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Age of Entrance/Kindergarten P 7-9A. Age of Entrance

A child must enter kindergarten if he/she has reached age five on or before September 30 of the school year unless the child's parent(s) request an exception under 22.1-256 of the compulsory school attendance laws.

Legal Reference:

Code of Va., § 22.1-199. Kindergarten programs for certain children.--"A. The kindergarten program in each school division shall include a program suitable for children who will reach their fifth birthday on or before September 30 of the school year.

The school board's plan for such a program shall be furnished to the Board of Education and shall include the following:

1. A statement of purpose and objectives of the kindergarten program that reflects consideration of the different readiness and maturity levels of the children in the program;
2. A description of the organization, schedule and staffing of the program that reflects a responsiveness to the needs of the children of the age span to be served in the program;
3. Evidence that the program plan was developed by a committee that included early childhood specialists, parents, teachers, and administrators;
4. Scheduling and an agenda of in-service activities for kindergarten teachers to ensure adequate preparation for the program;
5. A plan for the interface of the kindergarten program with the primary program to allow for continuous progress.

B. The Superintendent of Public Instruction shall disseminate to the school divisions information concerning the ages when children are required or eligible to attend school. Each school division shall disseminate such information to parents of such children of such ages upon or prior to enrollment of such children in the public schools of the division.

C. The age requirements set forth in subsection A of this section shall not affect the operation of any two-tiered, junior or other developmentally appropriate pre-kindergarten program or transitional first grade. In those school divisions implementing

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such programs, children whose fifth birthday occurs between October 1 and December 31 of the school year may be enrolled in kindergarten after an appropriate readiness evaluation has demonstrated that attendance in these programs will educationally benefit such children.

Code of Virginia § 22.1-256: Children exempted from article A. The provisions of this article shall not apply to:

1. Children suffering from contagious or infectious diseases while suffering from such diseases;
 - 1a. Children whose immunizations against communicable diseases have not been completed as provided in § 22.1-271.2;
2. Children under ten years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live;
3. Children between ten and seventeen years of age who live more than 2 1/2 miles from a public school unless public transportation is provided within 1 1/2 miles of the place where such children live;
4. Children excused under §22.1 -257 of this article.

Further, any child who will not have reached his sixth birthday on or before September 30 of each school year whose parent or guardian notifies the appropriate school board that he does not wish the child to attend school until the following year because the child, in the opinion of the parent or guardian, is not mentally, physically or emotionally prepared to attend school, may delay the child's attendance for one year.

B. The distances specified in subdivisions A 2 and A 3 of this section shall be measured or determined from the entrance to the school grounds or the school bus stop nearest the entrance to the residence of such children by the nearest practical routes which are usable for walking or riding. Disease shall be established by the certificate of a reputable practicing physician in accordance with regulations adopted by the Board of Education.

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