

## **POLICY AND INFORMATION ADVISORY 12.14**

### **SUBJECT: FOUR-YEAR-OLD KINDERGARTEN**

#### **PROGRAM AREA: EARLY CHILDHOOD**

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This policy updates and replaces the 2008 bulletin on four-year-old kindergarten. These Question and Answers provide information generally to 4-year-old kindergarten and especially to 4-year-old kindergarten implemented in community approaches with child care, Head Start, and/or other community programs. The policies established in the bulletin have been developed and are consistent with policies of the various divisions within the Wisconsin Department of Public Instruction (DPI). Relevant questions on child care licensing and subsidy have been coordinated with policies from the Wisconsin Department of Children and Families (DCF) Division of Early Care and Education.

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## **OVERVIEW**

### **1. What is the history of 4-year-old kindergarten in the Wisconsin public schools?**

Four-year-old children have been attending public schools in Wisconsin for over 150 years. Wisconsin made a constitutional commitment to early education in 1848 when the State Constitution, Article X, Section 3, called for school districts to be as uniform as practical and free to all children between the ages of 4 and 20 years. Essentially all 4-year-old children in the community attended the one-room schools of the 19th century. At that time, few teachers had training in instructing young children. In 1856, the first private kindergarten opened in Watertown serving children ages 2 to 5. The first public kindergartens in the state (1873) limited kindergarten enrollment to 4- and 5-year-olds. These formal kindergartens used teachers with specific training in the education of young children.

Four-year-old kindergarten (4K) attendance peaked in the 1920s and then declined as schools shifted their emphasis to 5-year-olds. Eventually, kindergarten became a half-day program for 5-year-olds, with some exceptions. A few districts in the Milwaukee area have maintained 4-year-old kindergarten (often termed junior kindergarten) for nearly a century, despite the fact that state funding was suspended between 1957 and 1984. During that time, compensatory programs for educationally disadvantaged and disabled 4-year-olds (such as Head Start, Title I, and special education) somewhat filled the void in many communities. In the 1980s, the state legislature renewed state aid for 4-year-old kindergarten and expanded state aid for full-day 5-year-old kindergarten (5K). Many public schools once again started to look at the concept of universally available four-year-old programming. During the late 1990s, more districts saw the need to implement 4-year-old kindergarten, and by 2014, ninety-three percent of the school districts operated these programs.

### **2. What are the basic requirements for implementing a 4K program?**

Wisconsin made a constitutional commitment to early education in 1848 when the State Constitution, Article X, Section 3, called for school districts to be as uniform as practical and free to all children between the ages of 4 and 20 years.

Wisconsin State Statutes sections 115-121 address 4K funding, parent outreach, eligibility, teacher licensure, transportation, program content, and several other areas. The primary state requirements are summarized below and addressed in more detail throughout this document.

- The district must ensure that the 4K classroom is under its supervision.
- The district must provide a minimum of 437 hours of instruction per school year as required by Wis. Stats. § 121.04(7).
- The district must provide transportation to and from the 4K program as required by Wis. Stats. § 121.54.
- The district must ensure that each child is taught by an appropriately licensed teacher as required by PI 34.

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- The district must ensure that all applicable school district standards in Wis. Stats. § 121.02 are met.
- The district must ensure that the 4K program is open and accessible to all resident, eligible children without cost.

### FUNDING

#### 3. How is 4K funded?

State equalization aid is a major source of funding for 4K in many districts. Wis. Stats. § 121.04(7) defines state funding requirements in order to count 4K students as part of a school district's membership for state equalization aid eligibility. To count students as a 0.5 Full-Time Equivalent (FTE), a district must operate a program a minimum of 437 hours per year. Of that time, 87.5 hours (20 percent) of the 437 hours may be used for outreach activities for the school staff to link to the child's primary caregivers. Additionally, a district may add 87.5 hours of outreach to the minimum 437 hours and count students as a 0.6 FTE.

To qualify for equalization aid, districts must follow these hour requirements and other 4K regulations as identified in question 2.

#### 4. While equalization aid can be a primary source of funding for 4K, what other school funding can be used for programs or services to 4-year-old children?

