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MEMORANDUM

TO: Superintendents, Business Managers, Principals, Private and Public Providers and Parents
CC: CDD, Building Bright Futures
FROM: Amy Fowler, Deputy *K*
SUBJECT: Prekindergarten Eligibility-Non-Regulatory Guidance
DATE: **Revision** September 21, 2017

The Agency of Education has received a number of questions related to age restrictions for prekindergarten subsidies under Act 166. "Prekindergarten child" is defined to mean "a child who, as of the date established by the district of residence for kindergarten eligibility, is three or four years of age or is five years of age but is not yet enrolled in kindergarten." 16 V.S.A § 829(a)(1). "Prekindergarten education" is defined as "services designed to provide developmentally appropriate early development and learning experiences based on Vermont's early learning standards to children who are three to four years of age and to five-year old children who are not eligible for or enrolled in kindergarten." 16 V.S.A § 11(a)(31).

The intent of the legislature was to create a mechanism by which families would receive financial support for educational services prior to the kindergarten years. For this reason, the Agency of Education interprets this statute to mean that prekindergarten children are those who, based on the date of kindergarten eligibility in their district, are between the ages of 3 and 5 but *are not eligible to enroll* in kindergarten effective **as of the date of this memo**.

In order to avoid disruption for families of children who are already enrolled through public schools in preK programs but are old enough to enroll in kindergarten, the prekindergarten subsidy will be paid for the 2017-2018 school year. The Administration plans to work with the legislature to further clarify Act 166 in the coming legislative session.

Examples as of September 21, 2018

In a school district, students may enroll in kindergarten if they turn 5 before September 1 in any year.

- A parent of a child who turns 5 on August 28 would like to delay enrollment in K for another year; the parent may do so, but the parent *may not* receive a prekindergarten subsidy.
- A provider believes that a child who turns 5 on August 27 is "not ready for K" and recommends another year of prekindergarten; the parents may follow this advice but they *may not* receive a prekindergarten subsidy.
- A program operates a 3-6 age program where students enroll in 1st grade following the completion of the program; parents may select this program but *may not* receive the prekindergarten subsidy during the year in which their child turns 5 before September 1.

Prior communication and published guidance related to these questions are being updated.

Questions?

Contact [Tierney O'Meara](#) with additional questions.