

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

A Bill

SENATE BILL 467

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 6, CHAPTER 18, SUBCHAPTER 2 OF THE
9 ARKANSAS CODE OF 1987 TO PROVIDE THAT CHILDREN MAY ATTEND
10 KINDERGARTEN IF THEY ATTAIN THE AGE OF FIVE (5) ON OR
11 BEFORE SEPTEMBER 1 OF THE YEAR IN WHICH THEY SEEK
12 ENROLLMENT; THAT CHILDREN MAY ATTEND FIRST GRADE IF THEY
13 ATTAIN THE AGE OF SIX (6) ON OR BEFORE SEPTEMBER 1 OF THE
14 YEAR IN WHICH THEY SEEK ENROLLMENT; AND FOR OTHER
15 PURPOSES."

16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code 6-18-201 is hereby amended to read as follows:

20 "6-18-201. Compulsory attendance - Exceptions.

21 (a) Every parent, guardian, or other person residing within the State
22 of Arkansas having custody or charge of any child or children age five (5)
23 through sixteen (16) years, both inclusive, shall enroll and send the child or
24 children to a public, private, or parochial school or provide a home school
25 for the child or children as described in 6-15-601 et seq. under such penalty
26 for
27 noncompliance as shall be set by law with the following exceptions:

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

31 (2) Any parent, guardian, or other person residing within the state of
32 Arkansas and having custody or charge of any child or children may elect for
33 the child or children not to attend kindergarten if the child or children will
34 not be age six (6) on September 1 of that particular school year. If such an
35 election is made, the parent, guardian, or other person having custody or

1 charge of the child must file a signed kindergarten waiver form with the local
2 district administrative office. Such form shall be prescribed by regulation
3 of the State Department of Education. On filing the kindergarten waiver form,
4 the child or children shall not be required to attend kindergarten in that
5 school year.

6 (b) Any child who will be six (6) years of age on or before September 1
7 of the school year of enrollment and who has not completed a state-accredited
8 kindergarten program shall be evaluated by the district and placed either in
9 the first grade or kindergarten depending upon the results of the evaluation."

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11 SECTION 2. Arkansas Code 6-18-207 is hereby amended to read as follows:

12 "6-18-207. Minimum age for enrollment in public school.

13 (a) Students may enter kindergarten in the public schools of this state
14 if they will attain the age of five (5) years on or before September 1 of the
15 year in which they are seeking initial enrollment. Any student who has been
16 enrolled in a state-accredited or approved kindergarten in another state for a
17 least sixty (60) days, who will become five (5) years old during the year in
18 which he is enrolled in kindergarten and who meets the basic residency
19 requirement for school attendance, may be enrolled in kindergarten upon
20 written request.

21 (b) Students may enter the first grade in the public schools of this
22 state if they will attain the age of six (6) years on or before September 1 of
23 the school year in which they are seeking enrollment. Any child who has been
24 enrolled in first grade in a state-accredited or approved elementary school in
25 another state for a period of at least sixty (60) days, who will become age
26 six (6) years during the school year in which he is enrolled in grade one (1),
27 and who meets the basic residency requirement for school attendance may be
28 enrolled in first grade."

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30 SECTION 3. All provisions of this Act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.

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34 SECTION 4. If any provision of this Act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the Act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 Act are declared to be severable.

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5 SECTION 5. All laws and parts of laws in conflict with this Act are
6 hereby repealed.

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8 SECTION 6. *The provisions of this act shall become effective September*
9 *1, 1993.*

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/s/Bookout

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