



LEGISLATIVE REPORT

STANDARDIZING THE KINDERGARTEN ENTRANCE AGE

Report by the Vermont Agency of Education pursuant to Act 166, Section 5
to the House and Senate Committees on Education

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Executive Summary

In Act 166, the General Assembly tasked the Agency of Education with assessing the impact of the kindergarten entrance age across the state. Currently Vermont has a wide entrance window of September 1 - January 1 for students entering Kindergarten. The Agency found that cutoff dates have a large impact on student success, classroom sizes, and school enrollments. The Agency investigated how this is implemented statewide, and nationally, what the community thinks about current practices, and what the ramifications are when considering adjusting these dates.

Nationally, Vermont is among a very small number of states that does not set a firm cutoff date statewide. However, a scan of publicly available Supervisory Union (SU/SD) policies and consultation with stakeholder groups reveal that most, if not all, Vermont SU/SDs do in fact use the September 1 cutoff. Though it is not mandated by law, schools almost universally use this date as their cutoff.

When talking with community stakeholders there were a few key themes that came out of the conversation.

- This was not a priority for stakeholders.
- The kindergarten entrance window is too wide.
- The kindergarten entrance age should not be lowered.

Given the large number of critical and important challenges facing Vermont's education system, kindergarten cutoff dates did appear to be a high priority for anyone. Though it was not an area of need now, stakeholders agreed that the window for entrance was very wide. Even though most schools hold September 1 as their cutoff, it was worrisome to some stakeholders about the possibility of a child with a birthday so late in the year could potentially be in a kindergarten classroom.

Conversations about entrance age included arguments for not lowering the kindergarten entrance age more generally, but also a recognition that setting a cutoff date later in the school year means that younger students are included in kindergarten. This was more a cause for concern for many stakeholders given that younger students in the classroom would have social emotional, educational, operational, and fiscal effects to students, teachers, their families, and SU/SDs as a whole.

The Agency has concluded that no legislative action is needed, given the numerous challenges facing teachers, school systems, students and families. If the General Assembly does conclude that action is needed, the Agency recommends that the General Assembly codify a standardized entrance date of September 1 with allowance for waivers for children whose birthdays fall in the month of September. This would allow school systems to operate in a coherent fashion statewide while supporting the individual needs of students born near the cutoff date.

Legislation

This report is submitted pursuant to [Act 166, Sec. 5](#). This legislation requires that the Agency of Education (AOE) assess the impact of standardizing the entrance age threshold for public school kindergarten under [16 V.S.A. § 1073](#). The Agency is required to consult with Vermont education stakeholders and the Departments for Children and Families and the Department of Health in preparing this report.

Stakeholders Consulted

The agency wants to thank the following individuals for their participation and contributions to the development of this report:

- **Donald Tinney**, Vermont-National Education Association
- **Jeff Fannon**, Vermont-National Education Association
- **Jay Nichols**, Vermont Principals' Association
- **Nancy Russell**, Vermont School Boards Association
- **Sandra Cameron**, Vermont School Boards Association
- **Flor Diaz Smith**, Vermont School Boards Association
- **Tara Sweet**, Vermont School Boards Association
- **Sue Ceglowski**, Vermont School Boards Association
- **Jeff Francis**, Vermont Superintendents Association
- **Chelsea Myers**, Vermont Superintendents Association
- **Ilisa Stalberg**, Vermont Department of Health
- **David Englander**, Vermont Department of Health
- **Nicole Dubuque**, Department for Children and Families

These stakeholders provided a valuable on the ground perspective on what goes into a child's educational experience here in Vermont. We used that invaluable knowledge to build this report, and we are grateful that they took the time to share this unique and important insight with us.

Background

Vermont statute defines a legal pupil in [16 V.S.A. § 1073](#) as an individual who has attained the age of five years on or before January 1 following the beginning of the school year. This statute defines the earliest and latest age that Vermont children can enroll in kindergarten, however this section also allows school districts to set a kindergarten entrance date any time between August 31 and Jan. 1.

By definition, districts that set an entrance cutoff date later in the year are allowing younger students to enroll in kindergarten (e.g. a student born November 1 will be younger at the start of the school year than a student born over the summer). Student age at the beginning of kindergarten has important implications for kindergarten readiness, which is a factor in cases where a waiver of the cutoff date is allowed.

