

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 53rd Legislature (2011)

4 HOUSE BILL 1851

 By: Blackwell

7 AS INTRODUCED

8 An Act relating to schools; amending 70 O.S. 2001,
9 Section 18-108, as last amended by Section 9, Chapter
10 432, O.S.L. 2005 (70 O.S. Supp. 2010, Section 18-
11 108), which relates to free public kindergarten;
 updating statutory language; changing date by which
 full-day kindergarten is required to be offered by a
 school district; and declaring an emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2001, Section 18-108, as
16 last amended by Section 9, Chapter 432, O.S.L. 2005 (70 O.S. Supp.
17 2010, Section 18-108), is amended to read as follows:

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

21 B. Each day during which a child attends a kindergarten for two
22 and one-half (2 1/2) hours or more shall be counted as one hundred
23 percent (100%) of one (1) day of average daily attendance. Each day

1 a kindergarten student is on the membership roll in a school
2 district shall be counted as one hundred percent (100%) of one (1)
3 day of average daily membership.

4 C. It shall be the duty of every school district in this state
5 to provide and offer kindergarten free of tuition for every child
6 residing in ~~such~~ the district who attains the age of five (5) years
7 on or before the first day of September during the school year ~~such~~
8 kindergarten is offered, ~~provided that this.~~ The duty to provide
9 and offer kindergarten may be satisfied by transferring kindergarten
10 children to other school districts which accept them and provide
11 kindergarten for such children, or by contracting for classroom
12 space with a licensed public or licensed private child-care provider
13 based upon selection criteria established by the district.

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

17 E. Beginning with the ~~2011-2012~~ 2015-2016 school year, it shall
18 be the duty of every school district in this state to provide and
19 offer a full six-hour day of kindergarten free of tuition for every
20 child residing in the district who attains the age of five (5) years
21 on or before the first day of September during the school year
22 kindergarten is offered, ~~provided that this.~~ The duty to provide
23 and offer kindergarten may be satisfied by intra-district transfer

1 to a school offering full-day kindergarten, by transferring
2 kindergarten children to other school districts which will accept
3 them and can provide kindergarten for such children, or by
4 contracting for classroom space with a licensed public or licensed
5 private child care provider based upon selection criteria
6 established by the district. A school district shall be exempt from
7 the provisions of this subsection if the school district has voted
8 indebtedness through the issuance of bonds or approval by voters of
9 issuance of new bonds for more than eighty-five percent (85%) of the
10 maximum allowable, pursuant to the provisions of Section 26 of
11 Article X of the Oklahoma Constitution, at any time within the
12 previous five (5) years.

13 F. The requirement to attend kindergarten provided in Section
14 10-105 of this title may be satisfied by attendance in either a
15 half-day or full-day program. Membership in a kindergarten for
16 either two and one-half (2 1/2) hours or six (6) hours per school
17 day shall be counted as one (1) day for average daily membership
18 purposes. For purposes of State Aid, the pupil grade level weight
19 for a two-and-one-half-hour day of kindergarten shall be 1.3, and
20 for a six-hour full day of kindergarten shall be 1.5.

21 SECTION 2. It being immediately necessary for the preservation
22 of the public peace, health and safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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4 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02-23-2011
5 - DO PASS.

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