Communities are finding ways to bring a wide range of funding streams together to provide new approaches for all 4-year-old children and their families. School-based funding sources that may **supplement but not supplant** equalization aid include Title I and/or special education.

- While Title I preschool programs are not considered the same as kindergarten, Title I funds can supplement other 4K funding. In Title I "schoolwide" programs, a flexible service delivery approach may be used where funds are pooled to reach goals and objectives. In a Title I "targeted assistance" school, programming options include a Title I-funded teacher in the classroom to teach and provide assistance to certain children as needed.
- Early childhood special education teachers and related services staff should be part of the 4K team. Implementation of a child's Individualized Education Program (IEP) in the least-restrictive environment must be the primary purpose for the funding. Support and services are designed to assist a child with a disability to access the general education curriculum and are the result of team decision-making between special and general education staff. (See the Department of Public Instruction (DPI) Special Education Information Updates at [http://sped.dpi.wi.gov/sped\\_bulindex](http://sped.dpi.wi.gov/sped_bulindex) for more information on serving young children with disabilities in regular education settings.)

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### **5. How does the 2008 State Start-Up Grant Program help districts to implement 4K?**

Beginning in the 2008-2009 school year, the Wisconsin state budget includes 3 million for 4K Community Start Up Grants. The statutes require that funding preference be given to school boards that use a community approach to early education.

The statutes indicate that grants for the first school year can be for up to \$3,000 and in the succeeding year up to \$1,500 for each 4-year-old kindergarten pupil. If the funds in the appropriation are insufficient to pay all eligible school boards, the DPI shall prorate the payments.

Administrative rules will include grant priorities, criteria, and administration. For up-to-date information on these grants, go to the DPI 4K home page ([http://ec.dpi.wi.gov/ec\\_ec4yr-old-kind-grants](http://ec.dpi.wi.gov/ec_ec4yr-old-kind-grants)).

### **6. Can a district claim membership for equalization aid purposes for summer school?**

In most cases, students enrolled in 4K summer programs are eligible to be counted for membership for state aid and for revenue limit purposes. To be eligible, the district must also offer a 4K program during the regular school year. Children enrolled in summer school must be eligible to attend 4K in the fall. Summer school must be available to all students in the district, regardless of need.

Districts may partner with a CESA or another school district under an agreement as provided in Wis. Stats. § 66.0301.

As with any summer classes, those wholly or partially funded with federal money, state categorical aid, or fees are not eligible for general aid.

### **7. Do districts need to get “approval” to receive state funding for a new 4K program?**

Between February 1 and July 1, the district must use the School Directory application to enter its K4 program and K4 settings information,” and contact the DPI early childhood consultant to ensure that it meets the requirements of state statutes. Districts will then be permitted to report 4K students on the PI-1563 Pupil Count Report to determine eligibility for revenue limit/equalization aid purposes.

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### **PARENT OUTREACH AND INVOLVEMENT**

#### **8. What activities can be considered as part of the parent outreach?**

Outreach activities are not specifically defined by state statutes. The inclusion of parent outreach emphasizes and recognizes that all parents are their children's first and most important teachers. Parents are partners in the educational process. Therefore, outreach activities should be designed to support and nurture parents. Outreach activities typically involve direct services to parents such as weekly home visits, parent meetings at school, parent education classes, parent-child activities, family activity nights, family resource center visits, and participation in parent advisory meetings. Outreach activities may also include interface with other child care or early education providers specific to transitions or generally to discuss collaborative programming. Activities can take place in the family's home, a school building, or elsewhere in the community and should be implemented in a manner that is flexible, varied, and sensitive to cultural, racial, and religious differences among families. For more information go to [http://ec.dpi.wi.gov/ec\\_ecoutprg](http://ec.dpi.wi.gov/ec_ecoutprg).

If the district implements the 87.5 hour parent outreach model, the district must document how the program provides the opportunities for each parent to access the required 87.5 parent outreach hours. Districts should keep records of the plan and a log of parent participation that can be shared with auditors.

