

Prekindergarten and Kindergarten Educational Programs

Defining Programs, Expectations, and
Legal Requirements

September 2014

Iowa Code 256.11 Educational Standards.

1. *a. If a school offers a prekindergarten program, the program shall be designed to help children to work and play with others, to express themselves, to learn to use and manage their bodies, and to extend their interests and understanding of the world about them... Except as otherwise provided in **this subsection**, a prekindergarten teacher shall hold a license certifying that the holder is qualified to teach in prekindergarten. A nonpublic school which offers only a prekindergarten may, but is not required to, seek and obtain accreditation.*

A prekindergarten teacher must be licensed to teach prekindergarten.

- b. If the board of directors of a *school district contracts for the operation of a prekindergarten program, the program shall be under the oversight of an appropriately licensed teacher*. If the program contracted with was in existence on July 1, 1989, oversight of the program shall be provided by the district. If the program contracted with was not in existence on July 1, 1989, the director of the program shall be a licensed teacher and the director shall provide program oversight. Any director of a program contracted with by a school district under this section who is not a licensed teacher is required to register with the department of education.

An appropriately licensed prekindergarten teacher shall have oversight of a prekindergarten program if the district contracts for such a program.

- c. For the purposes of this subsection, “*prekindergarten program*” includes but is not limited to a school district’s implementation of the preschool program established pursuant to chapter 256C.

A prekindergarten program also includes the Statewide Voluntary Preschool Program.

2. The kindergarten program shall include experiences designed to develop healthy emotional and social habits and growth in the language arts and communication skills, as well as a capacity for the completion of individual tasks, and protect and increase physical well-being with attention given to experiences relating to the development of life skills and human growth and development. *A kindergarten teacher shall be licensed to teach in kindergarten. An accredited nonpublic school must meet the requirements of [this subsection](#) only if the nonpublic school offers a kindergarten program.*

A kindergarten program must be taught by
a teacher licensed to teach kindergarten.

257.6 Enrollment.

1. *Actual enrollment.*

a. Actual enrollment is determined annually on October 1, or the first Monday in October if October 1 falls on a Saturday or Sunday, and includes all of the following:

(1) Resident pupils who were enrolled in public schools within the district in grades kindergarten through twelve and including prekindergarten pupils enrolled in special education programs.

Certified Enrollment includes kindergarteners and
prekindergarten students with instructional IEPs.

282.1 School age — nonresidents.

1. Persons between five and twenty-one years of age are of school age.

School age begins at age five.
However, Iowa Code does not state all five-year olds are funded.
Five-year-olds must be in kindergarten or
prekindergarten (preschool) with an instructional IEP
to be eligible for 1.0 funding.

256C.4 Funding provisions — enrollment.

1. *General.*

a. State funding provided under the preschool program shall be based upon the enrollment of eligible students in the preschool programming provided by a school district approved to participate in the preschool program.

State funding for the Statewide Voluntary Preschool Program is generated on the number of enrolled and eligible students.

256C.4 Funding provisions — enrollment. (SWVPP)

2. Eligible student enrollment.

- a. *To be included as an eligible student in the enrollment count of the preschool programming provided by a school district approved to participate in the preschool program, a child must be four years of age by September 15 in the base year and attending the school district's approved local program.*
- b. *The enrollment count of eligible students shall not include a child who is included in the enrollment count determined under [section 257.6](#) or a child who is served by a program already receiving state or federal funds for the purpose of the provision of four-year-old preschool programming while the child is being served by the program. Such preschool programming includes but is not limited to child development assistance programs provided under [chapter 256A](#), special education programs provided under [section 256B.9](#), school ready children grant programs and other programs provided under [chapter 256I](#), and federal head start programs and the services funded by Tit. I of the federal Elementary and Secondary Education Act of 1965.*

Eligible students are those who are four years of age on or before September 15, attending the district's approved SWVPP program, and who are not already being funded by state or federal dollars for their participation in the SWVPP prekindergarten program.

281—16.2 (256C) Definitions(SWVPP)

"Eligible child"

- means a child who is a resident of Iowa and is four years of age on or before September 15 of the school year.
- If space and funding are available, a school district approved to participate in the preschool program *may enroll a child who is younger or older than four years of age in the preschool program; however, the child shall not be counted for state funding purposes.*

To be eligible for SWVPP funding, the student must be four and an Iowa resident. The first priority is to serve four-year-olds. If space is available, then three-year-olds and five-year-olds may also be enrolled. However, there is no state funding for students above or below the age of four.

