

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

*As Engrossed: H1/16/09*

# A Bill

HOUSE BILL 1098

5 By: Representative Webb  
6 By: Senator D. Johnson  
7

## For An Act To Be Entitled

10 AN ACT TO ALLOW STUDENTS WHO HAVE COMPLETED PRE-K  
11 TO ENROLL IN KINDERGARTEN IN CERTAIN  
12 CIRCUMSTANCES; AND FOR OTHER PURPOSES.  
13

### Subtitle

14 TO ALLOW STUDENTS WHO HAVE COMPLETED  
15 PRE-K TO ENROLL IN KINDERGARTEN IN  
16 CERTAIN CIRCUMSTANCES.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 6-18-207(a), concerning the  
23 enrollment deadline for kindergarten, is amended to read as follows:

24 (a)(1)(A) For the 2009-2010 school year, students may enter  
25 kindergarten in the public schools of this state if they will attain the age  
26 of five (5) years on or before September 1, 2009.

27 (B) For the 2010-2011 school year, students may enter  
28 kindergarten in the public schools of this state if they will attain the age  
29 of five (5) years on or before August 15, 2010.

30 (C) For the 2011-2012 school year and afterwards, students  
31 may enter kindergarten in the public schools of this state if they will  
32 attain the age of five (5) years on or before August 1 of the year in which  
33 they are seeking initial enrollment.

34 (2) Any student who has been enrolled in a state-accredited or  
35 state-approved kindergarten program in another state for at least sixty (60)  
36 days, who will become five (5) years old during the year in which he or she



1 is enrolled in kindergarten, and who meets the basic residency requirement  
2 for school attendance may be enrolled in kindergarten upon written request to  
3 the school district.

4 (3)(A) Notwithstanding the age requirements in subdivision  
5 (a)(1) of this section, a public school or public school district shall allow  
6 a child to enroll in kindergarten if the child:

7 (i) Was enrolled in a state-approved prekindergarten  
8 program during the 2008-2009 school year;

9 (ii) Attended a state-approved prekindergarten  
10 program for at least one hundred (100) days during the 2008-2009 school year  
11 and each subsequent year in which he or she is enrolled in a state-approved  
12 prekindergarten program; and

13 (iii) Will be at least five (5) years of age no  
14 later than September 15 during the year in which he or she enrolls in  
15 kindergarten.

16 (B) As used in this subdivision (a)(3), "state-approved  
17 prekindergarten program" means a prekindergarten program that is accredited  
18 and quality-approved by the Department of Human Services Division of Child  
19 Care and Early Childhood Education.

20 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
21 General Assembly of the State of Arkansas that families in Arkansas are  
22 suffering an undue hardship created by the establishment of new kindergarten  
23 enrollment criteria; that some children currently enrolled in prekindergarten  
24 programs are not eligible to enroll in kindergarten due to newly implemented  
25 criteria; that the immediate implementation of this act is necessary for  
26 public school districts and families of these children to prepare for the  
27 enrollment of these students in kindergarten for the 2009-2010 school year;  
28 that the failure to allow these children to enroll in kindergarten will cause  
29 irreparable harm to the education of these children and the well-being of  
30 this state. Therefore, an emergency is declared to exist and this act being  
31 immediately necessary for the preservation of the public peace, health, and  
32 safety shall become effective on:

33 (1) The date of its approval by the Governor;

34 (2) If the bill is neither approved nor vetoed by the Governor,  
35 the expiration of the period of time during which the Governor may veto the  
36 bill; or

1                   (3) If the bill is vetoed by the Governor and the veto is  
2 overridden, the date the last house overrides the veto.

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*/s/ Webb*