#### **9. May individuals other than the parents be involved in parent outreach activities?**

Yes, outreach activities can involve or be targeted for parents, legal guardians, extended family members, and other significant caregivers in the child's life.

#### **10. Can parent volunteer hours be counted as outreach hours?**

Parents volunteering in the classroom or on a field trip are not counted for parent outreach unless there is an intentional parent education component (such as classroom involvement or learning activities training) in conjunction with the volunteering activities. The hours must be counted based on the amount of time parents participate in the outreach activity and do not include planning time.

#### **11. Who can provide parent outreach?**

Parent outreach must be provided by appropriately qualified persons, such as the kindergarten teacher or student services professional, e.g., social worker, home school liaison, or guidance counselor. Parent outreach activities may also be provided in collaboration with family resource centers, parent education programs, and other community parenting efforts.

#### **12. When districts are receiving 4K equalization aid for parent outreach, may a substitute teacher or teacher aide teach the class while the teacher is doing outreach?**

Eligibility for equalization aid requires that the 437 classroom hours be provided by a licensed teacher. While using a properly licensed substitute teacher may be legal, it is not

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desirable. Use of a teacher aide does not meet the legal standard.

Outreach is often provided on the fifth day of the week when children are not in school or after school hours. In either approach, teachers may implement outreach activities during the day, the evening, or weekends to address parent schedules.

### **ELIGIBILITY, ENROLLMENT, ATTENDANCE, AND RETENTION**

#### **13. At what age may a child enter kindergarten?**

State law [Wis. Stats. § 118.14(1)(a)] specifies that children are eligible for kindergarten based on their age. To be eligible for 4K, a child must be 4 by September 1 of the school year. To be eligible for 5K, a child must be 5 by September 1 of the school year.

The school district may have an early admission policy as described in Wis. Stats. § 120.12(25), to allow admission to 4K for younger children. As long as children are admitted through a district's early admission policy, they can be counted for membership for state aid and revenue limit purposes.

#### **14. Are there suggested guidelines for early admission policies?**

Districts are advised to establish consistency of practice and policy for early admission to 4K and 5K. The following recommendations are suggested for districts to observe:

- A personal meeting with the parents to determine their reasons for requesting entrance prior to the legal age. Parents should be aware that 4K and 5K are designed as sequential grade levels, and the expectation is that children only attend 4K for one year, not enter early and then repeat it.
- A determination of the child's potential to benefit from early admission and to successfully participate in the grade level, including consideration of emotional stability, social and mental maturity, and physical health.
- A process for application and appeals that is approved by the school board.

#### **15. What documentation and health records are required for kindergarten entrance?**

Typically, the school will provide health and vision report forms that can be completed by the child's physician to indicate that a child is up-to-date with immunizations and vision and hearing screenings. The form may also be used to indicate any special health care needs of the child.

Requirements for health records are guided by statutory language.

- Parents must provide verification of the child's age. This can be through a birth certificate, passport, or other document.

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- Schools are required to develop and implement a plan to encourage compliance with state immunization laws.
- Parents are required to present written evidence that their child has received specific vaccinations. Parents may claim waivers based on personal conviction or religious belief, or a physician may sign a health waiver if the immunization is harmful to the health of the student [Wis. Stats. § 120.12(16)].
- Children in 4K are required to meet the age requirements for immunizations rather than the grade requirements and should be marked in the “Pre-Kindergarten” section of the School Immunization Report to the local health department.
- Each school board and each charter school shall request each pupil entering kindergarten to provide evidence that the pupil has had his or her eyes examined by an optometrist or evaluated by a licensed physician (Wis. Stats. § 118.135).
- Note that neither physical nor dental examinations are required by state statute or code; however, school districts may require and provide physicals.

The Department of Health Services (DHS) website at <http://www.dhs.wisconsin.gov/immunization/childhood.htm> has information including the State Immunization Program requirements, the Student Immunization Record, and the School Immunization Report to the local health department. Parents and legal guardians may look up their child's immunization record in the Wisconsin Immunization Registry (WIR) by logging on to the registry at <https://www.dhfswir.org/>. The WIR is also available to schools so they can add immunizations, share data, better track children not meeting requirements, and can generate reports that are required by the state. If you need additional information or help on the WIR, please contact the WIR Helpdesk at 608-266-9691.

