

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1099

Short Title: Kindergarten Entry/Gifted Students.

(Public)

---

Sponsors: Representatives Preston; Arnold, Grady, Russell, Sherrill, Shubert, and Smith.

---

Referred to: Education.

---

April 21, 1997

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO ADMIT CERTAIN GIFTED STUDENTS TO KINDERGARTEN REGARDLESS OF THEIR BIRTH DATES.

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~~ the child's 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 has passed the fifth anniversary of the child's birth on or before April 16 may enter a public school if the child is presented for enrollment during the first month of the school year and if the principal of the school finds, based on information submitted by the child's parent or guardian, that the child is gifted and that the child has the maturity to justify admission to the school. The State Board of Education shall establish guidelines for the principal to use in making this finding.

The initial point of entry into the public school system shall be at the kindergarten level: Provided, that if a particular child has already been attending school in another state in accordance with the laws or regulations of the school authorities of ~~such~~ that state before moving to and becoming a resident of North Carolina, ~~such~~ the child ~~will be~~ is

1 eligible for enrollment in the schools of this State regardless of whether ~~such~~the child has  
2 passed the fifth anniversary of ~~his~~the child's birth before October 16. If the principal of a  
3 school finds as fact subsequent to initial entry that a child, by reason of maturity can be  
4 more appropriately served in the first grade rather than in kindergarten, the principal may  
5 act under the provisions of G.S. 115C-288 to implement this educational decision without  
6 regard to chronological age. The principal of any public school shall have the authority  
7 to require the ~~parents~~parent or guardian of any child presented for admission for the first  
8 time to ~~such~~a school to furnish a certified copy of the birth certificate of ~~such~~the child,  
9 which shall be furnished by the register of deeds of the county having on file the record  
10 of the birth of ~~such~~the child, or other satisfactory evidence of date of birth."

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

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

13 (1) Local boards of education shall provide for their respective local school  
14 administrative unit kindergartens as a part of the public school system  
15 for all children living in the local school administrative unit who are  
16 eligible for admission pursuant to subdivision (2) of this subsection  
17 provided that funds are available from State, local, federal or other  
18 sources to operate a kindergarten program as provided in this  
19 subsection.

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

25 Among the standards to be adopted by the State Board of Education  
26 shall be a provision that the Board will allocate funds for the purpose of  
27 operating and administering kindergartens to each school administrative  
28 unit in the State based on the average daily membership for the best  
29 continuous three out of the first four school months of pupils in the  
30 kindergarten program during the last school year in that respective  
31 school administrative unit. Such allocations are to be made from funds  
32 appropriated to the State Board of Education for the kindergarten  
33 program.

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

40 (3) Notwithstanding any other provision of law to the contrary, subject to  
41 the approval of the State Board of Education, any local board of  
42 education may elect not to establish and maintain a kindergarten  
43 program. Any funds allocated to a local board of education which does

1                   not operate a kindergarten program may be reallocated by the State  
2                   Board of Education, within the discretion of the Board, to a county or  
3                   city board of education which will operate such a program."  
4

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