

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1864

5 By: Representative Andrews
6 By: Senator J. English
7

For An Act To Be Entitled

9 AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE TO
10 IMPROVE EFFICIENCY IN STUDENT INSTRUCTION; TO CREATE
11 A STANDARDIZED FLEXIBLE SCHOOL CALENDAR SYSTEM FOR
12 PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 TO AMEND PROVISIONS OF THE ARKANSAS CODE
16 TO IMPROVE EFFICIENCY IN STUDENT
17 INSTRUCTION; AND TO CREATE A
18 STANDARDIZED FLEXIBLE SCHOOL CALENDAR
19 SYSTEM FOR PUBLIC SCHOOLS.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 6-10-106 is amended to read as follows:

25 6-10-106. ~~Uniform dates for beginning and end of school year—~~

26 Definition School calendar – Definitions.

27 (a)(1)(A) Each school year, each public school district board of
28 directors and governing entity of an open-enrollment public charter school
29 shall establish by policy the first day of the school year for student
30 attendance in public elementary and secondary schools.

31 ~~(B) The first day of the school year for student~~
32 ~~attendance established under subdivision (a)(1)(A) of this section shall~~
33 ~~ensure compliance with the number of student teacher interaction days or~~
34 ~~hours required by the Standards for Accreditation of Arkansas Public Schools~~
35 ~~and School Districts established by the State Board of Education.~~

36 (2) Beginning with the 2026-2027 school year, the first day of



1 the school year for student attendance in public school districts and open-
 2 enrollment public charter schools shall:

3 (A) Be on or after July 1; and

4 (B) Comply with the number of student-teacher interaction
 5 days or hours required by the Standards for Accreditation of Arkansas Public
 6 Schools and School Districts established by the State Board of Education.

7 (3) The last day of the school year for student attendance in
 8 public school districts and open-enrollment public charter schools shall not
 9 be after June 30.

10 ~~(2)(4)~~ Labor Day shall be celebrated as a school holiday in all
 11 the school districts of the state, and school shall not be held on that date.

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

14 (b) Contracts of employment for employees in licensed personnel
 15 positions and employees in nonlicensed personnel positions of school
 16 districts may require school district employees to begin performance under
 17 their contract of employment before the first day of student attendance.

18 (c)~~(1)~~ If the school year in any public school district extends beyond
 19 the date observed as Memorial Day, such date shall be a holiday in the school
 20 district.

21 ~~(2) Provided, upon approval of the Division of Elementary and~~
 22 ~~Secondary Education, this date may be used as a make-up day in any school~~
 23 ~~district which has unavoidably lost more than five (5) scheduled days of~~
 24 ~~student attendance during the course of the school year due to contagious~~
 25 ~~disease outbreaks, inclement weather, or other acts of God.~~

26 (d)(1) A public school district or an open-enrollment public charter
 27 school that provides a week-long holiday for spring break shall schedule the
 28 spring break holiday for five (5) consecutive school days beginning on the
 29 Monday of the thirty-eighth week of the school year.

30 (2) The thirty-eighth week of the school year shall be
 31 calculated by counting as week one the first week in July that begins on a
 32 Sunday.

33 (3) Nothing in this subsection shall prevent a public school
 34 district or an open-enrollment public charter school from providing fewer
 35 than five (5) consecutive school days for the spring break holiday to comply
 36 with the division's requirement for a minimum number of days for student

1 attendance under the Standards for Accreditation of Arkansas Public Schools
2 and School Districts.

3 (e) The division shall not grant a waiver from the requirements of
4 this section unless this section specifically authorizes the waiver.

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

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

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

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

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

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

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

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

32 ~~(i) Notify the division by July 1 of each year that
33 the public school district intends to implement the alternate school
34 calendar;~~

35 ~~(ii) Post the alternate school calendar on the
36 public school district's website by August 1 of each year that the public~~

~~school district intends to implement the alternate school calendar; and~~

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

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

~~(b) Ensures compliance with the required minimum number of school instructional hours under subdivision (g)(2)(A)(i) of this section.~~

~~(B) A public school district that implements an alternate school calendar under subdivision (g)(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.~~

(f) Beginning with the 2026-2027 school year, each public school district board of directors and open-enrollment public charter school governing body shall adopt a school calendar that includes:

(1) On-site, in-person instruction for a minimum of:

(A) One hundred seventy-eight (178) school days; and

(B) One thousand sixty-eight (1,068) instructional hours;

(2) A minimum of one hundred ninety (190) teacher contract days;

and

(3) At least thirty (30) make-up instructional hours in addition to the number of on-site, in-person instruction time required under subdivision (f)(1)(B) of this section, which shall be used to make up school days missed due to exceptional or emergency circumstances resulting from:

(A) A contagious disease outbreak;

(B) Inclement weather;

(C) A utility outage;

1 (D) A reasonable and substantial threat to the safety and
2 security of the public school district or open-enrollment public charter
3 school; or

4 (E) Other acts of God.

