

1 State of Arkansas As Engrossed: H2/23/21 H3/15/21 S4/7/21

2 93rd General Assembly

A Bill

3 Regular Session, 2021

HOUSE BILL 1237

4

5 By: Representative Lowery

6 By: Senator Irvin

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For An Act To Be Entitled

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

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Subtitle

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

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

29 (a)(1)(A) ~~In each school year~~ Beginning with the 2022-2023 school
30 year, the first day of the school year for student attendance in ~~the~~ public

31 elementary and secondary schools ~~of the State of Arkansas~~ shall not be+

32 ~~(i) On or after the Monday of the week in which~~

33 ~~August 19 falls;~~

34 ~~(ii) Not earlier than August 14; and~~ the Monday two

35 (2) weeks before Labor Day

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



1 (B) The date for beginning the school year shall be
2 determined by the board of directors of ~~the~~ each school district in
3 accordance with subdivision (a)(1)(A) of this section.

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

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

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

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

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

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

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

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

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

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

1 (ii)(a) At least thirty (30) make-up hours, in
2 addition to the number of hours required of instructional time, for days
3 unavoidably lost due to exceptional or emergency circumstances resulting from
4 inclement weather.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (C) Average daily membership calculated under § 6-20-
2 2303(3).

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

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

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

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

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

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

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

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

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

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

36 (2) However, subdivision (c)(1) of this section shall not apply

1 to a public school district that implements an alternate school calendar
2 under § 6-10-106(g).

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/s/Lowery

APPROVED: 4/13/21