

# Office Quality School Choice Charter School Acceleration and Early Kindergarten Admission FAQs

## OBJECTIVE

To provide guidance for authorizers and charter schools regarding early entrance and acceleration of kindergarten and first grade students in charter 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

## DEFINITIONS

### Charter School:

A charter/charter school is 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, 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 charter school and for carrying out all of the provisions of a charter school contract; equivalent to a traditional district's school board.

### Authorizer:

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 charter schools it authorizes meet all legally mandated fiscal, academic, and operational requirements.

## POLICY

Charter/charter schools, which have a contract to serve kindergarten and first grade students, may admit students early into kindergarten and first grade based on their local policy for early entrance. Early entrance means the student does not meet the deadline for regular admission by turning age 5 or 6 respectively on or before either August 1 or September 30. If the student's birthdate falls between August 1/September 30 and January 1 and the student is referred for early entrance, the student must be evaluated. Following the evaluation, if the

student 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 into kindergarten if:

- the student's birthday falls on or after January 1
- the student is assessed per the *Iowa Acceleration Scale Third Edition*
- meets the eligibility criteria as determined by the Acceleration Evaluation Committee in accordance with the governing authority's adopted and the Ohio Department of Education (ODE) approved Early Entrance Student Acceleration Policy for Advanced Learners, and
- the district's Early Entrance Policy.

## GUIDANCE

A student applying for regular admission to kindergarten or the first grade, who turns 5 or 6 years old respectively on or before August 1 or September 30 (whichever date is selected per the local decision) should be admitted to kindergarten or the first grade.

Ohio's early entrance to kindergarten and first grade acceleration statutes apply to traditional public schools, charter schools and chartered non-public schools, which serve kindergarten and 1<sup>st</sup> grade students.

- Charter/charter schools, which serve kindergarten and first grade students, are subject to ORC 3321.01.
- ORC 3324.10 is a requirement for charter/charter schools which serve kindergarten and first grade students pursuant to ORC section 3321.01,
- Per ORC 3314.03(A)(2) charter schools determine, "The education program of the school, including the school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum."

Ohio's early entrance to kindergarten statute applies to charter schools, which serve kindergarten students, a charter school is **not required to accept children until they are five years old**, if the language in their contract states the minimum age served by the charter school is five years old.

If a charter school's contract designates age five as the minimum age in their contract, the school is not compelled to comply with developing an the Early Entrance policy by admitting students who are younger than 5, however, they cannot enroll or be funded for students entering kindergarten who are younger than 5 years old under the regular admission policy.

A charter school that has language in the contract stating the minimum age served is 5 years old, may enroll kindergarten students who turn 5 years old by August 1st or September 30th, based on their local policy.

A charter school that has adopted an Early Entrance Student Policy for Advanced Learners may enroll and be funded for students who are 5 years old for kindergarten or 6 years old for

the first grade, after September 30th, but before January 1st.

A charter school whose contract states that the school only accepts students turning five after Sept 1st, but before Jan 1<sup>st</sup>, is only required to adopt a local early entrance policy to receive funding.

For a charter school to receive funding for students under 5 years old, the charter school must adopt an ODE- Early Entrance Student Policy for Advanced Learners, even if the student meets the criteria under the local policy.

For a charter school that has a contract which only accepts students turning 5 years old after Sept 1 and after Jan 1 to receive funding, it must adopt a local early entrance policy and an ODE- approved Early Entrance Student Acceleration Policy for Advanced Learners.

A charter school may enroll and be funded for students who turn 5 years old after January 1, if the school has adopted an Early Entrance Student Policy for Advanced Learners policy that has been approved by ODE.

**Start Here**

This Acceleration Pathway applies to any charter school which serves kindergarten and 1<sup>st</sup> grade students who have completed kindergarten.

Any charter school which serves kindergarten and or first grade students who have completed kindergarten.

Any charter school which serves kindergarten and or first grade students who have completed kindergarten. grade.

Any charter school which serves kindergarten and or first grade students who have completed kindergarten.

5 or 6 by Aug 1st **Or** 5 or 6 by Sept 30th

**Age 5 or 6 Between**  
Aug/Sept Jan 1st

5 or 6 After Jan 1st

Based on the charter school contract and the district admission policy, the charter school may choose not to enroll children who are younger than 5 years for Kindergarten or 6 for the first grade.

