

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1539

By: Representative Della Rosa

By: Senator Hester

For An Act To Be Entitled

AN ACT TO PROVIDE FOR PETITION FOR EARLY ADMISSION TO KINDERGARTEN UNDER CERTAIN CIRCUMSTANCES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO PROVIDE FOR PETITION FOR EARLY ADMISSION TO KINDERGARTEN UNDER CERTAIN CIRCUMSTANCES; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 6-18-207(a), concerning the minimum age for enrollment in kindergarten, is amended to add an additional subdivision to read as follows:

(3)(A) A child who does not attain five (5) years of age on or before August 1 of the year in which the child is seeking initial enrollment in kindergarten may petition the school district for early admission to kindergarten if the child will attain five (5) years of age after August 1 and before September 1 of the year in which the child is seeking initial enrollment in kindergarten.

(B) If a child seeks early admission to kindergarten as permitted under subdivision (a)(3)(A) of this section, the child's parent or guardian shall submit a petition for early admission to kindergarten:

(i) To the school district in which the child seeks early admission to kindergarten;



(ii) On a form approved by the Department of Education; and

(iii) Postmarked no later than June 1 of the year in which the child seeks to begin the fall semester at the school district.

(C)(i) No later than seven (7) days after the first day of the school year in which the child seeks early admission to kindergarten, the superintendent of the school district shall notify the parent or guardian in writing as to whether the child's application has been granted or rejected.

(ii)(a) If the petition is granted, the superintendent of the school district shall state in the notification letter a reasonable deadline by which the child may enroll in kindergarten.

(b)(1) A petition shall be granted depending on the availability of space in the order the petition was received by the school district.

(2) Available space means a capacity of ninety percent (90%) or less.

(iii) If the petition is rejected, the decision of the superintendent is final with no right of appeal.

(iv) If there is no available space at the child's zoned public school, but there is available space at a public school in the child's school district, the superintendent shall allow the child to attend the nonzoned public school in the school district if the parent or guardian chooses.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that kindergarten has been shown to improve the academic success of students; that some children are prevented from starting kindergarten, even if they are socially ready, because of their birthdate; and that this act is immediately necessary to ensure that children that miss the birthdate cut-off by less than thirty (30) days are allowed to enroll in kindergarten for the 2015-2016 school year. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

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

bill; or

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