Process

Pursuant to the enabling section of Act 166, the Agency sought input from the stakeholder groups referenced above. AOE's legislative and early education teams held two stakeholder

feedback sessions in November of 2022. The education stakeholder group included staff from the professional associations referenced in statute, as well as organization membership (see [Stakeholders Consulted](#)). The State of Vermont stakeholder group included policy staff at the Health Department and DCF, as well from the Health Department's Maternal and Child Health Division.

In addition to those meetings, AOE staff consulted national research on kindergarten entrance practices in other states and conducted a scan of publicly available policies on Vermont Supervisory Union (SU/SD) websites.

Current Practice in Vermont

While current law does not specify a cutoff date, most SU/SDs set the district policy on or around September 1. While stakeholders consulted were hesitant to provide a definitive rationale, it appears that this is the most practical cutoff date since it mirrors the beginning of the school year.

No comprehensive data exists on school district approaches to kindergarten entrance age. Neither AOE nor stakeholder groups possess a definitive list of policies, however stakeholders reported awareness of a nearly universal practice of setting the cutoff date at the beginning of the school year.

AOE conducted a scan of SU/SD websites to identify existing practice on kindergarten entrance. Of 22 SU/SDs for which policies were found, all but one (1) specified a cut-off date of September 1 (the outlier specified a date of August 31).

The use of waivers is also a factor in a fraction of school policies on kindergarten entrance (five of 22 publicly available policies referenced). Waiver policies studied vary in the duration for which a waiver will be consulted; one district allows families to request a waiver if their student is born in September; others allow for students born within 60 days of September 1, or until the end of the window specified in statute (December 31). Still more leave waivers to the discretion of district officials.

A common feature of all waivers studied is the use of kindergarten readiness screenings to ensure the student under consideration meets expectations for kindergarten readiness. Stakeholders referenced this as being particularly important, as ensuring students are developmentally ready for kindergarten is a critical factor. Most school districts referenced use data from their existing screening processes (usually conducted in the spring) when considering waivers.

Practice in Other States

The Agency reviewed, Kindergarten entrance practices across the nation using [National Center for Education Statistics](#) data. Vermont is the only state without a cutoff date, instead Vermont has a window of entrance where districts are allowed to set local dates. There are six other states not included in that statistic that leave this decision up to their local school boards. With few exceptions, most states have a cutoff date between July 31 and October 1, mirroring the beginning of the school year. There were no other states with statutory cutoff dates as late as January.

Summary of Stakeholder Feedback

Conversations with stakeholders yielded several commonly accepted themes:

- Changing the kindergarten entrance window was not a **high priority** at the current moment, in the context of significant challenges facing the education system.
- The kindergarten entrance window is **too wide**.
- The kindergarten entrance age **should not be lowered**.

Stakeholder conclusions for each of these themes is summarized in the following subsections.

Priority

Addressing the kindergarten entrance age window is not at the top of the list of policy initiatives for any of the groups consulted. Vermont's school system faces an unprecedented and dynamic set of challenges, and no stakeholder thought that a change to this policy would provide a meaningful remedy to the problems the system faces. This is especially true given that most SU/SDs have selected a local policy date at the beginning of the school year.

Stakeholders did agree that any change contemplated should not deviate significantly from the current status quo, for educational, operational, and fiscal reasons. Considering what educators and students have been through over the last 3 years, any drastic changes to the existing approach would be unnecessarily disruptive.

Narrowing the Entrance Window

While stakeholders felt that changing the window is not a top priority in the current climate, there was broad consensus that a potential entrance window of several months is not a good idea. Having a range of students in the classroom can potentially create a challenging classroom environment. It would also expose four-year-old students to classroom dynamics that may not be developmentally appropriate for them.

It does not appear that any Vermont SU/SDs use a broad window, with nearly all setting a defined cutoff date early in the statutorily defined window (September 1). Furthermore, only a minority of district policies studied contemplate any sort of formal waiver process which would provide for younger students (born after the cutoff date) to join a kindergarten class.

Kindergarten Entrance Age

Conversation about entrance age included arguments for not lowering the kindergarten entrance age more generally, but also an acknowledgement that setting a cutoff date later in the school year by definition means that younger students are included in kindergarten. Setting a later date would go against early learning standards and the developmental milestones that are currently practiced throughout Vermont.

