

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas      *As Engrossed: H2/23/21 H3/15/21 S4/7/21*  
93rd General Assembly      **A Bill**  
Regular Session, 2021

HOUSE BILL 1237

By: Representative Lowery

*By: Senator Irvin*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

/s/Lowery