

Prekindergarten Eligibility - Age

Overview

Statute: [TEC §29.153 \(b\)](#) & [Texas Health and Safety Code, §191.0046](#)

Resources: [Student Attendance and Accounting Handbook \(SAAH\), Section 7.2.1, 7.3, and 3.11.4](#)

Contact: District or Campus Pre-k Enrollment Specialist

To be eligible for enrollment in a free prekindergarten class, a child must be at least three years of age on or before September 1 of the current school year (if a 3-year-old program is available) or four years of age on or before September 1 of the current school year.

Documentation

A district must verify a student's eligibility for pre-k in order to receive funding in the pre-k program. Districts must have the verification document as well as any required documentation on file for their records. The documents considered acceptable for proof of identification and age are:

- Birth certificate
- Statement of the child's date of birth issued by the division of the Texas Department of State Health Services responsible for vital statistics for school admission purposes
 - As provided for by the [Texas Health and Safety Code, §191.0046](#). A child's parent or guardian may request this statement free of charge from the division of the Texas Department of State Health Services responsible for vital statistics. To request this statement, the parent or guardian should complete the Mail Application for a Verification Letter, available at <http://www.dshs.state.tx.us/vs/reqproc/forms.shtm>, marking the application "Free for School Admission."
- Passport
- School ID card, records, or report card
- Military ID
- Hospital birth record
- Adoption records
- Church baptismal record
- Any other legal document that establishes identity and age

[SAAH, Section 7.3, Texas Health and Safety Code, §191.0046](#)

Key Points

- If the school year starts before a student's birthday, the student is eligible to attend school for the entire year as long as he or she will be the required age on or before September 1.
- A child who is three years old is eligible for pre-k **only if your district operates a three-year-old pre-K program.**
- A child who is eligible and enrolls in a pre-k class at the age of three remains eligible for enrollment in a pre-k class for the following school year. A district should still ensure the child is appropriately coded based on the eligibility requirement they meet.
- Students under five years of age who do not meet eligibility requirements but are still served in the pre-k program should be coded ineligible half day (ADA eligibility code 5). **Your district should ensure**

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that serving students who are not eligible for the program does not interfere with serving students who are eligible for the program.

- Both three-year-olds and four-year-olds may be served in the same pre-k class.
- A student younger than five years of age is entitled to the benefits of the Foundation School Program (i.e. kindergarten) if: (1) the student performs satisfactorily on the assessment instrument administered under [Section 39.023\(a\)](#) to students in the third grade; and (2) the district has adopted a policy for admitting students younger than five years of age.
 - If a student is eligible for prekindergarten by the definition set forth in the [Student Attendance and Account Handbook](#), section 7.2, the student is eligible for PK funding, even if the district serves the student in a kindergarten classroom. **TEC §29.151, TEC §48.003(d), SAAH, Section 3.11.4**

Frequently Asked Questions

Can a child who is five years of age on September 1 of the current school year be enrolled in a pre-k class?

A child who is five years of age on September 1 of the current school year is **not** eligible for enrollment in a pre-k class. It is the position of TEA that children who have reached age five on September 1 are most appropriately served in kindergarten, and that the law specifically established the pre-k program to serve students who have not reached age five. Given the intent of the law, if your district enrolls a five-year-old student in the pre-k program, the student must be reported as ineligible for ADA (ADA eligibility code 4 or 5) and the student's grade level must be reported as pre-k.

Are districts required to serve three-year-olds who are eligible?

No. A district may offer prekindergarten classes if the district identifies 15 or more eligible children who are at least three years of age. A child who is three years old is eligible for prekindergarten only if the district operates a three-year-old prekindergarten program. [TEC §29.153\(a\)](#), **SAAH, Section 7.2**

Is it necessary to verify/qualify a four-year-old student for PK who was eligible and enrolled in PK as a three-year-old student?

LEAs are still required to do their normal qualification process for previously enrolled three-year-old students, even though they would automatically qualify for PK based on their qualification and enrollment as three-year-old PK students. The PEIMS qualification code of automatic eligibility is a code of last resort and is only to be used if a student does not qualify for PK in any other way.

If a student was eligible and enrolled in pre-k as a three-year-old, but withdrew during the year, are they still eligible for pre-k four?

TEC, Sec. 29.153(g), does not differentiate between students who enroll in prekindergarten and remain in the program throughout the year and students who enroll and withdraw before the end of the year. Therefore, a student who enrolled in prekindergarten as a three-year-old who later withdraws for homeschooling (or private schooling) remains eligible to enroll in public school prekindergarten in the following year.