A shift in entrance age could also pose logistical issues for teachers and schools by affecting licensing and regulations, as well enrollment numbers for preschool providers and school districts.

Takeaways from Stakeholder Sessions

While the consensus among stakeholders and the State of Vermont is that there is not a pressing need for action, if the General Assembly (GA) concludes that further consideration of this topic is necessary, it appears that there is a clear path forward that would have minimal, if any negative impacts on Vermont educators, students, and their families. This would be codification of a kindergarten entrance cutoff date early in the school year. This action would have the benefit of underscoring current practice while minimizing impacts to the system in an environment where teachers, students, and systems are grappling with significant change and challenges.

Recommendations

Based on the feedback from stakeholders, the Agency recommends that the General Assembly take no legislative action to standardize the kindergarten entrance age this year. If the GA concludes that legislative action is needed, current practice should be codified in law (a cutoff date of September 1). Any legislative action that impacts the age of students entering kindergarten (compared to current general practice) should be avoided.

Standardized Kindergarten Entrance Age in Statute

Recommendation: The General Assembly should take **no action** to standardize the kindergarten entrance age in the 2023 session.

Narrative: Given the challenges, needs and other policy initiatives ongoing in Vermont education, this area of policy is not high priority for change, in the perspective of both the field, and the State of Vermont. Most SU/SDs current practice is a policy with a cutoff date early in the school year (September 1). With this approach already common throughout the state, there appears to be little immediate substantive benefit to statutory codification.

Optionally Codify a Beginning of School Year Cutoff Date

Recommendation: If the General Assembly decides to take action, the Agency of Education recommends that the GA establish a **cutoff date of September 1**. The AOE further recommends that the GA allow SU/SDs to establish a process whereby the district may waive the kindergarten entrance age requirement for students born between September 1 and September 30.

Narrative: Most SU/SDs already use a date at the beginning of the school year for their cutoff date, so establishing a date of September 1 would have minimal programmatic and fiscal impacts.

A short window for waivers is recommended, to allow SU/SDs flexibility to support families with students who are very close in age, or account for special circumstances for students born close to the cutoff date. Some districts currently use (*pre-existing*) kindergarten readiness screening tools to assess kindergarten readiness for students requesting a waiver. The AOE recommends that the GA allow districts to create a district policy that allows waiver of the cutoff age for students born in the month of September. Those policies could make use of these screenings or

existing universal prekindergarten child progress monitoring reports; however, districts should not be required to create, establish, or purchase additional tools to conduct this screening; they should use their current screening practice (usually conducted in the spring) for the purposes of the waiver.

Do Not Take Action that Effectively Lowers the Kindergarten Entrance Age

Recommendation: If the General Assembly decides to take action, the AOE **strongly recommends** that the GA not set a **date later than September 1**, due to educational, operational, and financial impacts to schools.

Narrative:

Stakeholders agreed unanimously that setting a date later than September 1, or other actions that lead to an increase of students entering kindergarten at a younger age is not a good idea. The AOE (and other State of Vermont) stakeholders concur with this assessment. Reasons for this recommendation include, but are not limited to:

- **Adverse impacts** to student enrollment, ADM and the education fund during the transition periods
- **Potential adverse impacts** to student data (incl. the Ready for Kindergarten survey)
- **Negative impacts** to teaching and learning of having younger children in the classroom
- **Negative impacts** to children with disabilities and developmental delay

Conclusion

The AOE recommends that the Vermont legislature take no action on this report. The overwhelming feedback received from stakeholders is the kindergarten entrance age definition in [16 V.S.A. § 1073](#) does not present an urgent need or problem in our state. Given the impact of COVID-19 and the education recovery efforts that are currently taking priority in our schools, addressing the kindergarten entrance age is not a pressing concern.

If the legislature feels that action on this report is warranted, both stakeholders and the AOE recommend shrinking the kindergarten entrance window. The preferred approach would be to codify the current consensus standardized cutoff date of September 1 with authority delegated to SU/SDs to establish waiver policies for those whose birthdays fall between September 2 and 30. This would allow school systems to be operating in a uniform fashion and create cohesion across Vermont's education system.