



115 STATE STREET  
MONTPELIER, VT 05633-5201

**THOMAS I. CHITTENDEN**  
VERMONT STATE SENATOR

PHONE: (802) 233-1913  
TCHITTENDEN@LEG.STATE.VT.US



January 31<sup>st</sup>, 2023

Honorable Members of the Senate Education Committee,

This testimony is offered as an overview to S.34 – an act relating to kindergarten enrollment age.

Vermont's current statute on Kindergarten entrance age is inequitable, inconsistent<sup>1</sup>, out of step with the rest of the country and is unfair to our children and our parents.

Right now in Vermont a child's zip code determines when they have access to Public Education. Vermont State Statute Title 16 Chapter 25 § 1073<sup>2</sup> allows that 'a school district may require that students admitted to kindergarten have attained the age of five on or before any date between August 31 and January 1.' This statute does not make clear any consistent, fair or equitable considerations school districts must or should use to determine their entrance cutoff date nor does it provide any guidance on exception policies to their arbitrarily established date. We have a commitment in this state to provide equitable public educational access to all of our kids – our current statute fails to do that.

This variable policy is causing emotional & financial harm to children and families in Vermont with birthdays falling between this four-month window. A third of our parents throughout Vermont are forced into very challenging limbo with children who have birthdays near their districts cut-off working to conform with vague or inconsiderately timed exception policies. This vagary in our statute is pushing kids into private kindergarten programs or another year of child care. Both of which are a scarce option not available to all families carrying a crushing price tag of in excess of \$10,000 for each family.

A five-year-old with a September 2<sup>nd</sup> birthday that lives in Canaan should have the same access to public school kindergarten as a child living in Calais or Cambridge or Colchester. And entrance considerations for kindergarten rightfully should be the same across every district in the state. Absent that consistency, our parents should have a say in the enrollment decision when their child's birthday falls in this four-month range of ambiguity in our current state statute.

Our current statute disempowers our parents from the enrollment decision, financially punishes them based on their zip code and leaves the consideration of enrollment up to the changing whims of each of our school boards and superintendents. We owe it to our kids and our parents to have fair and equitable access to public school in Vermont across all of our towns – like the vast majority of other states in this country.

Sincerely,

---

<sup>1</sup> <https://legislature.vermont.gov/assets/Legislative-Reports/edu-legislative-report-french-kindergarten-entrance-age-20221216-v2.pdf>

<sup>2</sup> <https://legislature.vermont.gov/statutes/fullchapter/16/025#:~:text=%E2%80%9CLegal%20pupil%E2%80%9D%20means%20an%20individual,August%2031%20and%20January%201.>

*Thomas J. Chittenden*

---

Thomas Chittenden  
State Senator  
Chittenden Southeast Senate District  
m. 802.233.1913