Funding Summary

- Iowa Code recognizes prekindergarten and kindergarten programs
 - Prekindergarten programs are optional
 - Includes Statewide Voluntary Preschool Program
 - Includes special education program
 - Kindergarten program is required for the district (although optional for the student)
- Certified Enrollment (1.0) funding includes
 - Kindergarten students
 - Prekindergarten students in special education program
- SWVPP funding includes students who are both:
 - four years of age by September 15
 - In a preschool program provided by a school district approved to participate in the preschool program (includes the district's community partners)
- A child who is < or > four years of age in the preschool program (SWVPP) shall not be counted for state funding purposes.

Funding Summary

- A prekindergarten program is any program prior to kindergarten.
- A five-year-old can only be funded if enrolled in a kindergarten or enrolled in a prekindergarten program with an instructional IEP.
- A four-year-old can only be funded if enrolled in a statewide voluntary preschool program (0.5) or enrolled in a prekindergarten program with an instructional IEP (1.0).
- A transitional, jump-start, beginning kindergarten, or any other program for five-year-olds not yet in kindergarten are either
 - Kindergarten classrooms and funded in Certified Enrollment (1.0) or
 - Not funded in Certified Enrollment or in SWVPP funding

Licensed Teacher

- If a school offers a prekindergarten program, a prekindergarten teacher must be licensed to teach in prekindergarten.
- (Public school district) A kindergarten teacher shall be licensed to teach in kindergarten.
- If a nonpublic school offers a kindergarten program, the teacher must be licensed to teach in kindergarten.

Educational Program/Content Standards

- Kindergarten program must use Iowa Core (Iowa Code 256.7 (28))
- Prekindergarten programs eligible for funding (0.5 or 1.0) must use one of the following:
 - National Association for the Education of Young Children (NAEYC) Program Standards and Accreditation Criteria,
 - Head Start Program Performance Standards,
 - the Iowa Quality Preschool Program Standards (IQPPS) and Criteria

Open Enrollment

281—17.7 ([282](#)) Open enrollment for kindergarten.

...(A) parent/guardian requesting to enroll a kindergarten pupil in a district other than the district of residence may make such application on or before September 1 of that school year.

281—16.15 ([256C](#)) Open enrollment not applicable.

Iowa's open enrollment statute (Iowa Code section 282.18) is not applicable for the parent or guardian of an eligible child who desires to access an approved program in a school district not of the child's residence. Approved programs are open to all eligible Iowa children, regardless of a child's district of residence. ..

Open enrollment forms must be completed for kindergarteners to enroll in a district other than the district of residence.
 (September 1 deadline)
 SWVPP prekindergarten programs can serve non-resident students and no open enrollment is required.

Transportation

- 281—16.12 ([256C](#)) Transportation.
 Children participating in preschool in an approved local program under Iowa Code chapter 256C may be provided transportation services. However, transportation services provided to such children are not eligible for reimbursement under this chapter.
- 281—17.9 ([282](#)) Transportation.
 17.9(1) Parent responsibilities.
 The parent/guardian of a pupil who has been accepted for open enrollment shall be responsible to transport the pupil without reimbursement, except as provided in subrule [17.9\(2\)](#), to and from a point on a regular school bus route of the receiving district. This point shall be a designated stop on the bus route of the receiving district. If this point—designated stop— is within the distances established by Iowa Code section [285.1](#) from the school designated for attendance by the receiving district, that district may, but is not required to, provide transportation for an open enrollment pupil.

285.1 When entitled to state aid.

1. *a.* The board of directors in every school district shall provide transportation, either directly or by reimbursement for transportation, for all resident pupils attending public school, kindergarten through twelfth grade, except that:

(1) Elementary pupils shall be entitled to transportation only if they live more than two miles from the school designated for attendance.

(2) High school pupils ...

(3) Children attending prekindergarten programs offered or sponsored by the district or nonpublic school and approved by the department of education or department of human services or children participating in preschool in an approved local program under [chapter 256C](#) may be provided transportation services. However, transportation services provided to nonpublic school children are not eligible for reimbursement under [this chapter](#).

A district may but is not required to provide transportation for resident district prekindergarten students.

Required Assessments

279.60 Assessments — access to data — reports.

1. Each school district shall administer the teaching strategies *gold* early childhood assessment to every *resident prekindergarten or four-year-old child* whose parent or guardian enrolls the child in the district, and shall administer *a valid and reliable universal screening instrument, as prescribed by the department of education, to every kindergarten student* enrolled in the district not later than the date specified in [section 257.6, subsection 1.](#)

SWVPP students must be assessed using GOLD.
Students with grade level of kindergarten must be assessed by October 1 using a universal screening instrument approved by the Department of Education.