5 (g)(1) Each public school district and open-enrollment public charter
6 school shall remain open for on-site, in-person instruction for a minimum of
7 one hundred seventy-eight (178) days and one thousand sixty-eight (1,068)
8 hours, as required under subdivision (f)(1) of this section, unless the
9 public school district or open-enrollment public charter school is closed for
10 a reason under subdivision (f)(3) of this section.

11 (2) If a public school district or an open-enrollment public
12 charter school closes due to a reason under subdivision (f)(3) of this
13 section, then the public school district or open-enrollment public charter
14 school shall be required to make up only the missed instructional time in
15 order to meet the requirements under subdivision (f)(1)(B) of this section.

16 (3) The requirement that a public school district or an open-
17 enrollment public charter school be open for on-site, in-person instruction
18 under subdivision (g)(1) of this section does not apply to an approved
19 virtual school.

20 (h)(1) A public school district superintendent or director of an open-
21 enrollment public charter school may close school, delay the school day start
22 time, or release students early during a regularly scheduled school day due
23 to exceptional or emergency circumstances resulting from:

24 (A) A contagious disease outbreak;

25 (B) Inclement weather;

26 (C) A utility outage;

27 (D) A reasonable and substantial threat to the safety and
28 security of the public school district or open-enrollment public charter
29 school; or

30 (E) Other acts of God.

31 (2) If a public school district superintendent or director of an
32 open-enrollment public charter school closes school, delays the school day
33 start time, or releases students early during a regularly scheduled school
34 day under subdivision (h)(1) of this section, then the public school district
35 or open-enrollment public charter school shall make up the missed
36 instructional time in order to meet the on-site, in-person instruction time

1 requirements under subdivision (f)(1)(B) of this section by:

2 (A) Utilizing the thirty (30) make-up instructional hours
 3 built into the school calendar as required under subdivision (f)(3) of this
 4 section; or

5 (B) Otherwise modifying the school calendar to include
 6 make-up instructional time for the additional instructional time that is
 7 needed.

8 (i)(1) For purposes of a school day, at least forty (40) minutes of
 9 instructional time per school day shall be used for recess during the school
 10 day for students attending public elementary schools.

11 (2) Recess shall:

12 (A) Consist of supervised social time during which public
 13 school students may communicate with each other;

14 (B) Occur outdoors when weather and other relevant
 15 conditions permit; and

16 (C) Include without limitation opportunities for free play
 17 and vigorous physical activity, regardless of whether recess occurs indoors
 18 or outdoors.

19 (3) A public elementary school may seek approval from the
 20 division to provide recess in an alternative method by submitting a request
 21 to the division.

22 (j) Each public school district and open-enrollment public charter
 23 school shall:

24 (1) Post the school calendar on the website of the public school
 25 district or open-enrollment public charter school by July 1 each year; and

26 (2) Provide to the division, in the format prescribed by the
 27 division, all data that:

28 (A) Affects the average daily membership of the public
 29 school district or open-enrollment public charter school; and

30 (B) Ensures compliance with this section.

31 (k) The division may promulgate rules to implement this section.

32 (l) As used in this section:

33 (1)(A) "School day" means a day on which classes are in session
 34 and students are on-site, in-person, and receiving instruction at a public
 35 school district or open-enrollment public charter school.

36 (B)(i) Any day during which less than six (6) hours of

1 instructional time are provided to students shall be counted as one-half
 2 (1/2) of a school day if at least three (3) hours of instructional time are
 3 provided to students.

4 (ii) A day in which less than three (3) hours of
 5 instructional time are provided to students shall not be counted as any part
 6 of a school day; and

7 (2) "Week" means a seven-day period that begins on a Sunday and
 8 ends on a Saturday.

9

10 SECTION 2. Arkansas Code § 6-10-108 is repealed.

11 ~~6-10-108. Twelve-month school year—Definition.~~

12 ~~(a) It is found and determined by the General Assembly that public~~
 13 ~~school facilities in the state are now effectively utilized only nine (9) or~~
 14 ~~ten (10) months each year and that such facilities could be more efficiently~~
 15 ~~utilized and educational opportunities in the various school districts could~~
 16 ~~be enhanced by the establishment and operation of educational programs on a~~
 17 ~~twelve (12) month per year basis. It is therefore the intent and purpose of~~
 18 ~~this section to authorize public schools to initiate and maintain public~~
 19 ~~school educational programs on a twelve-month basis.~~

