

# **Kindergarten**

Frequently Asked Questions and Answers

## FREQUENTLY ASKED QUESTIONS AND ANSWERS ABOUT KINDERGARTEN

	<b>Question</b>	<b>Answer</b>	<b>Citation</b>
1.	Are school districts required to offer the kindergarten program?	Yes. The board of trustees of each school district <b>shall</b> establish and maintain one or more kindergartens for the training of children residing in the district who are at least five years of age on September 1 of the school year.	TEC §29.151
2.	What is the criteria a child must meet to be eligible to attend a kindergarten program?	A child must be <b>at least five years of age</b> on September 1 of the school year.	TEC §29.151
3.	What documents are considered acceptable for proof of identification and age?	<p>The documents considered acceptable for proof of identification and age are:</p> <ol style="list-style-type: none"> <li>1. Birth certificate;</li> <li>2. Passport;</li> <li>3. School ID card, records, or report card;</li> <li>4. Military ID;</li> <li>5. Hospital birth record;</li> <li>6. Adoption records;</li> <li>7. Church baptismal record; or</li> <li>8. Any other legal document that establishes identity.</li> </ol>	SAAH, Section 3, 3.3
4.	Can school districts offer full-day or half-day kindergarten programs?	A public school kindergarten may be operated on a half-day or a full-day basis at the option of the board of trustees of the school district.	TEC §29.152

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5.	What is the length of a full-day and half-day kindergarten program?	A full-day program shall be at least seven hours each day including intermissions and recesses. A half-day program is a minimum of three hours.	TEC §25.082, (a)
6.	What is the definition of “instructional day?”	“Instructional day” is that portion of the school day in which instruction takes place. This does not include lunch, recess, rest time, etc.	SAAH, Section 13, Glossary
7.	Is kindergarten mandatory?	No. Children who are five years of age on or before September 1 are not required to enroll in kindergarten. However, <b>on enrollment</b> in kindergarten, a child <b>shall</b> attend school. Kindergarten students are subject to compulsory school attendance rules while they are enrolled in school. If a child has not reached mandatory compulsory attendance age (6 years old as of September 1 of the current school year) the child's parent or guardian may withdraw the student from school, and the child will not be in violation of compulsory attendance rules.	TEC §25.085, (b), (c) SAAH, Section 3, 3.5
8.	Can a child be retained in kindergarten?	School districts are responsible for adopting their own local policies regarding promotion and retention.	

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9.	Are there TEKS (Texas Essential Knowledge and Skills) for kindergarten?	Yes. The TEKS for kindergarten are found in the Texas Administrative Code (TAC) for each content area (excluding Career and Technology Education). The kindergarten TEKS identify the skills and concepts that five-year-olds are expected to know and be able to do by the completion of the kindergarten year. The TEKS apply to both full-and half-day programs.	Available on the TEA Website: <a href="http://www.tea.state.tx.us">www.tea.state.tx.us</a> Curriculum/ Early Childhood Education/ Kindergarten TEKS
10.	Are there time requirements for teaching the kindergarten TEKS?	There are no specific time requirements for teaching the kindergarten TEKS. A school district must provide instruction in the required curriculum as specified in TAC §74.1 but there are no time requirements per content area. However, kindergarten students are required to participate in moderate or vigorous <b>daily physical activity for at least 30 minutes</b> throughout the school year as part of the district’s physical education curriculum or through structured activity during daily recess.	TEC §28.002, (l)
11.	Is there a state assessment required of kindergarten students?	No. The Texas Assessment of Knowledge and Skills (TAKS) is administered annually beginning in grade three. However, each school district shall administer, at the <b>kindergarten</b> , first and second grade levels, a reading instrument on the list adopted by the commissioner or by the district-level committee. The district shall administer the reading instrument in accordance with the commissioner’s recommendations under TEC §28.006, Subsection (a) (1).	TEC §28.006, (c)

