

*As Engrossed: 1/15/91*

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Representative Mahony**

# A Bill

**HOUSE BILL 1026**

## For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 6, CHAPTER 18, SUBCHAPTER 2, OF THE  
9 ARKANSAS CODE OF 1987, AS AMENDED, TO SET THE COMPULSORY  
10 ATTENDANCE AGE FOR THE EDUCATION OF CHILDREN; AND FOR  
11 OTHER PURPOSES."

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

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15 SECTION 1. Arkansas Code 6-18-201(a) is hereby amended to read as  
16 follows:

17 "(a) Every parent, guardian, or other person residing within the State  
18 of Arkansas having custody or charge of any child or children age five (5)  
19 through seventeen (17) years on October 1 of that year, both inclusive, shall  
20 enroll and send the child or children to a public, private, or parochial  
21 school or provide a home school for the child or children as described in  
22 §6-15-601 et seq. under such penalty for noncompliance as shall be set by law  
23 with the following exceptions:

24 (1) Any child who has received a high school diploma, or its  
25 equivalent as determined by the State Board of Education, is not subject to  
26 attendance requirement.

27 (2) Any parent, guardian, or other person residing within the  
28 state and having custody or charge of any child or children may elect for the  
29 child or children not to attend kindergarten if the child or children will not  
30 be age six (6) on October 1 of that particular school year. If such an  
31 election is made, the parent, guardian, or other person having custody or  
32 charge of the child must file a signed kindergarten waiver form with the local  
33 district administrative office. Such form shall be prescribed by regulation  
34 of the State Department of Education. On filing the kindergarten waiver form,  
35 the child or children shall not be required to attend kindergarten in that

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1 school year.

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3 (3) Any child enrolled in a postsecondary vocational/technical  
4 institution, a community college or a two-year or four-year institution of  
5 higher education, is not subject to this attendance requirement.

6 (4) *The local school district may grant a waiver of this*  
7 *requirement with notice to the State Board of Education."*

8 SECTION 2. All provisions of this act of a general and permanent nature  
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 3. If any provision of this act or the application thereof to  
13 any person or circumstance is held invalid, such invalidity shall not affect  
14 other provisions or applications of the act which can be given effect without  
15 the invalid provision or application, and to this end the provisions of this  
16 act are declared to be severable.

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18 SECTION 4. All laws and parts of laws in conflict with this act are  
19 hereby repealed.

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21 /s/J. Mahony

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