20 ~~(b) As used in this section, unless the context otherwise requires,~~
 21 ~~“twelve-month year-round educational program” means an educational program in~~
 22 ~~which all students attend school no less than the number of days required by~~
 23 ~~the Standards for Accreditation of Arkansas Public Schools and School~~
 24 ~~Districts between July 1 and June 30 of each school year and in which no~~
 25 ~~vacation, including summer, lasts more than seven (7) weeks.~~

26 ~~(c)(1) The board of directors of any school district is authorized to~~
 27 ~~initiate and maintain a twelve-month year-round educational program in any or~~
 28 ~~all of the public schools in the school district.~~

29 ~~(2) However, any school district which does not elect to operate~~
 30 ~~on a twelve-month basis must start school in accordance with the provisions~~
 31 ~~of § 6-10-106.~~

32 ~~(d)(1) The State Board of Education is authorized to establish~~
 33 ~~appropriate standards, guidelines, and rules for the determination of average~~
 34 ~~daily membership of school districts and for the distribution of state~~
 35 ~~foundation funding and other forms of state aid and financial assistance to~~
 36 ~~each local school district that elects to operate the public schools of the~~

1 ~~school district on a twelve month basis, in order to provide the school~~
2 ~~district with an equitable share of the state foundation funds designated to~~
3 ~~equate a twelve month school operation by the school district to the~~
4 ~~educational opportunities provided by a school district offering nine (9)~~
5 ~~months of public school instruction.~~

6 ~~(2) However, the school district shall not receive any more~~
7 ~~state foundation funding for offering twelve (12) months of public school~~
8 ~~instruction than it would have received for offering nine (9) months of~~
9 ~~public school instruction.~~

10
11 SECTION 3. Arkansas Code § 6-10-117 is repealed.

12 ~~6-10-117. Four day school week — Definition.~~

13 ~~(a) It is found and determined by the General Assembly that granting~~
14 ~~local school districts greater flexibility in scheduling instructional time~~
15 ~~can reap educational benefits for the students and financial rewards for the~~
16 ~~school district. It is the intent of this section to authorize local school~~
17 ~~districts to initiate and maintain public school educational programs on a~~
18 ~~four day school week basis, so long as planned instructional time is in~~
19 ~~accord with requirements established by the State Board of Education.~~

20 ~~(b) As used in this section, “four day school week” means an~~
21 ~~educational program in which all students attend school for four (4) days a~~
22 ~~week but no fewer than the total number of hours required by the Standards~~
23 ~~for Accreditation of Arkansas Public Schools and School Districts in a five-~~
24 ~~day school week.~~

25 ~~(c) The board of directors of any school district is authorized to~~
26 ~~initiate and maintain a four day school week in any or all of the public~~
27 ~~schools in the school district.~~

28 ~~(d)(1) The State Board of Education shall establish appropriate~~
29 ~~standards, guidelines, and rules for the determination of average daily~~
30 ~~membership of school districts and for the distribution of state aid to each~~
31 ~~local school district that elects to operate any or all of the public schools~~
32 ~~of its school district on a four day school week basis, to provide the school~~
33 ~~district with an equitable share of aid funds designated to equate a four day~~
34 ~~school week operation by the school district to the educational opportunities~~
35 ~~provided by a school district offering a five day school week.~~

36 ~~(2) Provided, however, that a school district shall not receive~~

1 ~~any more state financial aid for offering a four day school week of~~
 2 ~~instruction than it would have received for offering a five day school week~~
 3 ~~of instruction.~~

4
 5 SECTION 4. Arkansas Code § 6-10-126 is repealed.

6 ~~6-10-126. Delay or early release of school due to emergency~~
 7 ~~circumstances.~~

8 ~~(a) A superintendent may delay the start time or release early a~~
 9 ~~school or schools in the school district due to any of the following~~
 10 ~~emergency circumstances:~~

11 ~~(1) Inclement weather;~~

12 ~~(2) Contagious disease outbreak; or~~

13 ~~(3) Utility outage.~~

14 ~~(b)(1) For no more than five (5) school days total per year, a~~
 15 ~~superintendent may, due to emergency circumstances under subsection (a) of~~
 16 ~~this section, either:~~

17 ~~(A) Delay the start of the school day until as late as~~
 18 ~~10:00 a.m.; or~~

19 ~~(B) Release students from school no earlier than 1:00 p.m.~~

20 ~~(2) A school day that is delayed or released early under~~
 21 ~~subdivision (b)(1) of this section shall count as a credited school day, with~~
 22 ~~no requirement for additional days to be added to the school calendar.~~

23
 24 SECTION 5. Arkansas Code § 6-10-127 is repealed.

