

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

HOUSE BILL

4 **By: Representatives Flanagin and Shaver**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-16-313 TO
9 REQUIRE THAT THE STATE BOARD OF EDUCATION SHALL PROVIDE
10 FOR A VARIANCE OF TEN PERCENT (10%) IN KINDERGARTEN CLASS
11 SIZE AS A MINIMUM STANDARD FOR KINDERGARTEN PROGRAMS; AND
12 TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES."

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Subtitle

15 "TO PROVIDE A VARIANCE OF NO MORE THAN 10% IN KINDERGARTEN
16 CLASS SIZE AS A MINIMUM STANDARD FOR KINDERGARTEN
17 PROGRAMS."

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

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21 SECTION 1. Arkansas Code § 6-16-313(a) is hereby amended to read as
22 follows:

23 "(a) The State Board of Education shall promulgate and adopt such rules
24 and regulations as it deems appropriate providing minimum standards, including
25 program standards and teacher certification standards, for the conduct of
26 kindergarten programs and early childhood education programs. Such rules and
27 regulations, however, shall provide for a variance of ten percent (10%) in a
28 kindergarten class size, that any school district varying within this
29 percentage shall be placed on probation for one (1) year, and that subsequent
30 failure to comply shall result in a loss of accreditation."

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

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

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8 hereby repealed.

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10 SECTION 5. EMERGENCY. It is hereby found and determined by the Seventy
11 Ninth General Assembly that smaller school districts within the State of
12 Arkansas are being unduly penalized for any variance from the absolute
13 standard set by the State Board of Education for kindergarten class size and
14 that in many instances there are not sufficient numbers of children in smaller
15 school districts to warrant additional kindergarten classes nor can the
16 smaller school districts afford the financial burden of adding classes for
17 only a few students; that the immediate implementation of this act and its
18 retroactive effect to January 1, 1993, is necessary to prevent smaller school
19 districts from facing a loss of accreditation. Therefore, an emergency is
20 hereby declared to exist and this act being necessary for the preservation of
21 the public peace, health and safety shall be made retroactive to January 1,
22 1993.

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