

ENROLLED HOUSE  
BILL NO. 1595

By: Eddins of the House

and

Williams of the Senate

An Act relating to schools; amending 70 O.S. 1991, Section 18-108, as amended by Section 3, Chapter 220, O.S.L. 1994 (70 O.S. Supp. 1998, Section 18-108), which relates to kindergarten programs; deleting provisions for admittance of underage children in kindergarten; allowing school districts to contract for certain classroom space; amending 70 O.S. 1991, Section 11-103.7, as last amended by Section 2, Chapter 204, O.S.L. 1998 (70 O.S. Supp. 1998, Section 11-103.7), which relates to early childhood education programs; allowing school districts to contract for certain classroom space; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 1991, Section 18-108, as amended by Section 3, Chapter 220, O.S.L. 1994 (70 O.S. Supp. 1998, Section 18-108), is amended to read as follows:

Section 18-108. It is the ~~intention~~ intent of the Legislature to provide a free public kindergarten for every five-year-old child in this state.

1. Each day during which a child attends a kindergarten for two and one-half hours or more shall be counted as one hundred percent (100%) of one (1) day of average daily attendance. Each day a kindergarten student is on the membership roll in a school district shall be counted as one hundred percent (100%) of one (1) day of average daily membership.

2. It shall be the duty of every school district in this state to provide and offer kindergarten free of tuition for every child residing in such district who attains the age of five (5) years on or before the first day of September during the school year such kindergarten is offered ~~or who is underage and is admitted to kindergarten classes as provided for in Section 1-114 of this title,~~ provided that this duty may be satisfied by transferring kindergarten children to other school districts which accept them and provide kindergarten for such children, or by contracting for classroom space with a licensed public or licensed private child care provider based upon selection criteria established by the district.

3. A kindergarten program may be offered jointly by school districts that have formed interlocal cooperative agreements pursuant to Section 5-117b of this title.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 11-103.7, as last amended by Section 2, Chapter 204, O.S.L. 1998 (70 O.S. Supp. 1998, Section 11-103.7), is amended to read as follows:

Section 11-103.7 A. Each school district may offer to four-year-old children the opportunity to participate in an early childhood education program.

B. The State Board of Education shall promulgate standards for early childhood education programs for children who are at least four (4) years of age on or before September 1 of the ensuing school year. The standards shall include both half-day programs consisting of not less than two and one-half (2 1/2) hours per school day, and full-day programs of six (6) hours. The standards for all early childhood education programs shall require a certified teacher, as specified in this section, to be present in the classroom for the length of the school day. Such program shall:

1. Be directed toward developmentally appropriate objectives for such children, rather than toward academic objectives suitable for older children;

2. Accommodate the needs of all children and families regardless of socioeconomic circumstances; and

3. Require that any teacher employed by a public school to teach in such early childhood education program shall be certified in early childhood education.

C. The superintendent of any school district providing classroom space or other school facilities for a federally sponsored Head Start program that is planning to make a material change in the arrangement, shall give notice to the director of the Head Start program at least seven (7) days prior to a school board hearing on the matter.

D. A school district may offer such early childhood education program within the district, in cooperation with other districts, through the use of transfers as specified by law, or by contracting with a private or public provider of early childhood education programs, or by contracting for classroom space with a licensed public or private child care provider based upon selection criteria established by the district. If the program is provided through contract with a private or public provider other than a school district, the contract may only be continued if each teacher serving the school on and after January 1, 1993, is certified in ~~Early Childhood Education~~ early childhood education, except that all teachers, without such certification, hired by such provider prior to January 1, 1993, and serving in the school as an early childhood education teacher shall be required to obtain certification on or before the beginning of the 1996-97 school year. Any person who has been employed as an early childhood educator with the Head Start Program, has a child development associate degree (CDA) and has at least five (5) years of experience in such employment shall be certified in early childhood education for purposes of employment in the public schools of this state to teach in early childhood

education for children four (4) years of age and younger; if such person is recertified in child development by the Council for Early Childhood Professional Recognition within five (5) years prior to the expiration of the person's early childhood certificate that was issued by the State Board of Education, such person shall be granted a renewal certificate in early childhood education by the State Board of Education upon expiration of the early childhood certificate. Provided, private or public providers shall meet such other standards required by law and by the State Board of Education.

E. The State Board of Education shall promulgate rules to provide for the implementation of such program.

F. An early childhood education program may be offered jointly by school districts that have formed interlocal cooperative agreements pursuant to Section 5-117b of this title.

G. The term "pre-kindergarten" shall mean early childhood education for purposes of this title.

SECTION 3. This act shall become effective July 1, 1999.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 27th day of May, 1999.

\_\_\_\_\_  
Speaker of the House of  
Representatives

Passed the Senate the 27th day of May, 1999.

\_\_\_\_\_  
President of the Senate