

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 603
HOUSE BILL 127

AN ACT TO ESTABLISH STATE-WIDE PUBLIC KINDERGARTEN PROGRAMS IN ALL
COUNTY AND CITY SCHOOL ADMINISTRATIVE UNITS.

Whereas, the kindergarten is recognized in American education as an essential prerequisite to success in the first grade and the early years of formal education; and

Whereas, there is a direct relationship between failure in the initial years of formal education and the high percentage of dropouts in our public school systems; and

Whereas, the Pilot Program for kindergartens as wisely established by the General Assembly in the 1969 Session and expanded by the 1971 General Assembly has proven beneficial and has provided a foundation to build upon; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. A new Article, to be designated as Article 45 and entitled "Kindergartens" shall be inserted in Chapter 115 of the General Statutes immediately after Article 44 and shall read as follows:

"Article 45.

"Kindergartens.

"§ 115-358. **Establishment and maintenance of kindergartens.** — County and city boards of education shall provide for their respective administrative unit kindergartens as a part of the public school system for all children living in the school administrative unit who are eligible for admission pursuant to G.S. 115-359; provided that funds are available from State, local, federal or other sources to operate a kindergarten program as provided in this Article.

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

Among the standards to be adopted by the State Board of Education shall be a provision that the Board will allocate funds for the purpose of operating and administering kindergartens to each school administrative unit in the State based on the average daily membership for the best continuous three out of the first four school months of pupils in the first grade during the last school year in that respective school administrative unit.

Provided, that for the 1973-74 school year, sufficient funds shall be allocated by the Board to each county and city school administrative unit to operate a minimum of two kindergarten classes in each administrative unit. Provided further, that for each subsequent school year beginning with the 1974-75 school year, the Board shall allocate sufficient funds to each county and city school administrative unit to add at least one additional kindergarten class until all eligible children are enrolled.

"§ 115-359. **Eligibility.**— Beginning with the school year 1978-1979, in accordance with the provisions of G.S. 115-358, any child who has passed the fifth anniversary of his birth before October fifteenth of the year in which he enrolls shall be eligible for enrollment in kindergarten. Provided, however, that for the school years 1973-1974 through 1978-1979, the State Board of Education shall have enrolled in kindergartens that percentage on a statewide

basis of the eligible children at the beginning of each school year in accord with the following table:

<u>Enrollment Date</u>	<u>Enrollment Percentage</u>
September, 1973	Not less than 16%
September, 1974	Not less than 25%
September, 1975	Not less than 45%
September, 1976	Not less than 65%
September, 1977	Not less than 85%
September, 1978	Not less than 100%

Among the standards to be adopted by the State Board of Education in administering the enrollment of the eligible children on the schedule set forth herein, the State Board of Education shall consider the availability and location of facilities in each administrative unit, the number of eligible children in each administrative unit, the transportation system in each administrative unit, appropriate birth date groupings and other pertinent educational criteria.

Provided further, that a county and city board of education may, with the approval of the State Board, submit annually a plan for admission of five-year olds to the kindergarten program without following the time schedule set out hereinabove.

"§ 115-360. Kindertagens; need not be operated under certain conditions. — Notwithstanding any other provision of law to the contrary, subject to the approval of the State Board of Education, any county or city board of education may elect not to establish and maintain a kindergarten program. Any funds allocated to a county or city board of education which does not operate a kindergarten program may be reallocated by the State Board of Education, within the discretion of the Board, to a county or city board of education which will operate such a program."

Sec. 2. The funds appropriated are to be expended for the purpose of providing a statewide kindergarten program in each county and city school administrative unit as provided for in this act.

Sec. 3. G.S. 115-38 and 115-198.1 and the last paragraph of G.S. 115-162 are repealed.

Sec. 4. This act shall become effective as of July 1, 1973.

In the General Assembly read three times and ratified, this the 18th day of May, 1973.