

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 537
Committee Substitute Favorable 5/7/93

Short Title: Prekindergarten Programs Established.

(Public)

Sponsors:

Referred to:

March 25, 1993

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH PREKINDERGARTEN PROGRAMS IN THE PUBLIC
SCHOOLS AND TO ALLOW COUNTIES THE POWER TO LEVY TAXES FOR
THESE PROGRAMS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 115C of the General Statutes is amended by adding a new
section to read:

"§ 115C-81.2. Prekindergarten programs.

(a) The State Board of Education shall establish and implement high-quality, developmentally appropriate prekindergarten programs for the public schools of the State. The State Board of Education shall also establish criteria for high-quality, developmentally appropriate programs. These programs shall be provided for children eligible by age under subsection (c) of this section and who are determined by factors generally associated with poor school performance such as low economic status, low parental educational attainment, and limited English language proficiency, to be at risk of school failure.

During the 1993-95 biennium, the State Board of Education shall solicit proposals from local school administrative units and shall select units so as to provide services to one-half of the children who are determined to be eligible for the services. It is the intent of the General Assembly that funds be appropriated in the 1995-97 biennium to extend this program to the remaining eligible children in the State.

(b) Local school administrative units may operate programs under this section for children who reach their fourth birthday on or before October 16 of the year of

1 enrollment. Local school administrative units may apply to the State Board of
2 Education for funds to operate the programs. The State Board shall select local school
3 administrative units for funding from recommendations made by the Superintendent of
4 Public Instruction.

5 (c) Local school administrative units may use funds provided under this section
6 to operate prekindergarten programs in accordance with this section. Local school
7 administrative units are also encouraged to use other funds available to them for this
8 purpose. Funds may also be used for extending the program day and to assist in
9 identifying other agencies to provide services to the parents of the children served by
10 the program. These services may include nutrition and health care, assistance in
11 obtaining employment, budget management, tutoring in reading, and assistance in
12 attaining a high school diploma. These services shall be provided in collaboration with
13 appropriate agencies including county departments of social services, local public health
14 departments, area mental health, developmental disabilities, and substance abuse
15 authorities, and the Employment Security Commission. These preschool programs shall
16 be coordinated with other existing programs such as Head Start, Early Intervention, and
17 Even Start Family Literacy."

18 Sec. 2. G.S. 115C-364 reads as rewritten:

19 "**§ 115C-364. Admission requirements.**

20 A child, to be entitled to initial entry in the public schools, must have passed the fifth
21 anniversary of his/her birth on or before October 16 of the year in which the child is
22 presented for enrollment, and must be presented for enrollment during the first month of
23 the school year. The initial point of entry into the public school system shall be at the
24 kindergarten level: Provided, that if a particular child has already been attending school
25 in another state in accordance with the laws or regulations of the school authorities of
26 ~~such that~~ state before moving to and becoming a resident of North Carolina, ~~such the~~
27 child will be eligible for enrollment in the schools of this State regardless of whether
28 ~~such the~~ child has passed the fifth anniversary of ~~his the~~ child's birth before October 16.
29 A child may be enrolled in a prekindergarten program operated by the public schools if
30 the child has passed the fourth anniversary of the child's birth on or before October 16
31 of the year in which the child is presented for enrollment in the prekindergarten
32 program. If the principal of a school finds as fact subsequent to initial entry that a child,
33 by reason of maturity can be more appropriately served in the first grade rather than in
34 kindergarten, the principal may act under the provisions of G.S. 115C-288 to implement
35 this educational decision without regard to chronological age. The principal of any
36 public school shall have the authority to require the parents of any child presented for
37 admission for the first time to ~~such that~~ school to furnish a certified copy of the birth
38 certificate of such child, which shall be furnished by the register of deeds of the county
39 having on file the record of the birth of ~~such the~~ child, or other satisfactory evidence of
40 date of birth."

