

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

*As Engrossed: H2/9/17*

# A Bill

HOUSE BILL 1457

5 By: Representatives C. Douglas, Hammer  
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## 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 (d)(1) The commissioner may grant the equivalent of up to ten (10)  
6 student attendance days to a public school district or an open-enrollment  
7 public charter school for days that the public school district or the open-  
8 enrollment public charter school uses a plan approved by the commissioner.

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

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

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15 */s/C. Douglas*  
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