

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2614

By: Johnson

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
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 beginning with certain school years to
12 enroll in early childhood, kindergarten or first
13 grade if they are screened and determined to be
14 ready; establishing certain conditions; updating
15 statutory language; providing an effective date; and
16 declaring an emergency.

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

18 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-114, is
19 amended to read as follows:

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

24 B. ~~All~~ Beginning with the 2012-1013 school year, all children
who are at least four (4) years of age but not more than five (5)
years of age on or before ~~September~~ July 1 and who have not attended
a public school kindergarten shall be entitled to attend half-day or

1 full-day early childhood programs at any public school in the state
2 where ~~such~~ programs are offered; ~~provided no.~~ No child shall be
3 required to attend any early childhood education program. The
4 following paragraphs shall govern early 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,
14 beginning with the 2013-2014 school year, no child shall be enrolled
15 in kindergarten unless he or she will have reached the age of five
16 (5) years on or before ~~September~~ July 1 of the school year. ~~No~~ A
17 child who has reached the age of five (5) years after July 1 but on
18 or before September 1 shall be entitled to enroll in kindergarten if
19 the child has been screened and determined to be ready to enroll in
20 a kindergarten, using a readiness screening procedure approved by
21 the school district and paid for by the parent or guardian.

22 D. Except as otherwise provided for in this subsection,
23 beginning with the 2014-2015 school year, no child shall be enrolled
24 in the first grade unless he or she will have reached the age of six

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

1 receive a credit on the nonresident tuition fee equal to the amount
2 of the ad valorem tax paid for school district purposes in the
3 school district in which the child is enrolled. Provided, the
4 credit shall not exceed the total amount required for the tuition
5 payment.

6 SECTION 2. This act shall become effective July 1, 2012.

7 SECTION 3. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

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