

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1011

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

House Committee Substitute Favorable 5/26/97

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) 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 5 on or before October 16 of that school year; or

(2) The child did not reach the age of 5 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.

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

4 (1) The child reached the age of 5 on or before October 16 of that school
5 year; or

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

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

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

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

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

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

39 Among the standards to be adopted by the State Board of Education
40 shall be a provision that the Board will allocate funds for the purpose of
41 operating and administering kindergartens to each school administrative
42 unit in the State based on the average daily membership for the best
43 continuous three out of the first four school months of pupils in the

1 kindergarten program during the last school year in that respective
2 school administrative unit. Such allocations are to be made from funds
3 appropriated to the State Board of Education for the kindergarten
4 program.

5 (2) Any child who ~~has passed the fifth anniversary of his birth on or before~~
6 ~~October 16 of the year in which he enrolls~~ meets the requirements of G.S.
7 115C-364 shall be eligible for enrollment in kindergarten. Any child
8 who is enrolled in kindergarten and not withdrawn by ~~his~~ the child's
9 parent or guardian shall attend kindergarten.

10 (3) Notwithstanding any other provision of law to the contrary, subject to
11 the approval of the State Board of Education, any local board of
12 education may elect not to establish and maintain a kindergarten
13 program. Any funds allocated to a local board of education which does
14 not operate a kindergarten program may be reallocated by the State
15 Board of Education, within the discretion of the Board, to a county or
16 city board of education which will operate such a program."

17 Section 3. This act is effective when it becomes law.