOL TO DEVELOP A PLAN
10 FOR THE USE OF AN ALTERNATIVE METHOD OF INSTRUCTION
11 TO BE USED ON DAYS WHEN SCHOOL IS CANCELLED; AND FOR
12 OTHER PURPOSES.
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Subtitle

15 TO ALLOW A PUBLIC SCHOOL DISTRICT AND AN
16 OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL TO
17 DEVELOP A PLAN FOR THE USE OF AN
18 ALTERNATIVE METHOD OF INSTRUCTION TO BE
19 USED ON DAYS WHEN SCHOOL IS CANCELLED.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 6-10-106(f), concerning a public school
26 district's academic calendar, is amended to read as follows:

27 (f)(1) A public school district shall adopt an academic calendar that
28 includes five (5) make-up days, in addition to the number of student-teacher
29 interaction days required by the Standards for Accreditation of Arkansas
30 Public Schools and School Districts established by the State Board of
31 Education, for days unavoidably lost due to exceptional or emergency
32 circumstances ~~resulting from, including without limitation~~ a contagious
33 disease outbreak, inclement weather, or other acts of God.

34 (2) A public school district that has a plan for the use of an
35 alternative method of instruction approved by the Commissioner of Education
36 under § 6-10-127 is exempt from the requirement under subdivision (f)(1) of



1 this section.

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 3 SECTION 2. Arkansas Code § 6-10-127 is amended to read as follows:
 4 6-10-127. Making up missed school days.

5 (a) As used in this section:

6 (1) "Alternative method of instruction" means the delivery of
 7 classroom instruction and assignments by a method other than through the
 8 classroom setting, including without limitation:

9 (A) Posting classroom assignments:

10 (i) On the school district's website; or

11 (ii) Through another method of digital learning;

12 (B) Distributing SACKs; or

13 (C) Any other method approved by the Commissioner of
 14 Education; and

15 (2) "SACK" means a schools are closed kit that contains paper
 16 copies of classroom assignments developed to be used as an alternative method
 17 of instruction.

18 (b) If a superintendent cancels a regularly scheduled school day due
 19 to exceptional or emergency circumstances, ~~such as~~ including without
 20 limitation a contagious disease outbreak, inclement weather, or other acts of
 21 God, the superintendent ~~can make up~~ may allow for missed school days to be
 22 made up by adding time to the beginning or ending of a regular school day for
 23 a minimum of sixty (60) minutes.

24 (c)(1)(A)(i) Beginning in the 2018-2019 school year, the Department of
 25 Education shall establish a two-year pilot program that allows a public
 26 school district or an open-enrollment public charter school to submit for
 27 approval a plan for the use of an alternative method of instruction on days
 28 when the regularly scheduled school day is cancelled due to exceptional or
 29 emergency circumstances, including without limitation a contagious disease
 30 outbreak, inclement weather, or other acts of God.

31 (ii) At the conclusion of the 2018-2019 school year,
 32 the department shall report to the Senate Committee on Education and the
 33 House Committee on Education an evaluation of the pilot program.

34 (iii) Beginning in the 2020-2021 school year, the
 35 pilot program shall become a permanent program.

36 (B)(i) If a public school district or an open-enrollment

1 public charter school posts classroom assignments on its website or through
2 another method of digital learning as an alternative method of instruction,
3 the public school district or the open-enrollment public charter school shall
4 also include the use of a SACK for a student unable to access the classroom
5 assignments.

6 (ii) The SACK under subdivision (c)(1)(B)(i) of this
7 section shall contain classroom assignments identical to the classroom
8 assignments posted on the website or through another method of digital
9 learning.

10 (C) A student shall have five (5) days from the day school
11 is re-opened to complete the classroom assignment.

12 (2) A plan for the use of an alternative method of instruction
13 shall include without limitation a description of:

14 (A) How the alternative method of instruction will meet
15 the same teaching and learning standards as instruction provided in a
16 classroom setting;

17 (B) The alternative method of instruction the public
18 school district or the open-enrollment public charter school will use;

19 (C)(i) How the public school district or the open-
20 enrollment public charter school will use licensed and nonlicensed personnel.

21 (ii) A public school district or an open-enrollment
22 public charter school shall not require licensed and nonlicensed personnel to
23 participate in the alternative method of instruction.

24 (iii)(a) Licensed personnel who participate in the
25 alternative method of instruction shall be:

26 (1) Available by phone or email to
27 assist students with the classroom assignments; and

28 (2) Considered to have fulfilled a
29 contract day under the licensed personnel's employment contract.

30 (b) Licensed personnel who do not participate
31 in the alternative method of instruction shall make up the day in a manner
32 and at a date and time determined by the principal of the public school or
33 open-enrollment public charter school at which the licensed personnel is
34 employed.

35 (D) How the public school district or the open-enrollment
36 public charter school will provide special education services, including

1 without limitation maintaining compliance with the Individuals with
2 Disabilities Education Act, 20 U.S.C. § 1400 et seq., and the Children With
3 Disabilities Act of 1973, § 6-41-201 et seq.; and

4 (E) Any other information required by the commissioner.

5 (3) If the commissioner approves the plan, the public school
6 district or the open-enrollment public charter school may implement the plan
7 during the school year for which the plan was approved.

8 (4)(A) A school employee shall not be required to participate in
9 the plan on days when the regularly scheduled school day is cancelled due to
10 exceptional or emergency circumstances, including without limitation a
11 contagious disease outbreak, inclement weather, or other acts of God.

12 (B) If licensed personnel choose not to participate under
13 subdivision (c)(4)(A) of this section, the licensed personnel shall make up
14 the missed school day in a manner determined by the superintendent of the
15 public school district or the operator of the open-enrollment public charter
16 school.

17 (d)(1) The commissioner may grant the equivalent of up to ten (10)
18 student attendance days to a public school district or an open-enrollment
19 public charter school for days that the public school district or the open-
20 enrollment public charter school uses a plan approved by the commissioner.

21 (2) Upon written request by a public school district or an open-
22 enrollment public charter school, the commissioner may grant additional
23 student attendance days for days that the public school district or the open-
24 enrollment public charter school uses a plan approved by the commissioner.

25 (e) The department may promulgate rules to implement this section.

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