

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2667

By: Sullivan

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6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2001,
8 Section 1-114, which relates to school attendance;
9 changing date for determining age for school
attendance purposes; updating statutory language; and
providing an effective date.

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

13 SECTION 1. AMENDATORY 70 O.S. 2001, Section 1-114, is
14 amended to read as follows:

15 Section 1-114. A. All children between the ages of five (5)
16 years on or before ~~September~~ June 1, and twenty-one (21) years on or
17 before ~~September~~ June 1, shall be entitled to attend school free of
18 charge in the district in which they reside.

19 B. All children who are at least four (4) years of age but not
20 more than five (5) years of age on or before ~~September~~ June 1 and
21 who have not attended a public school kindergarten shall be entitled
22 to attend half-day or full-day early childhood programs at any
23 public school in the state where ~~such~~ programs are offered; ~~provided~~
24 ~~no.~~ No child shall be required to attend any early childhood

1 education program. The following paragraphs shall govern early
2 childhood programs:

3 1. Children who are at least four (4) years of age but not more
4 than five (5) years of age on or before ~~September~~ June 1 shall be
5 entitled to attend either half-day or full-day early childhood
6 programs in their district of residence free of charge as long as
7 the district has the physical facilities and teaching personnel to
8 accommodate the child. For purposes of calculation of State Aid,
9 children in an early childhood education program shall be included
10 in the average daily membership of the district providing the
11 program.

12 2. A child who has not reached the age of five (5) years on or
13 before ~~September~~ June 1 and who resides in a district which does not
14 offer an early childhood program shall be eligible for transfer to a
15 district where an early childhood program is offered if the district
16 that offers the early childhood program agrees to the transfer. A
17 district offering early childhood programs may refuse to accept a
18 nonresident child if the district does not have the physical
19 facilities or teaching personnel to accommodate the child in an
20 early childhood education class. If the child requesting the
21 transfer has not reached the age of four (4) years on or before
22 ~~September~~ June 1, the district may refuse to accept the nonresident
23 child if the district determines the child is not ready for an early
24 childhood program. Children who are accepted in a program outside

1 their district of residence as provided in this paragraph shall be
2 included in the average daily membership of the district providing
3 the program for State Aid funding subject to the State Aid formula
4 weight limitations set forth in paragraph 1 of this subsection.

5 C. No child shall be enrolled in kindergarten unless he or she
6 will have reached the age of five (5) years on or before ~~September~~
7 June 1 of the school year. No child shall be enrolled in the first
8 grade unless he or she will have reached the age of six (6) years on
9 or before ~~September~~ June 1 of the school year.

10 D. No nonresident and nontransferred pupil shall be allowed to
11 attend school in any school district unless a tuition fee equal to
12 the per capita cost of education for a similar period in ~~such~~ the
13 district during the preceding year has been paid to the receiving
14 district in advance yearly or by semester as determined by the
15 district board of education of the receiving district. If the State
16 Board of Education discovers that ~~such~~ attendance has been allowed
17 without prior payment of the tuition fee in advance as required, no
18 further payment of any State Aid Funds shall be made to the district
19 until ~~such~~ the district has shown to the satisfaction of the State
20 Board of Education that all ~~such~~ tuition fees have been paid or that
21 ~~such~~ the tuition pupil will no longer be allowed to attend school
22 until the required tuition fee has been paid.

23 E. Any parent, guardian, person or institution having care and
24 custody of a child who pays ad valorem tax on real property in any

1 other school district other than that in which that person resides
2 may, with the approval of the receiving board, enroll the child in
3 any school district in which ad valorem tax is paid and receive a
4 credit on the nonresident tuition fee equal to the amount of the ad
5 valorem tax paid for school district purposes in the school district
6 in which the child is enrolled. Provided, the credit shall not
7 exceed the total amount required for the tuition payment.

8 SECTION 2. This act shall become effective November 1, 2010.

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