

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1395

By: Smalley

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 18-108, which relates to free public
9 kindergarten; changing requirement to provide full-
10 day kindergarten; making the provision of full-day
11 kindergarten optional; deleting certain exception;
12 providing an effective date; and declaring an
13 emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 18-108, is
16 amended to read as follows:

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

20 B. Each day during which a child attends a kindergarten for two
21 and one-half (2 1/2) hours or more shall be counted as one hundred
22 percent (100%) of one (1) day of average daily attendance. Each day
23 a kindergarten student is on the membership roll in a school
24 district shall be counted as one hundred percent (100%) of one (1)
day of average daily membership.

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

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

14 E. ~~Beginning with the 2013-2014 school year, it shall be the~~
15 ~~duty of every~~ Every school district in this state ~~to~~ may provide and
16 offer a full six-hour day of kindergarten free of tuition for every
17 child residing in the district who attains the age of five (5) years
18 on or before the first day of September during the school year
19 kindergarten is offered. ~~The duty to provide and offer~~ Full-day
20 kindergarten may be ~~satisfied~~ provided by intra-district transfer to
21 a school offering full-day kindergarten, by transferring
22 kindergarten children to other school districts which will accept
23 them and can provide kindergarten for such children, or by
24 contracting for classroom space with a licensed public or licensed

1 private child care provider based upon selection criteria
2 established by the district. ~~A school district shall be exempt from~~
3 ~~the provisions of this subsection if the school district has voted~~
4 ~~indebtedness through the issuance of bonds or approval by voters of~~
5 ~~issuance of new bonds for more than eighty-five percent (85%) of the~~
6 ~~maximum allowable, pursuant to the provisions of Section 26 of~~
7 ~~Article X of the Oklahoma Constitution, at any time within the~~
8 ~~previous five (5) years.~~

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

17 SECTION 2. This act shall become effective July 1, 2013.

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

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23 54-1-6642 KB 01/16/13

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