

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1011

Education/Higher Education Committee Substitute Adopted 4/24/97

Short Title: Time for Initial Entry Into Kindergarten.

(Public)

Sponsors:

Referred to:

April 21, 1997

A BILL TO BE ENTITLED

AN ACT TO REQUIRE LOCAL BOARDS TO ADMIT OTHERWISE ELIGIBLE CHILDREN TO KINDERGARTEN AFTER THE FIRST MONTH OF SCHOOL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-364 reads as rewritten:

"§ 115C-364. Admission requirements.

~~A child, to be entitled to initial entry in the public schools, must have passed the fifth anniversary of his/her birth on or before October 16 of the year in which the child is presented for enrollment, and must be presented for enrollment during the first month of the school year.~~ A child who is presented for enrollment at any time during the first 120 days of a school year is entitled to initial entry into the public schools if:

(1) The child reaches or reached the age of five on or before October 16 of that school year; or

(2) The child did not reach the age of five on or before October 16 of that school year, but has been attending school during that school year in another state in accordance with the laws or rules of that state before the child moved to and became a resident of North Carolina.

A local board may allow a child who is presented for enrollment at any time after the first 120 days of a school year to be eligible for initial entry into the public schools if:

- 1 (1) The child reached the age of five on or before October 16 of that school
2 year; or
3 (2) The child did not reach the age of five on or before October 16 of that
4 school year, but has been attending school during that school year in
5 another state in accordance with the laws or rules of that state before the
6 child moved to and became a resident of North Carolina.

7 The initial point of entry into the public school system shall be at the kindergarten
8 level: ~~Provided, that if a particular child has already been attending school in another~~
9 ~~state in accordance with the laws or regulations of the school authorities of such state~~
10 ~~before moving to and becoming a resident of North Carolina, such child will be eligible~~
11 ~~for enrollment in the schools of this State regardless of whether such child has passed the~~
12 ~~fifth anniversary of his birth before October 16 level.~~ If the principal of a school finds as
13 fact subsequent to initial entry that a child, by reason of maturity can be more
14 appropriately served in the first grade rather than in kindergarten, the principal may act
15 under ~~the provisions of~~ G.S. 115C-288 to implement this educational decision without
16 regard to chronological age. The principal of any public school ~~shall have the authority~~
17 ~~to~~ may require the parents of any child presented for admission for the first time to ~~such~~
18 ~~that~~ school to furnish a certified copy of the child's birth ~~certificate of such child,~~
19 certificate, which shall be furnished by the register of deeds of the county having on file
20 the record of the birth of ~~such~~ the child, or other satisfactory evidence of date of birth."

21 Section 2. G.S. 115C-81(f) reads as rewritten:

22 "(f) Establishment and Maintenance of Kindergartens. –

- 23 (1) Local boards of education shall provide for their respective local school
24 administrative unit kindergartens as a part of the public school system
25 for all children living in the local school administrative unit who are
26 eligible for admission pursuant to subdivision (2) of this subsection
27 provided that funds are available from State, local, federal or other
28 sources to operate a kindergarten program as provided in this
29 subsection.

30 All kindergarten programs so established shall be subject to the
31 supervision of the Department of Public Instruction and shall be
32 operated in accordance with the standards adopted by the State Board of
33 Education, upon recommendation of the Superintendent of Public
34 Instruction.

35 Among the standards to be adopted by the State Board of Education
36 shall be a provision that the Board will allocate funds for the purpose of
37 operating and administering kindergartens to each school administrative
38 unit in the State based on the average daily membership for the best
39 continuous three out of the first four school months of pupils in the
40 kindergarten program during the last school year in that respective
41 school administrative unit. Such allocations are to be made from funds
42 appropriated to the State Board of Education for the kindergarten
43 program.

- 1 (2) Any child who ~~has passed the fifth anniversary of his birth on or before~~
2 ~~October 16 of the year in which he enrolls~~ meets the requirements of G.S.
3 115C-364 shall be eligible for enrollment in kindergarten. Any child
4 who is enrolled in kindergarten and not withdrawn by ~~his~~ the child's
5 parent or guardian shall attend kindergarten.
- 6 (3) Notwithstanding any other provision of law to the contrary, subject to
7 the approval of the State Board of Education, any local board of
8 education may elect not to establish and maintain a kindergarten
9 program. Any funds allocated to a local board of education which does
10 not operate a kindergarten program may be reallocated by the State
11 Board of Education, within the discretion of the Board, to a county or
12 city board of education which will operate such a program."
13 Section 3. This act is effective when it becomes law.