

State of Arkansas
93rd General Assembly
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As Engrossed: H2/23/21

A Bill

HOUSE BILL 1237

By: Representative Lowery

For An Act To Be Entitled

AN ACT CONCERNING THE SCHOOL START DATE AND THE
DEFINITION AND LENGTH OF A SCHOOL DAY; TO ALLOW
PUBLIC SCHOOL DISTRICT BOARDS OF DIRECTORS TO ELECT
TO IMPLEMENT AN ALTERNATE SCHOOL CALENDAR; TO AMEND
THE DEFINITION OF A SCHOOL DAY; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND THE SCHOOL START DATE; TO ALLOW
PUBLIC SCHOOL DISTRICT BOARDS OF
DIRECTORS TO ELECT TO IMPLEMENT AN
ALTERNATE SCHOOL CALENDAR; AND TO AMEND
THE DEFINITION OF A SCHOOL DAY.

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

SECTION 1. Arkansas Code § 6-10-106(a), concerning the dates for the
beginning and end of the school year, is amended to read as follows:

(a)(1)(A) ~~In each school year~~ Beginning with the 2021-2022 school
year, the first day of the school year for student attendance in the public
elementary and secondary schools ~~of the State of Arkansas~~ shall not be+

~~(i) On or after the Monday of the week in which~~
~~August 19 falls;~~

~~(ii) Not earlier than August 14; and~~ the Monday
before Labor Day

~~(iii) Not later than August 26.~~

(B) The date for beginning the school year shall be



1 determined by the board of directors of ~~the~~ each school district in
2 accordance with subdivision (a)(1)(A) of this section.

3 (C) Labor Day shall be celebrated as a school holiday in
4 all the school districts of the state, and school shall not be held on that
5 date.

6 (D) As used in this section, "week" means a seven-day
7 period that begins on a Sunday and ends on a Saturday.

8 (2)(A) The Division of Elementary and Secondary Education may
9 grant a school district a waiver to begin school on ~~an earlier or~~ a later
10 date if the division determines that there exists a material and substantial
11 reason for the school district to begin school on ~~an earlier or~~ a later date
12 due to very exceptional or emergency circumstances such as a contagious
13 disease outbreak, inclement weather, or other acts of God.

14 (B) The division shall not grant a public school district
15 a waiver under § 6-15-103 to begin school on an earlier date.

16
17 SECTION 2. Arkansas Code § 6-10-106(f), concerning make-up days built
18 into a school calendar, is amended to read as follows:

19 (f) A Except as provided under subsection (g), a school district shall
20 adopt an academic calendar that includes five (5) make-up days, in addition
21 to the number of student-teacher interaction days required by the Standards
22 for Accreditation of Arkansas Public Schools and School Districts established
23 by the State Board of Education, for days unavoidably lost due to exceptional
24 or emergency circumstances resulting from a contagious disease outbreak,
25 inclement weather, or other acts of God.

26
27 SECTION 3. Arkansas Code § 6-10-106, concerning a school start date,
28 is amended to add an additional subsection to read as follows:

29 (g)(1) Beginning with the 2022-2023 school year, a public school
30 district board of directors may elect to implement an alternate school
31 calendar.

32 (2)(A) An alternate school calendar implemented under
33 subdivision (g)(1) of this section shall consist of:

34 (i) At least one thousand sixty-eight (1,068) hours
35 of instructional time; and

36 (ii)(a) At least thirty (30) make-up hours, in

1 addition to the number of hours required of instructional time, for days
2 unavoidably lost due to exceptional or emergency circumstances resulting from
3 inclement weather.

4 (b) If additional make-up hours are needed,
5 the public school district board of directors shall modify its alternate
6 school calendar to include make-up hours for the additional hours needed.

7 (B) However, there shall not be a minimum number of school
8 days required to meet the required one thousand sixty-eight (1,068) hours of
9 instructional time.

10 (3) A public school district board of directors that elects to
11 implement an alternate school calendar under subdivision (b)(1) of this
12 section shall:

13 (A) Notify the division by July 1 of each year that the
14 public school district intends to implement the alternate school calendar;

15 (B) Post the alternate school calendar on the public
16 school district's website by August 1 of each year that the public school
17 district intends to implement the alternate school calendar;

18 (C) Input into eSchool, eFinance, or the Arkansas Public
19 School Computer Network all data that:

20 (i) Affects the average daily membership of the
21 public school district; and

22 (ii) Ensures compliance with the required minimum
23 number of school instructional hours under subdivision (g)(2)(A)(i) of this
24 section; and

25 (D)(i) Not be eligible for the use of alternative methods
26 of instruction granted under § 6-10-127.

27 (ii) However, a public school district that
28 implements an alternate school calendar under subdivision (b)(1) of this
29 section may submit an application to operate a virtual learning option.

30 (4) The total number of instructional hours under an alternate
31 school calendar shall be converted to school days for purposes of the:

32 (A) Number of days required in a teacher employment basic
33 contract under § 6-17-2402(1);

34 (B) Number of days counted during the official reporting
35 period for attendance under § 6-18-213(b)(1); and

36 (C) Average daily membership calculated under § 6-20-

1 2303(3).

2 (5) The division may promulgate rules as necessary to administer
3 this section.

4
5 SECTION 4. Arkansas Code § 6-16-102(a)(1)-(3), concerning the
6 definition of "school day", are amended to read as follows:

7 (a)(1)(A) As Except as provided under subdivision (a)(1)(B) of this
8 section, as used in this section, "school day" shall mean a day in which
9 classes are in session and students receive at least six (6) hours of
10 instructional time.

11 (B) However, "school day" for purposes of a public school
12 district that implements an alternate school calendar under § 6-10-106(g)
13 means a day in which classes are in session and students are under the
14 guidance and direction of a teacher or public school employee.

15 (2)(A) Any day in which less than six (6) hours of instructional
16 time are provided to students shall be counted as one-half ($\frac{1}{2}$) of a school
17 day if at least three (3) hours of instructional time are provided to
18 students.

19 (B) However, subdivision (a)(2)(A) of this section shall
20 not apply to a public school district that implements an alternate school
21 calendar under § 6-10-106(g).

22 (3)(A) Any day in which less than three (3) hours of
23 instructional time are provided to students shall not be counted as any part
24 of a school day.

25 (B) However, subdivision (a)(3)(A) of this section shall
26 not apply to a public school district that implements an alternate school
27 calendar under § 6-10-106(g).

28
29 SECTION 5. Arkansas Code § 6-16-102(c), concerning planned
30 instructional time during a school day, is amended to read as follows:

31 (c)(1) A school district is deemed to have fulfilled the requirements
32 of subsection (a) of this section if the planned instructional time in each
33 school day does not average less than six (6) hours each day or thirty (30)
34 hours each week.

35 (2) However, subdivision (c)(1) of this section shall not apply
36 to a public school district that implements an alternate school calendar

under § 6-10-106(g).

/s/Lowery