

State of Arkansas As Engrossed: H2/23/21 H3/15/21

93rd General Assembly

# A Bill

Regular Session, 2021

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 2022-2023 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 two  
(2) weeks 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