

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S2/25/99

A Bill

HOUSE BILL 1197

5 By: Representative Wilkinson
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§ 6-18-201
10 AND 6-18-207 RELATIVE TO SCHOOL COMPULSORY ATTENDANCE
11 REQUIREMENTS; TO DECLARE AN EMERGENCY; AND FOR OTHER
12 PURPOSES. "
13

Subtitle

14 "TO AMEND A. C. A. §§ 6-18-201 AND 6-18-207
15 RELATIVE TO SCHOOL COMPULSORY ATTENDANCE
16 REQUIREMENTS. "
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Annotated § 6-18-201(a) is amended to read as
22 follows:

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

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

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1 the attendance requirement.

2 (2) Any parent, guardian, or other person residing within the
3 state and having custody or charge of any child may elect for the child not to
4 attend kindergarten if the child or children will not be age ~~five (5) on~~
5 ~~September 1~~ six (6) on September 15 of that particular school year. If such an
6 election is made, the parent, guardian, or other person having custody or
7 charge of the child must file a signed kindergarten waiver form with the local
8 district administrative office. Such form shall be prescribed by regulation of
9 the Department of Education. On filing the kindergarten waiver form, the child
10 shall not be required to attend kindergarten in 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 two-
13 year or four-year institution of higher education is not subject to the
14 attendance requirement.

15 (4)(i) 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 (ii) The requirements in subsection (b) of this section
20 shall not apply to the National Guard Youth Challenge Program.

21 (5) Any child age sixteen (16) or above enrolled in an adult
22 education program prior to June 13, 1994, under a waiver granted by the local
23 school district, and currently attending the program, is not subject to the
24 attendance requirement."
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26 SECTION 2. Arkansas Code Annotated § 6-18-207(a) is amended to read as
27 follows:

28 "(a)(1) Students may enter kindergarten in the public schools of this
29 state if they will attain the age of five (5) years on or before ~~September 1~~
30 September 15 of the year in which they are seeking initial enrollment. Any
31 student who has been enrolled in a state-accredited or approved kindergarten
32 program in another state for at least sixty (60) days, who will become five
33 (5) years old during the year in which he is enrolled in kindergarten and who
34 meets the basic residency requirement for school attendance, may be enrolled
35 *in kindergarten upon written request to the school district.*

36 (2) any child who has been enrolled in an instructional program for

1 children age four (4) during 1998 or 1999 may enroll in kindergarten in the
2 1999-2000 school year if the child will attain the age of five (5) on or
3 before October 1, 1999."

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5 SECTION 3. Uncodified Section 3 of Act 1230 of 1997 is repealed.

6 ~~SECTION 3. (1) The provisions of this act shall be phased in over two~~
7 ~~(2) years, beginning with the 1998-99 school year.~~

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

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11 SECTION 4. All provisions of this Act of a general and permanent nature
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
13 Revision Commission shall incorporate the same in the Code.

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15 SECTION 5. If any provision of this Act or the application thereof to
16 any person or circumstance is held invalid, such invalidity shall not affect
17 other provisions or applications of the Act which can be given effect without
18 the invalid provision or application, and to this end the provisions of this
19 Act are declared to be severable.

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21 SECTION 6. All laws and parts of laws in conflict with this Act are
22 hereby repealed.

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24 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the
25 Eighty-second General Assembly, that immediate passage of this act is
26 necessary to eliminate uncertainty for parents of children approaching the age
27 for school enrollment and to alleviate hardship to local school districts in
28 planning for the next school year. Therefore, an emergency is declared to
29 exist and this act being immediately necessary for the preservation of the
30 public peace, health and safety shall become effective on the date of its
31 approval by the Governor. If the bill is neither approved nor vetoed by the
32 Governor, it shall become effective on the expiration of the period of time
33 during which the Governor may veto the bill. If the bill is vetoed by the
34 Governor and the veto is overridden, it shall become effective on the date the
35 last house overrides the veto.

36 /s/ Wilkinson