

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

# A Bill

HOUSE BILL 1539

5 By: Representative Della Rosa  
6 By: Senator Hester  
7

## For An Act To Be Entitled

9 AN ACT TO PROVIDE FOR PETITION FOR EARLY ADMISSION TO  
10 KINDERGARTEN UNDER CERTAIN CIRCUMSTANCES; TO DECLARE  
11 AN EMERGENCY; AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO PROVIDE FOR PETITION FOR EARLY  
16 ADMISSION TO KINDERGARTEN UNDER CERTAIN  
17 CIRCUMSTANCES; AND TO DECLARE AN  
18 EMERGENCY.  
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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 § 6-18-207(a), concerning the minimum age for  
24 enrollment in kindergarten, is amended to add an additional subdivision to  
25 read as follows:

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

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

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



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

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

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

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

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

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

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

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

24           SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
 25 General Assembly of the State of Arkansas that kindergarten has been shown to  
 26 improve the academic success of students; that some children are prevented  
 27 from starting kindergarten, even if they are socially ready, because of their  
 28 birthdate; and that this act is immediately necessary to ensure that children  
 29 that miss the birthdate cut-off by less than thirty (30) days are allowed to  
 30 enroll in kindergarten for the 2015-2016 school year. Therefore, an emergency  
 31 is declared to exist, and this act being immediately necessary for the  
 32 preservation of the public peace, health, and safety shall become effective  
 33 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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