### **16. Does a child have to be tested in order to enter kindergarten?**

No, entrance to kindergarten is based on age and not on a child's ability.

Some school districts screen incoming students to assess the skills of the children so they are better able to determine needed support services, as well as develop an educational program that meets the needs of the children. Information is often collected from parents, physicians, and/or community programs such as child care and Head Start.

Some districts use “Child Development Days” Development Screening Model ([http://www.cesa6.k12.wi.us/products\\_services/earlylearningresources/childfind.cfm](http://www.cesa6.k12.wi.us/products_services/earlylearningresources/childfind.cfm)) in collaboration with other child-service agencies. This voluntary service helps professional staff to better serve families and children by

- Identifying young children who are in need of further assessment;
- Educating families about normal child growth and development; and,
- Developing community awareness of resources available.

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### **17. Can a district deny entrance to an age-eligible child because there is a concern about the child’s “readiness”?**

No. State statutes clearly define age as the only criteria required for entrance into kindergarten and first grade. The district is responsible for providing a welcoming environment for all age-eligible children and their families through curriculum adaptation, teacher placement options, consultation with school specialists, and/or evaluations to determine the need for English Language Learners, special education, Title I, or other special services.

### **18. If a child is age-eligible for kindergarten, may a parent “hold their child out” for one year?**

Wisconsin law establishes compulsory school age as 6 years of age (Wis. Stats. § 118.15). Legally, parents may wait until their child is 6 before sending him or her to school. Some parents have concerns about their child being among the youngest in the class or not socially mature enough for kindergarten. In these instances, the parents should discuss their concerns with the district staff to learn more about the program and how they can work together for a quality experience for their child. Some issues to discuss include (note the term kindergarten refers to both 4- or 5-year-old kindergarten):

- The characteristics of the child that cause concern about readiness for kindergarten;
- The school’s expectations regarding readiness and the school’s kindergarten screening procedures;
- The nature of the kindergarten program, such as class size and organization. Lower class size and “learning center” organization can accommodate greater developmental ranges among children in the class; and,
- What would the parents do to enhance their children’s learning if not in kindergarten.

#### **Other points for parents to consider include:**

- All school districts are responsible for meeting the needs of all kindergarten students, regardless of their ages or stages of development. Kindergarten curriculum is designed to meet the wide variation in development levels of all children.
- Children arrive in kindergarten with a wide variety of abilities, and that is perfectly normal. There will always be a child who is the youngest or the oldest.
- If a child is an English Language Learner, he or she receives support in kindergarten programs to learn English at an early age.
- Staff is trained to identify problems that may affect a child’s ability to learn and provide appropriate services. The earlier the problem is identified, the sooner the child can receive special services that may help overcome the problem and improve his or her ability to achieve throughout the school years.

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- Kindergarten is an important part of a school's educational program and is part of the overall developmental curriculum.
- Kindergarten instruction promotes learning of many skills that are the foundation of the curriculum through grade 12. For example, early reading instruction is especially important to all learners.

**Note:** The practice of delaying entrance to kindergarten is controversial. You can find more information on the research and practices related to delaying entrance to kindergarten at "Voices from the Field: Wisconsin Early Childhood Education and Care Stakeholders Consider Delayed Entrance to Kindergarten" at [http://ec.dpi.wi.gov/ec\\_ec-entr-admiss](http://ec.dpi.wi.gov/ec_ec-entr-admiss).

### **19. When a district has both 4- and 5-year-old kindergarten, and a child is age-eligible for 5K, can the parent place the child in 4K?**

State statutes do not clearly address this situation. While the state statutes define eligibility for 4K and 5K in terms of age, they also provide that school districts have the authority to determine grade level placement. Placement in a particular grade, classroom, or school is a local decision that is based on locally determined school district policies. More information on this topic can be found at [http://ec.dpi.wi.gov/ec\\_ec-entr-admiss](http://ec.dpi.wi.gov/ec_ec-entr-admiss).

