

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 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 2792

4
5 By: Representative Medley
6
7

For An Act To Be Entitled

8
9 AN ACT TO CHANGE THE BIRTH DATE FOR THE MINIMUM
10 AGE FOR ATTENDANCE AT PUBLIC SCHOOL; AND FOR
11 OTHER PURPOSES.
12

Subtitle

13
14 AN ACT TO CHANGE THE BIRTH DATE FOR THE
15 MINIMUM AGE FOR ATTENDANCE AT PUBLIC
16 SCHOOL.
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 6-18-201(a), concerning the age for
22 compulsory attendance for school enrollment, is amended to read as follows:

23 (a) Under the penalty for noncompliance as shall be set by law, every
24 parent, guardian, or other person residing within the State of Arkansas
25 having custody or charge of any child age five (5) through seventeen (17) on
26 or before ~~September 15~~ June 1 ~~of immediately proceeding~~ that year shall
27 enroll and send the child to a public, private, or parochial school or
28 provide a home school for the child, as described in § 6-15-501 et seq., with
29 the following exceptions:

30 (1)(A) Any parent, guardian, or other person residing within the
31 state and having custody or charge of any child may elect for the child not
32 to attend kindergarten if the child will not be age six (6) on ~~September 15~~
33 June 1 ~~of immediately proceeding~~ that particular school year.

34 (B)(i) If an election is made, the parent, guardian, or
35 other person having custody or charge of the child must file a signed
36 kindergarten waiver form with the local district administrative office.



1 (ii) The form shall be prescribed by regulation of
 2 the Department of Education.

3 (C) Upon the filing of the kindergarten waiver form, the
 4 child shall not be required to attend kindergarten in that school year;

5
 6 SECTION 2. Arkansas Code § 6-18-201(f), concerning the age for
 7 compulsory attendance for school enrollment, is amended to read as follows:

8 (f) ~~Any~~ Beginning with the 2006-2007 school year, any child who will
 9 be six (6) years of age on or before ~~October 1~~ June 1 ~~of~~ immediately
 10 proceeding the school year of enrollment and who has not completed a state-
 11 accredited kindergarten program shall be evaluated by the district and may be
 12 placed in the first grade if the results of the evaluation justify placement
 13 in this first grade and the child's parent agrees with placement in the first
 14 grade. Otherwise, the child shall be placed in kindergarten.

15
 16 SECTION 3. Arkansas Code § 6-18-207(a)(1), concerning the minimum age
 17 for enrollment in public school, is amended to read as follows:

18 (a)(1) Students may enter kindergarten in the public schools of this
 19 state if they will attain the age of five (5) years on or before ~~September 15~~
 20 June 1 ~~of~~ immediately proceeding the year in which they are seeking initial
 21 enrollment.

22
 23 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
 24 Eighty-fifth General Assembly that immediate passage of this act is necessary
 25 to eliminate uncertainty for parents of children approaching the age for
 26 school enrollment and to alleviate hardship to local school districts in
 27 planning for the next school year. Therefore, an emergency is declared to
 28 exist and this act being immediately necessary for the preservation of the
 29 public peace, health, and safety shall become effective on the date of its
 30 approval by the Governor. If the bill is neither approved nor vetoed by the
 31 Governor, it shall become effective on the expiration of the period of time
 32 during which the Governor may veto the bill. If the bill is vetoed by the
 33 Governor and the veto is overridden, it shall become effective on the date
 34 the last house overrides the veto.