

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2395 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Brian Hill

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 PROPOSED POLICY
4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2395

By: Hill

7
8 PROPOSED POLICY COMMITTEE SUBSTITUTE

9 An Act relating to education; amending 70 O.S. 2021,
10 Sections 11-103.7 and 1-114, as amended by Section 1,
11 Chapter 258, O.S.L. 2024 (70 O.S. Supp. 2024, Section
12 1-114), which relate to early childhood education
13 programs; expanding programs to children three years
14 of age; providing an effective date; and declaring an
15 emergency.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 70 O.S. 2021, Section 11-103.7, is
18 amended to read as follows:

19 Section 11-103.7. A. Each school district may offer to three-
20 and four-year-old children the opportunity to participate in an
21 early childhood education program.

22 B. The State Board of Education shall promulgate standards for
23 early childhood education programs for children who are at least
24 ~~four~~ (4) three (3) years of age but not more than five (5) years of
age on or before September 1 of the ensuing school year. The

1 standards shall include both half-day programs consisting of not
2 less than two and one-half (2 1/2) hours per school day, and full-
3 day programs of six (6) hours. The standards for all early
4 childhood education programs shall require a certified teacher, as
5 specified in this section, to be present in the classroom for the
6 length of the school day. Such program shall:

7 1. Be directed toward developmentally appropriate objectives
8 for such children, rather than toward academic objectives suitable
9 for older children;

10 2. Accommodate the needs of all children and families
11 regardless of socioeconomic circumstances; and

12 3. Require that any teacher employed by a public school to
13 teach in such early childhood education program shall be certified
14 in early childhood education.

15 C. The superintendent of any school district providing
16 classroom space or other school facilities for a federally sponsored
17 Head Start program that is planning to make a material change in the
18 arrangement, shall give notice to the director of the Head Start
19 program at least seven (7) days prior to a school board hearing on
20 the matter.

21 D. A school district may offer such early childhood education
22 program within the district, in cooperation with other districts,
23 through the use of transfers as specified by law, or by contracting
24 with a private or public provider of early childhood education

1 programs, or by contracting for classroom space with a licensed
2 public or private child care provider based upon selection criteria
3 established by the district. If the program is provided through
4 contract with a private or public provider other than a school
5 district, the contract may only be continued if each teacher serving
6 the school on and after January 1, 1993, is certified in early
7 childhood education, except that all teachers, without such
8 certification, hired by such provider prior to January 1, 1993, and
9 serving in the school as an early childhood education teacher shall
10 be required to obtain certification on or before the beginning of
11 the 1996-97 school year. Any person who has been employed as an
12 early childhood educator with the Head Start Program, has a child
13 development associate degree (CDA) and has at least five (5) years
14 of experience in such employment shall be certified in early
15 childhood education for purposes of employment in the public schools
16 of this state to teach in early childhood education for children
17 four (4) years of age and younger; if such person is recertified in
18 child development by the Council for Early Childhood Professional
19 Recognition within five (5) years prior to the expiration of the
20 person's early childhood certificate that was issued by the State
21 Board of Education, such person shall be granted a renewal
22 certificate in early childhood education by the State Board of
23 Education upon expiration of the early childhood certificate.

24

1 Provided, private or public providers shall meet such other
2 standards required by law and by the State Board of Education.

3 E. If an early childhood program is provided by a private or
4 public provider pursuant to a contract as authorized in this
5 section, the contract shall address the requirements for
6 implementing the induction program as required in Section 6-195 of
7 this title. Teachers employed by a private or public provider in an
8 early childhood education program provided through contract with a
9 public school district shall receive in salary and/or fringe
10 benefits amounts not less than the amounts specified in the schedule
11 set forth in Section ~~18-114.14~~ 18-114.15 of this title.

12 F. The State Board of Education shall promulgate rules to
13 provide for the implementation of such program.

14 G. An early childhood education program may be offered jointly
15 by school districts that have formed interlocal cooperative
16 agreements pursuant to Section 5-117b of this title.

17 H. The term "prekindergarten" shall mean early childhood
18 education for purposes of this title.

19 I. The State Board of Education shall ensure that the standards
20 for early childhood education are aligned with any new subject
21 matter standards adopted pursuant to Section 11-103.6a of this
22 title.

