

1 SENATE BILL NO. 244

2 INTRODUCED BY B. LAKE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE TRUSTEES OF AN ELEMENTARY SCHOOL
5 DISTRICT TO CHARGE A FEE TO A CHILD WITHOUT A DISABILITY TO ENTER A PRESCHOOL PROGRAM;
6 AMENDING SECTION 20-7-117, MCA; AND PROVIDING AN EFFECTIVE DATE."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 20-7-117, MCA, is amended to read:

11 **"20-7-117. Kindergarten and preschool programs.** (1) The trustees of an elementary district shall
12 establish or make available a kindergarten program capable of accommodating, at a minimum, all the children
13 in the district who will be 5 years old on or before September 10 of the school year for which the program is to
14 be conducted or who have been enrolled by special permission of the board of trustees. The kindergarten
15 program, which the trustees may designate as either a half-time or full-time program, must be an integral part of
16 the elementary school and must be financed and governed accordingly, provided that to be eligible for inclusion
17 in the calculation of ANB pursuant to 20-9-311, a child must have reached 5 years of age on or before September
18 10 of the school year covered by the calculation or have been enrolled by special permission of the board of
19 trustees. A kindergarten program must meet the minimum aggregate hour requirements established in 20-1-301.
20 A kindergarten program that is designated as a full-time program must allow a parent, guardian, or other person
21 who is responsible for the enrollment of a child in school, as provided in 20-5-102, to enroll the child half-time.

22 (2) The trustees of an elementary school district may establish and operate a ~~free~~ preschool program
23 for children between the ages of 3 and 5 years. A preschool program established pursuant to this section must
24 be free to a child with a disability, but the trustees may charge a fee to any other child to enter the preschool
25 program. When preschool programs are established, they must be an integral part of the elementary school and
26 must be governed accordingly. Financing of preschool programs may not be supported by money available from
27 state equalization aid."

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29 **NEW SECTION. Section 2. Effective date.** [This act] is effective July 1, 2011.

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