Arkansas Better Chance Program

POLICY CLARIFICATION #2009-B – February 4, 2009

Subject: Kindergarten Eligibility and Pre-K Entry Dates

To	All ABC Programs	From	Paul Lazenby

Policy at Issue:

4.03 Eligible children for the ABC for School Success program must meet the following qualifications:

- Must be three or four years old by ADE cutoff date
- Gross family income ≤ 200% of FPL
- A program is available in the area where the child resides and there is available space for the child to attend.

Question 1: How do I determine if a child is eligible to enroll in kindergarten next year?

In 2007, the 86th General Assembly changed the cut-off dates for children eligible to attend public kindergarten:

- For the 2009-2010 year, a child must turn five (5) years of age on or before September 1, 2009.
- For the 2010-2011 year, a child must turn five (5) years of age on or before August 15, 2010.
- For the 2011-2012 year, a child must turn five (5) years of age on or before August 1, 2011.

However, Act 29 of 2009—just signed into law—provides exemptions that will allow a child who turns five (5) years of age on September 2 through September 15 to enroll in public kindergarten if the child attended an ABC or Quality Approved prekindergarten program in 2008-2009 for at least 100 days. For ABC programs, this means any child enrolled in a center or classroom-based ABC program who will turn five prior to September 16, 2009 and attended your ABC program at least 100 days this year is eligible to enroll in public kindergarten for 2009-2010.

In this clarification, we have included a copy of Act 29, as well as a chart that will assist you in helping parents in this decision process.

Question 2: If parents wish, can an ABC child who turns five on September 2 through September 15 return to the ABC program next year?

Parents with an ABC child in that category have the option to choose ABC prekindergarten for 2009-2010 if they wish.

Question 3: Does Act 29 apply to children in home-visiting programs (HIPPY and PAT) funded through ABC?

Act 29 is very specific in the criteria allowing certain children to enroll in kindergarten next year. In order to be eligible for kindergarten enrollment, children must have attended an accredited and quality-

approved prekindergarten site for at least 100 days. Even though HIPPY and PAT are funded through ABC, **children who turn five on September 2-15 who were enrolled in HIPPY or PAT are not eligible for exemption under Act 29**.

Question 4: In addition to operating an ABC program, I also have a regular pre-K classroom funded through other sources such as private pay. Will these same guidelines apply to those children if their birthday falls between 9/2/09 and 9/15/09?

Act 29 specifies that only children that have attended a quality-approved preschool program for at least 100 days in 2008-2009 may be eligible to attend public kindergarten next year. ALL ABC CLASSROOMS MUST MEET THE CRITERIA FOR QUALITY APPROVAL; therefore, all ABC classrooms would meet the requirements of Act 29.

If your other classrooms have met Quality Approval Accreditation and you have a child whose fifth birthday falls on 9/2/09 through 9/15/09, that child would be eligible to move on to public kindergarten next year. Otherwise, Act 29 would not apply and that child would NOT be eligible to attend public kindergarten until the following year

Question 5: How does the change in kindergarten entry dates affect the entry dates for enrolling children in ABC?

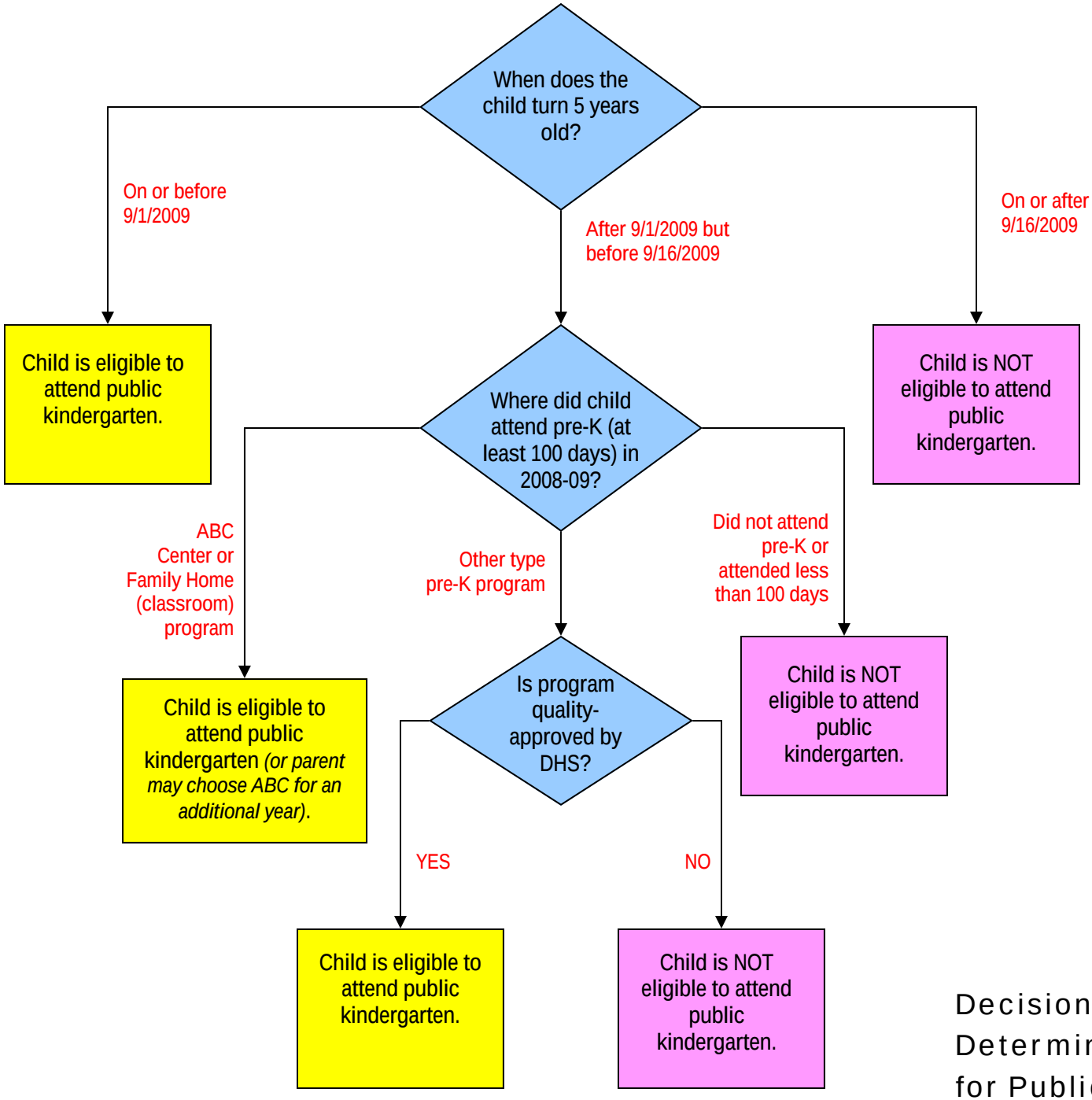
We are currently working through multiple routes to define new dates for pre-K entry in order to achieve a smooth transition for children from ABC into public kindergarten. SB252 is currently pending in the Senate Education committee. This bill would essentially change the cut-off entry dates for ABC to the following:

- For 2009-2010, an otherwise eligible child must turn four (4) years of age by August 15, 2009 or three (3) years of age by August 1, 2009.
- In all subsequent years, an otherwise eligible child must turn three (3) or four (4) years of age by August 1 in that year in order to be age-eligible to attend ABC Pre-K.

The message should be clear to parents that ABC prekindergarten slots are designed for children who will be eligible to attend public kindergarten the subsequent school year. Until an official date change is recognized by the State Legislature or State Board of Education, the Division encourages all ABC programs to prioritize ABC enrollment accordingly.

If you have any questions, please contact me or Division Director Tonya Russell at 501-682-4891. Thank you.

Paul Lazenby, Assistant Director
DHS Division of Child Care and Early Childhood Education



Decision Tree for Determining Age-Eligibility for Public Kindergarten in Fall 2009

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 29 of the Regular Session

State of Arkansas *As Engrossed: H1/16/09*
87th General Assembly **A Bill**
Regular Session, 2009 HOUSE BILL 1098

By: Representative Webb
By: Senator D. Johnson

For An Act To Be Entitled

AN ACT TO ALLOW STUDENTS WHO HAVE COMPLETED PRE-K TO ENROLL IN KINDERGARTEN IN CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW STUDENTS WHO HAVE COMPLETED PRE-K TO ENROLL IN KINDERGARTEN IN CERTAIN CIRCUMSTANCES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-18-207(a), concerning the enrollment deadline for kindergarten, is amended to read as follows:

(a)(1)(A) For the 2009-2010 school year, students may enter kindergarten in the public schools of this state if they will attain the age of five (5) years on or before September 1, 2009.

(B) For the 2010-2011 school year, students may enter kindergarten in the public schools of this state if they will attain the age of five (5) years on or before August 15, 2010.

(C) For the 2011-2012 school year and afterwards, students may enter kindergarten in the public schools of this state if they will attain the age of five (5) years on or before August 1 of the year in which they are seeking initial enrollment.

(2) Any student who has been enrolled in a state-accredited or state-approved kindergarten program in another state for at least sixty (60)

days, who will become five (5) years old during the year in which he or she is enrolled in kindergarten, and who meets the basic residency requirement for school attendance may be enrolled in kindergarten upon written request to the school district.

(3)(A) Notwithstanding the age requirements in subdivision (a)(1) of this section, a public school or public school district shall allow a child to enroll in kindergarten if the child:

(i) Was enrolled in a state-approved prekindergarten program during the 2008-2009 school year;

(ii) Attended a state-approved prekindergarten program for at least one hundred (100) days during the 2008-2009 school year and each subsequent year in which he or she is enrolled in a state-approved prekindergarten program; and

(iii) Will be at least five (5) years of age no later than September 15 during the year in which he or she enrolls in kindergarten.

(B) As used in this subdivision (a)(3), "state-approved prekindergarten program" means a prekindergarten program that is accredited and quality-approved by the Department of Human Services Division of Child Care and Early Childhood Education.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that families in Arkansas are suffering an undue hardship created by the establishment of new kindergarten enrollment criteria; that some children currently enrolled in prekindergarten programs are not eligible to enroll in kindergarten due to newly implemented criteria; that the immediate implementation of this act is necessary for public school districts and families of these children to prepare for the enrollment of these students in kindergarten for the 2009-2010 school year; that the failure to allow these children to enroll in kindergarten will cause irreparable harm to the education of these children and the well-being of this state. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the

bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/ Webb

APPROVED: 2/4/2009