23

24

1 SECTION 2. AMENDATORY 70 O.S. 2021, Section 1-114, as
2 amended by Section 1, Chapter 258, O.S.L. 2024 (70 O.S. Supp. 2024,
3 Section 1-114), is amended to read as follows:

4 Section 1-114. A. All children between the ages of five (5)
5 years on or before September 1 and twenty-one (21) years on or
6 before September 1 shall be entitled to attend school free of charge
7 in the district in which they reside.

8 B. All children who are at least ~~four (4)~~ three (3) years of
9 age but not more than five (5) years of age on or before September 1
10 and who have not attended a public school kindergarten shall be
11 entitled to attend half-day or full-day early childhood programs at
12 any public school in the state where such programs are offered;
13 provided, no child shall be required to attend any early childhood
14 education program. The following paragraphs shall govern early
15 childhood programs:

16 1. Children who are at least ~~four (4)~~ three (3) years of age
17 but not more than five (5) years of age on or before September 1
18 shall be entitled to attend either half-day or full-day early
19 childhood programs in their district of residence free of charge as
20 long as the district has the physical facilities and teaching
21 personnel to accommodate the child. For purposes of calculation of
22 State Aid, children in an early childhood education program shall be
23 included in the average daily membership of the district providing
24 the program;

1 2. A child who has not reached the age of five (5) years on or
2 before September 1 and who resides in a district which does not
3 offer an early childhood program shall be eligible for transfer to a
4 district where an early childhood program is offered if the district
5 that offers the early childhood program has the capacity to accept
6 the child as provided for in the Education Open Transfer Act. A
7 district offering early childhood programs may refuse to accept a
8 nonresident child if the district does not have the capacity to
9 accommodate the child in an early childhood education class, as
10 provided for in the Education Open Transfer Act. If the child
11 requesting the transfer has not reached the age of ~~four (4)~~ three
12 (3) years on or before September 1, the district may refuse to
13 accept the nonresident child if the district determines the child is
14 not ready for an early childhood program. Children who are accepted
15 in a program outside their district of residence as provided in this
16 paragraph shall be included in the average daily membership of the
17 district providing the program for State Aid funding subject to the
18 State Aid formula weight limitations set forth in paragraph 1 of
19 this subsection; and

20 3. The State Board of Education shall promulgate rules that
21 create exemptions relating to the maximum age at which a child may
22 attend half-day or full-day early childhood programs.

23 C. No child shall be enrolled in kindergarten unless he or she
24 will have reached the age of five (5) years on or before September 1

1 of the school year. No child shall be enrolled in the first grade
2 unless he or she will have reached the age of six (6) years on or
3 before September 1 of the school year.

4 D. 1. No nonresident and nontransferred pupil shall be allowed
5 to attend school in any school district unless a tuition fee equal
6 to the per capita cost of education for a similar period in such
7 district during the preceding year has been paid to the receiving
8 district in advance yearly or by semester as determined by the
9 district board of education of the receiving district. If the State
10 Board of Education discovers that the attendance has been allowed
11 without prior payment of the tuition fee in advance as required, no
12 further payment of any State Aid funds shall be made to the district
13 until the district has shown to the satisfaction of the State Board
14 of Education that all tuition fees have been paid or that the pupil
15 will no longer be allowed to attend school until the required
16 tuition fee has been paid.

17 2. The provisions of paragraph 1 of this subsection shall not
18 apply to a school district that enrolls nonresident students from a
19 contiguous, out-of-state school district if the district:

- 20 a. does not receive payment of any State Aid funds, and
- 21 b. has a per-pupil expenditure, as defined by Section 1-
22 124 of this title, that is above the state average
23 per-pupil expenditure.

24

1 A nonresident student whose resident district, as determined by
2 Section 1-113 of this title, is not within this state shall not be
3 eligible for State Aid. No local funding associated with the
4 nonresident student's out-of-state resident district shall be
5 allocated or transferred to the receiving school district.

6 E. Any parent, guardian, person, or institution having care and
7 custody of a child who pays ad valorem tax on real property in any
8 other school district other than that in which that person resides
9 may, with the approval of the receiving school district, enroll the
10 child in any school district in which ad valorem tax is paid and
11 receive a credit on the nonresident tuition fee equal to the amount
12 of the ad valorem tax paid for school district purposes in the
13 school district in which the child is enrolled. Provided, the
14 credit shall not exceed the total amount required for the tuition
15 payment.

16 SECTION 3. This act shall become effective July 1, 2025.

17 SECTION 4. It being immediately necessary for the preservation
18 of the public peace, health or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

21
22
23
24

60-1-12245 AQH 01/24/25