Ohio Department of Education ..... Policy and Guidance

Community Schools Guidance Letter #2012-6
Effective date: September 24, 2012
Updated: January 16, 2013
Updated: September 30, 2013

Acceleration and Early Kindergarten Admission FAQs for Community Schools

Objective

To provide guidance for sponsors and community schools regarding early entrance and acceleration of kindergarten and first grade students in community schools.

Statutory Requirements:

Am. Sub. Senate Bill (SB) 316 (effective September 24, 2012)
Am. Sub. House Bill (HB) 59 (effective September 29, 2013)
Ohio Revised Code (ORC) Sections 3314.03, 3314.08, 3321.01 and 3324.10

Policy

Community schools may admit students early into kindergarten and first grade if the student does not meet the deadline for regular admission by turning 5 or 6 respectively on either August 1 or September 30 per local policy. If the student's birthdate falls between August 1/September 30 and January 1 and the student is formally referred for early entrance, is assessed, and meets the criteria established by the governing authority's adopted Early Entrance policy, the student is eligible for early admission. The student may also be granted early admission if the student's birthday falls on or after January 1 and the student is assessed per the *Iowa Acceleration Scale Third Edition* and meets the eligibility criteria as determined by the Acceleration Evaluation Committee in accordance with the governing authority's adopted and Ohio Department of Education (ODE) approved Early Entrance Student Acceleration Policy for Advanced Learners.

Guidance

Ohio's early entrance to kindergarten and first grade and acceleration laws apply to both traditional public schools and community schools. Community schools are subject to ORC 3321.01 (per ORC 3314.03) and ORC 3324.10 is a requirement set forth in ORC 3321.01. During the 2012-13 school year, early entrance to kindergarten and first grade was only permissible if a student was admitted per the governing authority's adopted Acceleration policy that conformed with ORC 3324.10. Community schools were funded for students properly accelerated per the Am. Sub. SB 316 version of ORC 3321.01.

For the 2013-14 school year, the law has changed effective September 29, 2013. Students who do not meet the date for regular admission into kindergarten or first grade by turning 5 or 6 by August 1/September 30 may be admitted either by meeting the criteria established in the governing authority's adopted Early Entrance policy if their birthday falls between September 30 and January 1, or by meeting the criteria established in the governing authority's adopted and ODE-approved Acceleration policy for those students whose birthdays fall on or after January 1.

There is one exception for students who were early enrolled in kindergarten during the 2012-13 school year who are now advancing to the first grade. For the 2013-14 school year <u>only</u>, any student who was admitted to, and successfully completed kindergarten in the 2012-13 school year shall be admitted to first grade regardless of age. For purposes of this exception, "successfully completed kindergarten" means that the student attended kindergarten for not less than three-fourths of the school year.

Summary for the 2013-14 School Year:

- A student applying for regular admission to kindergarten or first grade, who turns 5 or 6 respectively prior to August 1 or September 30 (whichever is selected per local decision) should be admitted to kindergarten or first grade.
- A student applying for admission to first grade who was early enrolled to a kindergarten program for three-fourths of the 2012-13 year should be admitted to first grade regardless of age.
- A student applying for admission to kindergarten or first grade who turns 5 or 6 respectively after August1/September 30, but prior to January 1, must be formally referred for early entrance to kindergarten or first grade and must be assessed and deemed eligible or ineligible for admission based upon the criteria established by the governing authority in its adopted Early Entrance policy.
- A student applying for admission to kindergarten or first grade who turns 5 or 6 respectively on or after January 1, who is being formally referred for early entrance to kindergarten or first grade must be assessed per the school's adopted and ODE-approved Early Entrance Student Acceleration Policy for Advanced Learners and deemed eligible or ineligible for admission based upon results of the *Iowa Acceleration Scale Third Edition* and other criteria per the policy and as determined by the Acceleration Evaluation Committee.

Frequently Asked Questions

1. Must a community school adopt an Early Entrance Student Acceleration Policy for Advanced Learners?

   Answer: Yes, all community schools must comply with ORC 3321.01, which includes compliance with ORC 3324.10.

2. Can a community school admit and receive funding for a child who enrolls early into kindergarten?

   Answer: Yes, so long as the requirements of ORC 3321.01 are met. There is one exception for the 2013-14 school year. ORC 3321.01, as amended by Am. Sub. HB 59 is not effective until September 29, 2013. Community schools that elected to implement the amended version of the law prior to its effective date will not be funded for early entrance students until September 30, 2013.

3. If a parent applies to enroll their child who does not meet the age criteria for regular entrance to kindergarten or first grade, but does meet the age criteria for early entrance, must the school assess the child for early entrance?

   Answer: No. A parent, community school educator, pediatrician, psychologist or pre-school teacher must make a formal referral. It is not the school's responsibility to illicit a formal referral.

4. If a community school receives a formal request for assessment of a child for early admittance to kindergarten or first grade in accordance with ORC 3321.01, must the school assess the child for early entrance?

   Answer: Yes.

5. What assessment tool should the community school use to assess students for early entrance if the students' birthdates fall between September 30 and January 1?

   Answer: This is a local decision and should be addressed in the governing authority's adopted Early Entrance policy.

6. What assessment tool should the community school use to assess students for early entrance if the students' birthdates fall on or after January 1?

   Answer: ODE's approved instrument for evaluating children for possible early entrance to kindergarten is *Iowa Acceleration Scale Third Edition*, which requires testing in the areas of ability, achievement and aptitude and specifies tests that can be used.

7. How can a community school obtain a copy of ODE's Model Student Acceleration Policy?

   Answer: The ODE Model Student Acceleration Policy and Form for submitting acceleration policies for ODE's review and approval can be accessed at www.education.ohio.gov by searching the keywords "*academic acceleration".*

8. Who approves a community school's acceleration policy?

   Answer: ODE's Office for Exceptional Children reviews and approves acceleration policies for traditional public schools and community schools.

9. Is a traditional public school required to accept a kindergarten student who was admitted to a community school through early entrance or acceleration*?*

   Answer: Yes. After a student has been admitted to kindergarten in a school district or chartered nonpublic school under ORC 3321.01, no board of education of a school district to which the student transfers shall deny that student admission based on the student's age. Because community schools are subject to ORC 3321.01 via ORC 3314.03, a community school is considered a "school district" for purposes of ORC 3321.01.

Definitions

Community School: Called charter schools in other states, a public school created under ORC Chapter 3314, independent of any school district and part of the state's program of public education, offering an education that is regarded by the ODE as equivalent to that of Ohio's traditional public schools and private schools.

Governing Authority: A group of individuals who are charged with the responsibility of establishing policies and procedures for the operation and management of a community school and for carrying out all of the provisions of a community school contract; equivalent to a traditional district's school board.

Sponsor: An entity which has legal obligations to provide sufficient technical assistance, oversight and monitoring, including taking steps to intervene in a school's operations, to ensure that the community schools it sponsors meet all legally mandated fiscal, academic and operational requirements. Sponsors are called authorizers in other states, as their entering into contracts legally authorizes the establishment of the charter or community school.