25 ~~6-10-127. Making up missed school days.~~

26 ~~(a) If a superintendent closes school for a regularly scheduled school~~
 27 ~~day due to exceptional or emergency circumstances such as a contagious~~
 28 ~~disease outbreak, inclement weather, or other acts of God, the superintendent~~
 29 ~~may make up missed school days by adding time to the beginning or ending of a~~
 30 ~~regular school day for a minimum of sixty (60) minutes.~~

31 ~~(b)(1) The Commissioner of Elementary and Secondary Education may~~
 32 ~~grant up to the equivalent of ten (10) student attendance days for public~~
 33 ~~school districts that have an alternative instruction plan approved by the~~
 34 ~~commissioner for the use of alternative methods of instruction, including~~
 35 ~~without limitation virtual learning, on days when the public school district~~
 36 ~~is closed due to exceptional or emergency circumstances such as:~~

1 ~~(A) A contagious disease outbreak, inclement weather, or~~
2 ~~other acts of God; or~~

3 ~~(B) A utility outage.~~

4 ~~(2) The public school district's alternative instruction plan~~
5 ~~shall demonstrate how teaching and learning in the public school district~~
6 ~~will not be negatively impacted by the use of alternative methods of~~
7 ~~instruction under subdivision (b)(1) of this section.~~

8
9 SECTION 6. Arkansas Code § 6-15-202(f)(15), concerning written
10 statements from school districts to the Commissioner of Elementary and
11 Secondary Education that confirm compliance with certain statutory
12 requirements, is amended to read as follows:

13 (15) Section ~~6-16-102~~ 6-10-106 concerning school day;

14
15 SECTION 7. Arkansas Code § 6-16-102 is repealed.

16 ~~6-16-102. School day—Definition.~~

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

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

25 ~~(2)(A) Any day in which less than six (6) hours of instructional~~
26 ~~time are provided to students shall be counted as one half (½) of a school~~
27 ~~day if at least three (3) hours of instructional time are provided to~~
28 ~~students.~~

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

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

35 ~~(B) However, subdivision (a)(3)(A) of this section shall~~
36 ~~not apply to a public school district that implements an alternate school~~

1 ~~calendar under § 6-10-106(g).~~

2 ~~(4) A school district may include as part of the school day the~~
 3 ~~travel time between public schools or other educational programs of those~~
 4 ~~students attending classes or programs authorized by law.~~

5 ~~(5)(A) At least forty (40) minutes of instructional time per~~
 6 ~~school day shall be used for recess during the school day for students~~
 7 ~~attending public elementary schools.~~

8 ~~(B) Recess shall:~~

9 ~~(i) Consist of supervised, unstructured social time~~
 10 ~~during which public school students may communicate with each other;~~

11 ~~(ii) Occur outdoors when weather and other relevant~~
 12 ~~conditions permit; and~~

13 ~~(iii) Include without limitation opportunities for~~
 14 ~~free play and vigorous physical activity, regardless of whether recess occurs~~
 15 ~~indoors or outdoors.~~

16 ~~(C) The remaining instructional hours required under this~~
 17 ~~section shall be distributed across academic content areas as determined by a~~
 18 ~~public school district's board of directors.~~

19 ~~(D) A public school principal may use discretion to adjust~~
 20 ~~recess time required under this section due to special circumstances or~~
 21 ~~programs that interrupt a regular school day.~~

22 ~~(E)(i) A public elementary school may seek a waiver from~~
 23 ~~the requirements under this subdivision (a)(5) if the public elementary~~
 24 ~~school:~~

25 ~~(a) Submits to the Division of Elementary and~~
 26 ~~Secondary Education for approval an alternative plan for recess that:~~

27 ~~(1) Exceeds the required minimum amount~~
 28 ~~of minutes combined for physical activity under § 6-16-132 and recess under~~
 29 ~~this section; and~~

30 ~~(2) Provides for both structured and~~
 31 ~~unstructured social time; or~~

32 ~~(b) Is approved by the division to operate as~~
 33 ~~a virtual school.~~

34 ~~(ii) Beginning with the 2019-2020 school year, the~~
 35 ~~division shall provide to the House Committee on Education and the Senate~~
 36 ~~Committee on Education each year for three (3) years a report that details~~

1 ~~the following:~~

2 ~~(a) Which public elementary schools have been~~
3 ~~granted a waiver under subdivision (a)(5)(E)(i) of this section; and~~

4 ~~(b) How many waivers have been granted by the~~
5 ~~division under subdivision (a)(5)(E)(i) of this section.~~

6 ~~(b) Notwithstanding subsection (a) of this section, the State Board of~~
7 ~~Education shall promulgate rules to prescribe the credit to be given students~~
8 ~~for attending school for only a portion of a school day because the school is~~
9 ~~closed due to emergency circumstances which would be hazardous to the health~~
10 ~~of the students. The state board shall also identify the emergency~~
11 ~~circumstances.~~

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

16 ~~(2) However, subdivision (c)(1) of this section shall not apply~~
17 ~~to a public school district that implements an alternate school calendar~~
18 ~~under § 6-10-106(g).~~

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