

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: H1/23/97 H1/29/97 H2/21/97 S3/13/97 S4/1/97

A Bill

ACT 1230 OF 1997
HOUSE BILL 1056

5 By: Representatives Choate, Wren, Molinaro, and Wood
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§ 6-18-201 AND 6-
10 18-207 RELATIVE TO *SCHOOL COMPULSORY ATTENDANCE*
11 *REQUIREMENTS*; AND FOR OTHER PURPOSES."

Subtitle

13 "TO AMEND A.C.A. §§ 6-18-201 AND 6-18-207
14 RELATIVE TO *SCHOOL COMPULSORY ATTENDANCE*
15 *REQUIREMENTS*."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Annotated § 6-18-201(a) is amended to read as
21 follows:

22 "(a) Under such penalty for noncompliance as shall be set by law,
23 and providing an exception whereby, in any school district having fifty
24 percent (50%) or more students eligible to receive free lunches or in any
25 county having a majority of school districts with fifty percent (50%) or more
26 students eligible to receive free lunches the board of directors of a local
27 school district may elect to use any other date between September 1 and
28 October 1, every parent, guardian, or other person residing within the State
29 of Arkansas having custody or charge of any child age five (5) through
30 seventeen (17) years on or before September 1 of that year shall enroll and
31 send the child to a public, private, or parochial school, or provide a home
32 school for the child, as described in § 6-15-501 et seq., with the following
33 exceptions:

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

1 (2) Any parent, guardian, or other person residing within
2 the state and having custody or charge of any child may elect for the child
3 not to attend kindergarten if the child or children will not be age five (5)
4 on *September* 1 of that particular school year. If such an election is made,
5 the parent, guardian, or other person having custody or charge of the child
6 must file a signed kindergarten waiver form with the local district
7 administrative office. Such form shall be prescribed by regulation of the
8 Department of Education. On filing the kindergarten waiver form, the child
9 shall not be required to attend kindergarten in that school year.

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

14 (4)(i) Any child age sixteen (16) or above enrolled in an
15 adult education program as provided for in subsection (b) of this section or
16 in the National Guard Youth Challenge Program is not subject to the attendance
17 requirement.

18 (ii) The requirements in subsection (b) of this
19 section shall not apply to the National Guard Youth Challenge Program.

20 (5) Any child age sixteen (16) or above enrolled in an adult
21 education program prior to June 13, 1994, under a waiver granted by the local
22 school district, and currently attending the program, is not subject to the
23 attendance requirement."

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25 SECTION 2. Arkansas Code Annotated § 6-18-207(a) is amended to read as
26 follows:

27 "(a) Students may enter kindergarten in the public schools of this
28 state if they will attain the age of five (5) years on or before *September* 1
29 of the year in which they are seeking initial enrollment. Any student who has
30 been enrolled in a state-accredited or approved kindergarten program in
31 another state for at least sixty (60) days, who will become five (5) years old
32 during the year in which he is enrolled in kindergarten and who meets the
33 basic residency requirement for school attendance, may be enrolled in
34 kindergarten upon written request to the school district."

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36 SECTION 3. (1) *The provisions of this act shall be phased in over two*

1 (2) years, beginning with the 1998-99 school year.

2 (2) The Department of Education is authorized to issue rules and
3 regulations for the orderly and efficient implementation of this act.

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

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

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

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18 /s/Rep. Choate, et al

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20 APPROVED: 4-09-97

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