

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 2165

4 By: Representatives Choate and Wren

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARK. CODE §§ 6-18-201 AND 6-18-207 TO
9 PROVIDE THAT CHILDREN MAY ENROLL IN KINDERGARTEN OR FIRST
10 GRADE IF THEY ATTAIN THE AGE OF FIVE (5) OR SIX (6) ON OR
11 BEFORE SEPTEMBER 1 OF THE YEAR IN WHICH THEY SEEK
12 ENROLLMENT; AND FOR OTHER PURPOSES."

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Subtitle

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15 "TO PROVIDE THAT CHILDREN MAY ENROLL IN
16 KINDERGARTEN OR FIRST GRADE IF THEY
17 ATTAIN THE AGE OF 5 OR 6 ON OR BEFORE
18 SEPTEMBER 1 OF THE YEAR IN WHICH THEY
19 SEEK ENROLLMENT."

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

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23 SECTION 1. Arkansas Code Annotated § 6-18-201(a) is hereby amended to
24 read as follows:

25 "(a) Beginning with the 1995-96 school year, every parent, guardian,
26 or other person residing within the State of Arkansas having custody or
27 charge of any child or children age five (5) through seventeen (17) years on
28 September 1 of that year, both inclusive, shall enroll and send the child or
29 children to a public, private, or parochial school, or provide a home school
30 for the child or children as described in § 6-15-501 et seq., under such
31 penalty for noncompliance as shall be set by law, with the following
32 exceptions:

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

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

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

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

19 (B) However, the requirements in subsection (b) of this
20 section shall not apply to the National Guard Youth Challenge Program until
21 July 1, 1995.

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

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27 SECTION 2. Arkansas Code Annotated § 6-18-201(c) is hereby amended to
28 read as follows:

29 "(c) Any child who will be six (6) years of age on or before September
30 1 of the school year of enrollment and who has not completed a
31 state-accredited kindergarten program shall be evaluated by the district and
32 placed either in the first grade or kindergarten depending upon the results
33 of the evaluation."

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35 SECTION 3. Arkansas Code Annotated § 6-18-207 is hereby amended to

1 read as follows:

2 "6-18-207. Minimum age for enrollment in public school.

3 (a) Beginning with the 1995-96 school year, students may enter
4 kindergarten in the public schools of this state if they will attain the age
5 of five (5) years on or before September 1 of the year in which they are
6 seeking initial enrollment. Any student who has been enrolled in a
7 state-accredited or approved kindergarten program in another state for at
8 least sixty (60) days, who will become five (5) years old during the year in
9 which he is enrolled in kindergarten and who meets the basic residency
10 requirement for school attendance, may be enrolled in kindergarten upon
11 written request.

12 (b) Beginning with the 1995-96 school year, students may enter the
13 first grade in the public schools of this state if they will attain the age
14 of six (6) years on or before September 1 of the school year in which they
15 are seeking enrollment. Any child who has been enrolled in first grade in a
16 state-accredited or approved elementary school in another state for a period
17 of at least sixty (60) days, who will become age six (6) years during the
18 school year in which he is enrolled in grade one (1), and who meets the basic
19 residency requirement for school attendance may be enrolled in first grade."

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