

## HOUSE BILL NO. HB0080

Kindergarten start date.

Sponsored by: Representative(s) Duncan, Brown and Harshman  
and Senator(s) Kost and Schuler

A BILL

for

1 AN ACT relating to education; amending the minimum school  
2 age; making conforming amendments; repealing a duty of the  
3 board of trustees in each school district; specifying  
4 legislative intent; and providing for an effective date.

5

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

7

8       **Section 1.** W.S. 21-2-704, 21-4-102(a)(intro),  
9 21-4-301, 21-4-302(a) and (b) and 21-13-315(k), as amended  
10 by 2020 Wyoming Session Laws, Chapter 159, Section 1, are  
11 amended to read:

12

13       **21-2-704. School district responsibility.**

14

1 Notwithstanding any other provisions of this act, any  
2 preschool children with disabilities who are five (5) years  
3 of age on or before August 1, ~~or September 15 if pursuant~~  
4 ~~to an approved request under W.S. 21-3-110(a)(xxxvii),~~ of  
5 the year in which they may register in kindergarten as  
6 provided in W.S. 21-4-302(b) and who are receiving services  
7 from a school district shall be the responsibility of that  
8 school district.

9

10 **21-4-102. When attendance required; exemptions;**  
11 **withdrawal.**

12

13 (a) Every parent, guardian or other person having  
14 control or charge of any child who is a resident of this  
15 state and whose seventh birthday falls on or before August  
16 1, ~~or September 15 if the child started kindergarten~~  
17 ~~pursuant to an approved request under W.S.~~  
18 ~~21-3-110(a)(xxxviii),~~ of any year and who has not yet  
19 attained his sixteenth birthday or completed the tenth  
20 grade shall be required to send such child to, and such  
21 child shall be required to attend, a public or private  
22 school each year, during the entire time that the public  
23 schools shall be in session in the district in which the

1 pupil resides; provided, that the board of trustees of each  
2 school district may exempt any child from the operation of  
3 this article when:

4

5 **21-4-301. Schools to be free and accessible to all**  
6 **children; minimum school year.**

7

8 Except as otherwise provided by law, the public schools of  
9 each school district in the state shall at all times be  
10 equally free and accessible to all children resident  
11 therein of five (5) years of age as of August 1, ~~or~~  
12 ~~September 15 if pursuant to an approved request under W.S.~~  
13 ~~21-3-110(a)(xxxviii),~~ of the year in which they may  
14 register in kindergarten as provided in W.S. 21-4-302(b)  
15 and under the age of twenty-one (21), subject to  
16 regulations of the board of trustees. Each school district  
17 shall operate its schools and its classes for a minimum of  
18 one hundred seventy-five (175) days each school year unless  
19 an alternative schedule has been approved by the state  
20 board. Prior to submission of a proposed alternative  
21 schedule to the state board, the board of trustees shall  
22 hold at least two (2) advertised public meetings within the  
23 district, at which the board shall present the proposed

1 alternative schedule and respond to public questions and  
2 comments. Any school district operating under an  
3 alternative schedule shall annually evaluate the  
4 effectiveness of that schedule in meeting the educational  
5 goals and purposes for which the schedule was adopted.

6

7 **21-4-302. Age for registration in first grade and**  
8 **kindergarten; preschool programs.**

9

10 (a) A pupil may register in the first grade in the  
11 public schools of this state in the year in which his sixth  
12 birthday falls on or before August 1., ~~or September 15 if~~  
13 ~~the child started kindergarten pursuant to an approved~~  
14 ~~request under W.S. 21-3-110(a)(xxxviii).~~

15

16 (b) A pupil may register in kindergarten in the  
17 public schools of this state in the year in which his fifth  
18 birthday falls on or before August 1., ~~or September 15 if~~  
19 ~~pursuant to an approved request under W.S.~~  
20 ~~21-3-110(a)(xxxviii).~~

21

22 **21-13-315. Costs of court ordered placement of**  
23 **children in private residential treatment facilities, group**

1 homes, day treatment programs and juvenile detention  
2 facilities.

3

4 (k) Except as otherwise provided by law, this section  
5 applies to children who are at least five (5) years of age  
6 as of August 1, ~~or September 15 if pursuant to an approved~~  
7 ~~request under W.S. 21-3-110(a)(xxxviii),~~ of the year in  
8 which they may register in kindergarten as provided in W.S.  
9 21-4-302(b) but who are under twenty-one (21) years of age.

10

11 **Section 2.** W.S. 21-3-110(a)(xxxviii), as amended by  
12 2020 Wyoming Session Laws, Chapter 159, Section 1, is  
13 repealed.

14

15 **Section 3.** It is the intent of the legislature that  
16 this act shall be applicable to the 2021-2022 school year  
17 and to each school year thereafter.

18

19 **Section 4.** This act is effective August 1, 2021.

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21

(END)