

PRIMARY/PREPRIMARY EDUCATION

Kindergarten programs

The district shall establish and maintain a kindergarten program or programs. A kindergarten program may be a half-day or full-day program, and the district shall receive state funding for students enrolled in these programs on a half-day or full-day basis, in accordance with state law. For the 2005-2006 school year and each school year thereafter, a child must be five years of age before June 1 to be eligible for enrollment in any kindergarten program, unless the child is otherwise enrolled in the program pursuant to applicable law.

Preschool programs

All district preschool programs shall comply with the rules established by the Department of Education and with the rules for child care centers established by the Department of Human Services.

Children with disabilities

In meeting its obligation to offer an individualized program for children with disabilities at age three, the district shall provide a special education preschool program at no cost to students who have been identified as children with disabilities pursuant to applicable law.

Universal Preschool Colorado (UPK) program

In addition, when the district receives funding from the state to do so, the district shall participate as a provider in the Universal Preschool Colorado (UPK) program. The district shall adhere to the Colorado Department of Early Childhood (CDEC)'s quality standards for providers as articulated in state law and regulation.

Other children who wish to enroll on tuition basis

In an effort to offer a well-rounded and mainstream learning experience, the preschool program may be open on a tuition basis to students who have not been identified as children with disabilities pursuant to applicable law or who are not eligible for the program because of the factors listed above. The administration shall develop admission procedures that take into consideration space and staffing requirements.

Adopted March 17, 2005
Revised December 15, 2005
Revised December 17, 2008
Revised October 15, 2009
Revised June 21, 2012
Revised June 20, 2013
Revised August 5, 2020
Revised November 16, 2023

LEGAL REF.: C.R.S. 22-20-101 *et seq.* (Exceptional Children's Educational Act)
C.R.S. 22-32-119(1) (requires establishment of kindergarten program)
C.R.S. 22-32-119.5 (full-day kindergarten phase-in plan)
C.R.S. 22-43.7-201 *et seq.* (full-day kindergarten capital construction funding)
C.R.S. 22-44-118 (full-day kindergarten reserve)
C.R.S. 22-54-103(9.5) (definition of preschool enrollment)
C.R.S. 22-54-103(10) (funding for kindergarten)
C.R.S. 22-54-108.5 (mill levy to fund full-day kindergarten)
C.R.S. 22-54-130, 131 (full-day kindergarten funding)
C.R.S. 26-6-102 (1.5) (definition of child care center)
C.R.S. 26.5-4-2014 *et seq.* (Universal Preschool Colorado program)

Byers School District 32J

File: IHBIB

1 CCR 301-8, Rules 2220-R-1.00 et. seq. (Rules for the Administration of the Exceptional Children's Educational Act)

CROSS REFS.: BDFC*, Preschool Council
IHBA, Special Education/Programs for Students with Disabilities

NOTE 1: If the district has incorporated a Head Start program as part of its preschool, this policy needs to be revised accordingly. See C.R.S. 22-28-109.

NOTE 2:: Pursuant to C.R.S. 22-54-103 (10), a district may receive funding for highly advanced gifted children enrolled in kindergarten who are four years old on or before October 1 of the applicable budget year. The determination of whether a child qualifies as a highly advanced gifted child shall be in accordance with Colorado Department of Education's rules. C.R.S. 22-20-204(2)(b).

NOTE 3: Pursuant to HB19-1262, school districts that provide full-day kindergarten are prohibited from charging fees for students to attend full-day kindergarten, other than fees routinely charged to enrolled students in other grades and that are applicable to the kindergarten education program. If the General Assembly stops funding kindergarten students as full-time pupils, a district may resume charging a fee or tuition for the unfunded portion of the school day. The district should consult with its own legal counsel to determine the approach that best meets local circumstances and needs.

NOTE 4: Starting the 2023-24 school year, the Colorado Department of Early Childhood (CDEC) will launch Universal Preschool (UPK) Colorado. C.R.S. §26.5-4-201 et. seq. This program offers a minimum of part-time (10 hours/week) or half-day (15 hours/week) of high-quality, voluntary preschool to every Colorado child in the year before they are eligible to enter kindergarten. Local Coordinating Organizations (LCOs) are community agencies or organizations that have been designated by CDEC to support the program at a local level. Districts may participate as providers in the program. Providers must be licensed to support preschool-aged children, must sign an agreement, and should communicate with their LCO for more information. CDEC's procedures and quality standards are subject to change, so districts should monitor CDEC's website for up-to-date information regarding the UPK program. CDEC will develop quality standards for providers as required by C.R.S. § 26.5-4-205