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12.	What is the required class size (student/teacher ratio) for kindergarten?	<p>A school district may not enroll more than <b>22 students</b> in a kindergarten, first, second, third, or fourth grade class. That limitation does not apply during:</p> <ul style="list-style-type: none"> <li>(1) any 12-week period of the school year selected by the district, in the case of a district whose average daily attendance is adjusted under Section 42.005(c); or</li> <li>(2) the last 12 weeks of any school year in the case of any other district.</li> </ul>	TEC §25.112, (a)
13.	Are teacher aides/assistants required in kindergarten classrooms?	No. Policy regarding teacher aides/assistants in kindergarten is a local district decision.	
14.	Can a child younger than five years of age enter kindergarten?	<p>A student younger than five years of age is entitled to the benefits of the Foundation School Program if:</p> <ul style="list-style-type: none"> <li>(1) the student performs satisfactorily on the assessment instrument administered under Section 39.023(a) to students in the <b>third</b> grade; <b>and</b></li> <li>(2) the district has adopted a policy for admitting students younger than five years of age.</li> </ul>	TEC §42.003, (d)

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15.	Can a five year old child be assigned to first grade?	<p>Yes. A student who is five years of age on or before September 1 of the current school year is automatically eligible for the first grade for the full school term (ADA eligibility code 1) if the student has completed public school kindergarten or has been enrolled in the first grade in a public school in another state prior to transferring to a Texas public school. [TEC §42.003, (c)] <b>The term “enrolled” means actually receiving instruction by attendance in a public school rather than just being registered prior to receiving instruction.</b></p> <p>However, <b>any five-year-old child may be assigned to first grade</b> for the full school term (ADA eligibility code 1). Such assignments are the decision of the local district.</p>	TEC §42.003, (c) SAAH, Section 3, 3.2.3
16.	Can a child who is five years of age on September 1 be enrolled in prekindergarten?	A child who is five years of age on September 1 of the current school year is <b>not eligible</b> for enrollment in a prekindergarten class. It is the agency’s position that children who reach age five on September 1 are most appropriately served in kindergarten, and that the law specifically established the prekindergarten program to serve students who have not reached age five. Given the intent of the law, if a district enrolls a five-year-old student in the prekindergarten program, the student must be reported as ineligible for ADA (ADA eligibility code 4 or 5).	SAAH, Section 7, 7.2.1
17.	Are school districts required to have a policy that would allow students to accelerate out of kindergarten?	Yes. A school district must develop procedures for kindergarten acceleration that are approved by the district board of trustees.	19 TAC §74.24, (b), (1)

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18.	What are the room size requirements (minimum square feet) for kindergarten classrooms?	Classrooms for prekindergarten, <b>kindergarten</b> and first grade shall have a minimum of 36 square feet per pupil or 800 square feet per room.	TAC §61.1033, (d), (2), (A), (i) TAC §61.1036, (d), (5), (B), (i)
19.	Are children required to have a rest time in kindergarten?	Policy relating to rest time has always been determined at the local district level.	
20.	How is age calculated for purposes of establishing eligibility?	Age is always calculated as of September 1 of the current school year for the purposes of establishing eligibility. If school starts before the student’s birth date, the attendance is eligible for the entire school year as long as the student will be the required age on or before September 1 of the current school year.	SAAH, Section 13, Glossary
21.	What is the distinction between Texas Education Code (TEC), Texas Administrative Code (TAC), and Student Attendance Accounting Handbook (SAAH)?	The Texas Education Code (TEC) contains the statutes governing public education in Texas. The Texas Administrative Code (TAC) includes rules adopted by the State Board of Education or the Commissioner of Education under authority granted by state law. The Student Attendance Accounting Handbook (SAAH) provides districts with the Foundation School Program (FSP) eligibility requirements of all students and the minimum requirements of all student attendance accounting systems.	SAAH, Section 13, Glossary