

1 ENGROSSED HOUSE
2 BILL NO. 1465

By: Johnson and Kern of the
House

3 and

4 Jolley of the Senate
5
6

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
10 attendance purposes; allowing certain students at a
11 certain age to enroll in early childhood,
kindergarten or first grade if they are screened and
determined to be ready; establishing certain
conditions; updating statutory language; and
providing an effective date.

12

13

14

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

15

SECTION 1. AMENDATORY 70 O.S. 2001, Section 1-114, is

16

amended to read as follows:

17

Section 1-114. A. All children between the ages of five (5)

18

years on or before ~~September~~ July 1, and twenty-one (21) years on or

19

before ~~September~~ July 1, shall be entitled to attend school free of

20

charge in the district in which they reside.

21

B. All children who are at least four (4) years of age but not

22

more than five (5) years of age on or before ~~September~~ July 1 and

23

who have not attended a public school kindergarten shall be entitled

24

to attend half-day or full-day early childhood programs at any

1 public school in the state where such programs are offered, ~~provided~~
2 ~~no.~~ No child shall be required to attend any early childhood
3 education program. The following paragraphs shall govern early
4 childhood programs:

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

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

1 child if the district determines the child is not ready for an early
2 childhood program. Children who are accepted in a program outside
3 their district of residence as provided in this paragraph shall be
4 included in the average daily membership of the district providing
5 the program for State Aid funding subject to the State Aid formula
6 weight limitations set forth in paragraph 1 of this subsection.

7 3. A child who has reached the age of four (4) years after July
8 1 but on or before September 1 shall be entitled to attend an early
9 childhood program if the child has been screened and determined to
10 be ready to enroll in an early childhood program, using a readiness
11 screening procedure approved by the school district and paid for by
12 the parent or guardian.

13 C. ~~No~~ Except as otherwise provided for in this subsection, no
14 child shall be enrolled in kindergarten unless he or she will have
15 reached the age of five (5) years on or before ~~September~~ July 1 of
16 the school year. ~~No~~ A child who has reached the age of five (5)
17 years after July 1 but on or before September 1 shall be entitled to
18 enroll in kindergarten if the child has been screened and determined
19 to be ready to enroll in a kindergarten, using a readiness screening
20 procedure approved by the school district and paid for by the parent
21 or guardian.

22 D. Except as otherwise provided for in this subsection, no
23 child shall be enrolled in the first grade unless he or she will
24 have reached the age of six (6) years on or before ~~September~~ July 1

1 of the school year. A child who has reached the age of six (6)
2 years after July 1 but on or before September 1 shall be entitled to
3 enroll in first grade if the child has been screened and determined
4 to be ready to enroll in first grade, using a readiness screening
5 procedure approved by the school district and paid for by the parent
6 or guardian.

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

20 ~~E.~~ F. Any parent, guardian, person or institution having care
21 and custody of a child who pays ad valorem tax on real property in
22 any other school district other than that in which that person
23 resides may, with the approval of the receiving board, enroll the
24 child in any school district in which ad valorem tax is paid and