Based on a district policy per ORC 3321.01

Based on a district policy per ORC 3321.01 and ODE Approved Policy per ORC 3324.10

For students applying for admission to or referred to charter schools which serve kindergarten or first grade student who turn 5 or 6 respectively on or after January 1 the following applies:

The charter school adopts an ODE-approved Early Entrance Student Acceleration Policy for Advanced Learners

Admission is based on the results of the administration of the *Iowa Acceleration Scale Third Edition* and other criteria per the policy, and

As determined by the Acceleration Evaluation Committee

**After a student has been admitted to kindergarten in a school district, charter school, non-public school, no school board of education of a school district to which the student transfers shall deny that student admission based on the student's age. ORC Section 3321.01 (A)(4)**

## Frequently Asked Questions

1. What must be included in a district admissions policy per section 3321 of the Revised Code?

**Answer:** The local policy must include a requirement for a student to be evaluated for early admission per ORC 3321.01 when a child is referred by the child's parent or guardian, an educator employed by the district, a preschool educator who knows the child, or a pediatrician or psychologist who knows the child. If the child will not be 5 or 6 years of age by prior to January, the child shall be admitted only in accordance with the district's acceleration policy adopted per section 3324 of the Revised Code. The district's acceleration policy must be adopted pursuant to section 3314.10 of the Revised Code.

2. Must a charter school adopt an Early Entrance Student Acceleration Policy for Advanced Learners?

**Answer:** No, if age 5 is the school's minimum age per its contract, students cannot be enrolled in and or funded for kindergarten prior to age 5 under the regular admission dates of either August 1 or September 30 (whichever is selected), unless the school has a formal ODE-approved Early Entrance Student Acceleration Policy for Advanced Learners, even if the student qualifies under the local policy.

3. Can a charter school receive funding for a child who enrolls early into kindergarten?

**Answer:** Yes, if the requirements of ORC 3321.01 are met, students who turn age 5 after September 30, but before January 1 can be enrolled under their local governing authority's approved Early Entrance Policy. Students, who turn age 5, after January 1, can be enrolled provided they meet the criteria under the ODE-approved Early Entrance Student Acceleration Policy for Advanced Learners. Charter schools may receive funding for students determined eligible through a typical or accelerated enrollment process. The charter school will receive funding for the time the student is enrolled in the charter school.

4. 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:** If the child turns 5 or 6 years old after September 30 but before January 1, the school's governing authority's local Early Entrance policy applies. If the child turns 5 or 6 years old on or after January 1 and a parent, charter school educator, pediatrician, psychologist or pre-school teacher makes a formal referral, the school *must* assess the child per criteria described in their ODE-approved Early Entrance Student Acceleration Policy for Advanced Learners, pursuant to ORC, section 3324.10, which includes the student being assessed per the *Iowa Acceleration Scale Third Edition* and then meeting the eligibility criteria as determined by the Acceleration Evaluation Committee.

5. What assessment tool should the charter school use to assess students for

early entrance if the students' birthdates fall between September 30 and January 1?

**Answer:** The assessment tool used by the school should be addressed in the governing authority's adopted Early Entrance policy.

6. What if a school elects to only use its local governing authority's approved Early Entrance policy and chooses not to adopt a formal ODE-approved Early Entrance Student Acceleration Policy for Advanced Learners?

**Answer:** If a charter school intends to enroll and wants to be funded for students under age 5, the school must adopt both the formal ODE-approved Early Entrance Student Acceleration Policy for Advanced Learners and a local Early Entrance policy.

7. What assessment tool should the charter 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.

8. How can a charter 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](http://www.education.ohio.gov) by searching the keywords "academic acceleration."

9. Who approves a charter school's acceleration policy?

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

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

**Answer:** Yes, after a student has been admitted into 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. As charter schools are subject to ORC 3321.01 via ORC 3314.03, a charter school is considered a "school district" for purposes of ORC 3321.01.

**Charter schools which choose to adopt a contract to serve only 5 year olds for kindergarten and 6 year olds for first grade students who have completed kindergarten must include such a decision in a district adopted admission/enrollment policy.**