41 Sec. 3. G.S. 115C-84(a) reads as rewritten:

42 "(a) School Day. – The length of the school day shall be determined by the several
43 local boards of education for all public schools in their respective local school
44 administrative units, and the minimum time for which teachers shall be employed in the

1 schoolroom or on the grounds supervising the activities of children shall not be less than
2 six hours: Provided, the several local boards of education may adopt rules and
3 regulations allowing handicapped pupils, prekindergarten and kindergarten pupils, and
4 pupils attending the first, second, and third grades to attend school for a period less than
5 six hours. The superintendent of the several local boards of education, in the event of an
6 emergency, act of God, or any other conditions requiring the termination of classes
7 before six hours have elapsed, may suspend the operation of any school for that
8 particular day without loss of credit to the pupil or loss of pay to the teacher.

9 The General Assembly urges the local boards of education to expand the length of
10 the school day so that it includes at least six hours of instructional time."

11 Sec. 4. G.S. 115C-242(1) reads as rewritten:

12 "(1) A school bus may be used for the transportation of pupils enrolled in
13 and employees in the operation of the school to which ~~such~~the bus is
14 assigned by the superintendent of the local school administrative unit.
15 Except as otherwise herein provided, ~~such~~this transportation shall be
16 limited to transportation to and from such school for the regularly
17 organized school day, and from and to the points designated by the
18 principal of the school to which such bus is assigned, for the receiving
19 and discharging of passengers. No pupil or employee shall be so
20 transported upon any bus other than the bus to which such pupil or
21 employee has been assigned pursuant to the provisions of this Article:
22 Provided, that children enrolled in a Headstart program which is
23 housed in a building owned and operated by a local school
24 administrative unit where school is being conducted may be
25 transported on public school buses, so long as the contractual
26 arrangements made cause no extra expense to the State: Provided
27 further, that children with special needs may be transported to and
28 from the nearest appropriate private school having a special education
29 program approved by the State Board of Education if the children to be
30 transported are or have been placed in that program by a local school
31 administrative unit as a result of the State or the unit's duty to provide
32 such children with a free appropriate public ~~education~~education:
33 Provided further, that local boards of education may choose to provide
34 transportation for the parents of children enrolled in prekindergarten
35 programs operated by the local school administrative unit to receive
36 services provided in conjunction with these programs."

37 Sec. 5. G.S. 130A-152(e) reads as rewritten:

38 "(e) When the Commission requires immunization against a disease not listed in
39 paragraph (a) of this section, or requires an additional dose of a vaccine, the
40 Commission is authorized to exempt from the new requirement children who are or who
41 have been enrolled in school (prekindergarten and K-12) on or before the effective date
42 of the new requirement."

43 Sec. 6. G.S. 130A-155(a) reads as rewritten:

1 "(a) No child shall attend a school (prekindergarten and K-12), whether public,
2 private or religious, or a day-care facility as defined in G.S. 110-86(3), unless a
3 certificate of immunization indicating that the child has received the immunizations
4 required by G.S. 130A-152 is presented to the school or facility. The parent, guardian,
5 or responsible person must present a certificate of immunization on the child's first day
6 of attendance to the principal of the school or operator of the facility, as defined in G.S.
7 110-86(7). If a certificate of immunization is not presented on the first day, the
8 principal or operator shall present a notice of deficiency to the parent, guardian or
9 responsible person. The parent, guardian or responsible person shall have 30 calendar
10 days from the first day of attendance to obtain the required immunization for the child.
11 If the administration of vaccine in a series of doses given at medically approved
12 intervals requires a period in excess of 30 calendar days, additional days upon
13 certification by a physician may be allowed to obtain the required immunization. Upon
14 termination of 30 calendar days or the extended period, the principal or operator shall
15 not permit the child to attend the school or facility unless the required immunization has
16 been obtained."

17 Sec. 7. G.S. 153A-149(b)(7) reads as rewritten:

18 "(7) Schools. – To provide for the county's share of the cost of
19 prekindergarten, kindergarten, elementary, secondary, and post-
20 secondary public education."

21 Sec. 8. There is appropriated from the General Fund to the Department of
22 Public Education the sum of twenty-three million five hundred seventy-nine thousand
23 two hundred fourteen dollars (\$23,579,214) for the 1993-94 fiscal year and the sum of
24 forty-five million three hundred ninety-eight thousand eight hundred twenty-nine
25 dollars (\$45,398,829) for the 1994-95 fiscal year for the purpose of implementing this
26 act.

27 Sec. 9. This act becomes effective July 1, 1993.