

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.

Act 29 of the Regular Session

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
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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)



1 days, who will become five (5) years old during the year in which he or she
2 is enrolled in kindergarten, and who meets the basic residency requirement
3 for school attendance may be enrolled in kindergarten upon written request to
4 the school district.

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

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

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

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

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

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

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

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

1 bill; or

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

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5 /s/ Webb

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7 APPROVED: 2/4/2009

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