Prekindergarten Program SWVPP Class Size

- **16.3(1) Personnel.**
A minimum of one teacher shall be present with eligible children during the voluntary preschool program instructional time.
- **16.3(2) Ratio of staff to children.**
There must be at least one teacher present in a classroom during the instructional time described in subrule [16.3\(4\)](#). A minimum of one staff member and one teacher shall be present when 11 to 20 children are present. Staff members and teachers shall have reasonable line-of-sight supervision of all children.
- **16.3(3) Maximum class size.**
There shall be no more than 20 children per classroom.

A SWVPP classroom must have one appropriately licensed teacher for a class size from 1 to 10. An additional staff member is required for a class size of 11 to 20. Maximum class size is 20 students.

Instructional Time

- 281- 12.1(11) Kindergarten.
The number of instructional days or hours within the school calendar and the length of the school day for kindergarten shall be defined by the board or by authorities in charge of an accredited nonpublic school that operates a kindergarten program.
- 281- 16.3(4) Instructional time. (SWVPP)
Eligible children shall receive from the teacher at least ten hours per week of intentional instruction individualized to meet the needs of the child and directly related to the program's curriculum, such time to be exclusive of recess.

The district defines the length of day and calendar for the kindergarten program.

An SWVPP program must meet for a minimum of 10 instructional hours per week.

Multi-age Classroom with SWVPP and Kindergarten

- The only five-year-olds who can be included in Certified Enrollment are either
 - in kindergarten or
 - Identified as having an instructional IEP and being served according to that IEP
- Five-year-olds who do not have an instructional IEP and not in kindergarten are not eligible for 1.0 funding.
- If a school within a public school district has a multi-age program that is both a statewide voluntary preschool program and a kindergarten program, then four-year-olds would be eligible for 0.5 funding and five-year-olds would be eligible for 1.0 funding.

A classroom designed to be both a SWVPP preschool as well as a kindergarten classroom must meet the requirements of both programs in order to generate funding for both four-year-olds and five-year-olds.

Requirements for the Multi-Age Program

SWVPP Program

- The teacher is appropriately licensed as a preschool teacher.
- The teacher is teaching the preschoolers using NAEYC, Head Start, or IQPPS standards.
- Preschoolers are served a minimum of 10 instructional hours per week.
- Students of ages 3, 4, or 5 who are in the SWVPP program have the grade level of PK.

Kindergarten Program

- The teacher is appropriately licensed as a kindergarten teacher.
- The teacher is teaching the kindergarteners using Iowa Core and early learning standards.
- Kindergarteners are served (days and hours) according to the district's requirement for kindergarten.
- Five-year-olds in a kindergarten program have the grade level of KG.

Requirements for the Multi-Age Program

SWVPP Program

- Teacher to Student ratio: 1 to 10, with maximum class size of 20, if an additional staff member is present.
- English Language Learners (ELL) are not eligible for supplementary weighting but must be identified as a Potential English Language Learner (PELL, status =6).
- GOLD

Kindergarten Program

- Must follow the class size as determined by the age of the youngest participant in the classroom.
- English Language Learners (ELL) are eligible for supplementary weighting if participating in a Language Educational Instruction (ELL status = 1).
- Dept of Ed-approved universal screener by October 1.

Requirements for the Multi-Age Program

- Class size is determined by the SWVPP requirements (1 to 10 ratio, maximum of 20).
- The age of students is determined as of September 15.
- In a SWVPP non-district location, four-year-olds are the only eligible students for funding (0.5).
- Five-year-old kindergarteners within a SWVPP/kindergarten integrated classroom are only eligible for 1.0 funding if the classroom is in the district's program (district classroom).

Funding Sources

- A funding source or multiple funding sources for 3-year olds and 5-year-olds without instructional IEPs and in prekindergarten programs must be identified and accurate. Examples are:
 - Early Childhood Iowa
 - Title I
 - Head Start
 - Parent paid tuition (full cost of attending and not just a nominal fee that others also pay)
 - Some other outside funding (community scholarship)

Five-year-old options

- Kindergarten (KG)
 - 1.0 funded
 - Open enrollment eligible
 - Expectation for the student to be in 1st grade the following school year
- Prekindergarten (PK)
 - SWVPP but no 1.0 or 0.5 state-funding
 - Head Start, ECI, Shared Visions, or some other preschool program
 - Expectation for the student to be in kindergarten the following school year

Questions for Five-year-old Options

- If a five-year-old is not ready for kindergarten after attending a SWVPP, what will be done differently to help prepare the student for his or her next level?
- Has Child Find been considered when SWVPP was not successful?
- How will you help parents understand how their children's unique needs will be addressed in the program offerings available to them?