

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Senator Jewell**

# A Bill

**SENATE BILL**

## For An Act To Be Entitled

8 "AN ACT TO REPEAL ARKANSAS CODE § 6-18-201, AS AMENDED BY  
9 ACT 292 OF 1991; TO AMEND ARKANSAS CODE §§ 6-18-201, AS  
10 AMENDED BY ACT 320 OF 1991, AND 6-18-207 TO CHANGE THE  
11 CALENDAR DATE USED TO DETERMINE WHETHER A CHILD IS SUBJECT  
12 TO SCHOOL ATTENDANCE LAWS; AND FOR OTHER PURPOSES."

## Subtitle

14 "TO CHANGE THE CALENDAR DATE USED TO DETERMINE WHETHER  
15 CHILDREN ARE SUBJECT TO SCHOOL ATTENDANCE LAWS."

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

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20 SECTION 1. Arkansas Code § 6-18-201, as amended by Act 292 of 1991, is  
21 hereby repealed.

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23 SECTION 2. Arkansas Code § 6-18-201, as amended by Act 320 of 1991, is  
24 hereby amended to read as follows:

25 "6-18-201. Compulsory attendance - Exceptions. [As amended by Acts 1991,  
26 No. 320, §1.].

27 (a) Every parent, guardian, or other person residing within the State  
28 of Arkansas having custody or charge of any child or children age five (5)  
29 through seventeen (17) years on December 31 of that year, both inclusive,  
30 shall enroll and send the child or children to a public, private, or parochial  
31 school or provide a home school for the child or children as described in §  
32 6-15-501 et seq. under such penalty for noncompliance as shall be set by law  
33 with the following exceptions:

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

1 requirement.

2           (2) Any parent, guardian, or other person residing within the state and  
3 having custody or charge of any child or children may elect for the child or  
4 children not to attend kindergarten if the child or children will not be age  
5 six (6) on December 31 of that particular school year. If such an election is  
6 made, the parent, guardian, or other person having custody or charge of the  
7 child must file a signed kindergarten waiver form with the local district  
8 administrative office. Such form shall be prescribed by regulation of the  
9 State Department of Education. On filing the kindergarten waiver form, the  
10 child or children shall not be required to attend kindergarten in that school  
11 year.

12           (3) Any child age sixteen (16) or above enrolled in a postsecondary  
13 vocational-technical institution, a community college, or a two-year or  
14 four-year institution of higher education is not subject to this attendance  
15 requirement.

16           (b) Any child who will be six (6) years of age on or before December 31  
17 of the school year of enrollment and who has not completed a state-accredited  
18 kindergarten program shall be evaluated by the district and placed either in  
19 the first grade or kindergarten depending upon the results of the evaluation."  
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21           SECTION 3. Arkansas Code § 6-18-207 is hereby amended to read as  
22 follows:

23           "6-18-207. Minimum age for enrollment in public school.

24           (a) Students may enter kindergarten in the public schools of this state  
25 if they will attain the age of five (5) years on or before December 31 of the  
26 year in which they are seeking initial enrollment. Any student who has been  
27 enrolled in a state-accredited or approved kindergarten program in another  
28 state for at least sixty (60) days, who will become five (5) years old during  
29 the year in which he is enrolled in kindergarten and who meets the basic  
30 residency requirement for school attendance, may be enrolled in kindergarten  
31 upon written request.

32           (b) Students may enter the first grade in the public schools of this  
33 state if they will attain the age of six (6) years on or before December 31 of  
34 the school year in which they are seeking enrollment. Any child who has been  
35 enrolled in first grade in a state-accredited or approved elementary school in

1 another state for a period of at least sixty (60) days, who will become age  
2 six (6) years during the school year in which he is enrolled in grade one (1),  
3 and who meets the basic residency requirement for school attendance may be  
4 enrolled in first grade."

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6 SECTION 4. All provisions of this act of a general and permanent nature  
7 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
8 Revision Commission shall incorporate the same in the Code.

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

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16 SECTION 6. All laws and parts of laws in conflict with this act are  
17 hereby repealed.

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