

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1252

By: Hicks

AS INTRODUCED

An Act relating to early childhood programs; amending 70 O.S. 2011, Section 1-114, as amended by Section 1, Chapter 4, O.S.L. 2016 (70 O.S. Supp. 2019, Section 1-114), which relates to enrollment in early childhood programs; directing children enrolled in certain early education programs to attend, subject to certain provisions for absences; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-114, as amended by Section 1, Chapter 4, O.S.L. 2016 (70 O.S. Supp. 2019, Section 1-114), is amended to read as follows:

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

B. All children who are at least four (4) years of age but not more than five (5) years of age on or before September 1 and who have not attended a public school kindergarten shall be entitled to attend half-day or full-day early childhood programs at any public

1 school in the state where such programs are offered; provided, no
2 child shall be required to attend any early childhood education
3 program. The following paragraphs shall govern early childhood
4 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 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 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 1, the district may refuse to accept the nonresident child

1 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; ~~and~~

7 3. Beginning with the 2020-2021 school year, a child who
8 enrolls in a half-day or full-day early childhood program shall
9 attend the program, subject to the provisions for absences provided
10 by Sections 10-105 and 10-106 of this title; and

11 4. The State Board of Education shall promulgate rules that
12 create exemptions relating to the maximum age at which a child may
13 attend half-day or full-day early childhood programs.

14 C. No child shall be enrolled in kindergarten unless he or she
15 will have reached the age of five (5) years on or before September 1
16 of the school year. No child shall be enrolled in the first grade
17 unless he or she will have reached the age of six (6) years on or
18 before September 1 of the school year.

19 D. No nonresident and nontransferred pupil shall be allowed to
20 attend school in any school district unless a tuition fee equal to
21 the per capita cost of education for a similar period in such
22 district during the preceding year has been paid to the receiving
23 district in advance yearly or by semester as determined by the
24 district board of education of the receiving district. If the State

1 Board of Education discovers that such attendance has been allowed
2 without prior payment of the tuition fee in advance as required, no
3 further payment of any State Aid Funds shall be made to the district
4 until such district has shown to the satisfaction of the State Board
5 of Education that all such tuition fees have been paid or that such
6 tuition pupil will no longer be allowed to attend school until the
7 required tuition fee has been paid.

8 E. Any parent, guardian, person or institution having care and
9 custody of a child who pays ad valorem tax on real property in any
10 other school district other than that in which that person resides
11 may, with the approval of the receiving board, enroll the child in
12 any school district in which ad valorem tax is paid and receive a
13 credit on the nonresident tuition fee equal to the amount of the ad
14 valorem tax paid for school district purposes in the school district
15 in which the child is enrolled. Provided, the credit shall not
16 exceed the total amount required for the tuition payment.

17 SECTION 2. This act shall become effective July 1, 2020.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health or 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 57-2-3394

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