

HOUSE BILL NO. HB0174

Kindergarten start date.

Sponsored by: Representative(s) Duncan, Clifford, Freeman,
Lindholm, Newsome, Northrup, Olsen and
Salazar and Senator(s) Coe, Kost and
Wasserburger

A BILL

for

1 AN ACT relating to education; amending the minimum school
2 age; conforming provisions; specifying applicability; and
3 providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 21-2-704, 21-4-102(a)(intro),
8 21-4-301, 21-4-302(a), (b) and (c)(ii) and 21-13-315(k) are
9 amended to read:

10

11 **21-2-704. School district responsibility.**

12

13 Notwithstanding any other provisions of this act, any
14 preschool children with disabilities who are five (5) years

1 of age on or before ~~September 15~~August 1 and who are
2 receiving services from a school district shall be the
3 responsibility of that school district.

4

5 **21-4-102. When attendance required; exemptions;**
6 **withdrawal.**

7

8 (a) Every parent, guardian or other person having
9 control or charge of any child who is a resident of this
10 state and whose seventh birthday falls on or before
11 ~~September 15~~August 1 of any year and who has not yet
12 attained his sixteenth birthday or completed the tenth
13 grade shall be required to send such child to, and such
14 child shall be required to attend, a public or private
15 school each year, during the entire time that the public
16 schools shall be in session in the district in which the
17 pupil resides; provided, that the board of trustees of each
18 school district may exempt any child from the operation of
19 this article when:

20

21 **21-4-301. Schools to be free and accessible to all**
22 **children; minimum school year.**

23

1 Except as otherwise provided by law, the public schools of
2 each school district in the state shall at all times be
3 equally free and accessible to all children resident
4 therein of five (5) years of age as of ~~September 15 of the~~
5 ~~applicable school year~~ August 1 of the year in which they
6 may register in kindergarten as provided in W.S.
7 21-4-302(b) and under the age of twenty-one (21), subject
8 to regulations of the board of trustees. Each school
9 district shall operate its schools and its classes for a
10 minimum of one hundred seventy-five (175) days each school
11 year unless an alternative schedule has been approved by
12 the state board. Prior to submission of a proposed
13 alternative schedule to the state board, the board of
14 trustees shall hold at least two (2) advertised public
15 meetings within the district, at which the board shall
16 present the proposed alternative schedule and respond to
17 public questions and comments. Any school district
18 operating under an alternative schedule shall annually
19 evaluate the effectiveness of that schedule in meeting the
20 educational goals and purposes for which the schedule was
21 adopted.

22

1 **21-4-302. Age for registration in first grade and**
2 **kindergarten; preschool programs.**

3
4 (a) A pupil may register in the first grade in the
5 public schools of this state in the year in which his sixth
6 birthday falls on or before ~~September 15~~ August 1.

7
8 (b) A pupil may register in kindergarten in the
9 public schools of this state in the year in which his fifth
10 birthday falls on or before ~~September 15~~ August 1.

11
12 (c) The board of trustees of a school district may
13 permit the enrollment of pupils in a part-time preschool
14 program with a curriculum based on developmentally
15 appropriate practices funded by the district. The school
16 district may:

17
18 (ii) Establish a minimum attendance age for the
19 program, but a pupil must have attained at least his third
20 birthday on or before ~~September 15~~ August 1 of the year in
21 which that pupil enrolls. A pupil who enrolls in such a
22 preschool program shall not be included within the
23 district's average daily membership (ADM) for purposes of

1 receiving state funds or within any other school funding
2 formula for purposes of receiving funds from the state,
3 unless the pupil has attained the minimum age for
4 registration in kindergarten as provided in subsection (b)
5 of this section;

6

7 **21-13-315. Costs of court ordered placement of**
8 **children in private residential treatment facilities, group**
9 **homes, day treatment programs and juvenile detention**
10 **facilities.**

11

12 (k) Except as otherwise provided by law, this section
13 applies to children who are at least five (5) years of age
14 as of ~~September 15 of the applicable school year~~ August 1
15 of the year in which they may register in kindergarten as
16 provided in W.S. 21-4-302(b) but who are under twenty-one
17 (21) years of age.

18

19 **Section 2.** The change in the age requirement for
20 registering in the first grade as provided in this act
21 shall not apply to students who were registered to attend
22 kindergarten in the public schools of this state during
23 school year 2020-2021.

1

2 **Section 3.** This act is effective August 1, 2021.

3

4

(END)