Districts offering 4K should establish a policy to address this situation. If the district allows delayed entrance based on parent request, the district should ensure that the parent considers the issues about delaying entrance discussed in question 18.

### **20. Do any national practices or principles exist for kindergarten entry and placement?**

The National Association for the Education of Young Children and the National Association of Early Childhood Specialists/State Departments of Education have developed principles for kindergarten entry and placement (<https://www.naeyc.org/files/naeyc/file/positions/Psunacc.pdf>).

### **21. Can a child who has completed 4-year-old kindergarten be “held back” or “retained” by the school district at that grade for another year prior to moving into the next grade level.**

School districts have the authority to “retain” a pupil who has not made progress in a prescribed program, based on established school board policy. However, children in 4K who are not making developmental progress should be addressed through Response to Intervention strategies and/or referral for special education evaluation well before the end of the year. Districts should take into consideration the development nature of 4K and 5K as precursors for first grade.

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### **22. Retention Policy**

State and federal requirements for reporting retention currently begin with five-year-old kindergarten. Reported retentions and retention rates are based on data collected by the Individual Student Enrollment System (ISES). Retention occurs when a student has not made sufficient progress over the course of the school year to be promoted to a higher grade level. See more at: [http://spr.dpi.wi.gov/spr\\_ret\\_q%26a](http://spr.dpi.wi.gov/spr_ret_q%26a).

Note that retention in 4K is controversial. Some districts limit or reject the use of retention in 4-year-old kindergarten and consider progress within the framework of both 4- and 5-year-old kindergarten.

### **23. Can a district refuse enrollment to an age eligible child who is not toilet trained?**

A district cannot refuse entrance into 4K to a child who is not toilet trained. The district can work in several ways to address the issue:

- Check with the family regarding medical needs; work with the child’s physician or make a referral for a special education evaluation if medical needs are an issue.
- Develop a plan for toilet training:
  - A nurse, home-school liaison, or teacher can work directly with the parent to develop a plan for toilet training at home and the school.
  - If it is not possible to have a home and school plan, develop an in-school plan for toilet training.
  - Consider what strategies can be used in the classroom to support toileting success. Is there a reward system for successful toileting? Can special toileting schedules be designated for the child with accidents? Are there other children to be paired as toileting models? Are there routine times when the “accidents” happen, and if so can something be done to encourage toileting before these times? What strategies have worked at home that could be used at school? Can the child be part of the plan where he has his own goal and final reward?
  - If the child attends regulated child care, in addition to 4K, be sure to include the teacher/family provider in the conversation and plan.
- Consider the need for a 504 plan.
- Work with the parent to supply clean clothes and changing supplies.
- Depending on the circumstances, the parent may be asked to come to school to assist.
- A child should never be required to change/bag their own clothes.

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### **TEACHER LICENSURE AND SUBSTITUTES**

#### **24. What license must a teacher have?**

Teachers of 4K students must hold an elementary/regular education license that includes prekindergarten or kindergarten (e.g., #080 prekindergarten; #090 PK-K; #083 PK-3; #100 kindergarten; #103 K-3; #086 PK-6; #106 K-6; #088 PK-8; #108 K-8; 70-777 Regular Education – Early Childhood level; 71-777 Regular Education – Early Childhood-Middle Childhood level; etc.).

Some districts may establish a preference for one of the above listed licenses.

#### **25. What about substitute assignments in 4K?**

A person with any teacher license (Initial Educator, Professional Educator, Master Educator, or Substitute License in any subject/grade level) may substitute teach in a 4K program when the assignment will not exceed 20 consecutive days. If the substitute assignment is more than 20 consecutive days, the substitute teacher must hold an Initial Educator, Professional Educator, Master Educator, Substitute License, or an emergency teaching license that specifically allows the holder to teach in a 4K program. See Question 24 for a list of appropriate licenses.

#### **26. When does the State Educator Effectiveness System apply to four-year-old kindergarten (4K) teachers:**

- If the district 4K is school-based (funded by the district and located in a school classroom), then the district evaluates the teacher and they are subject to participation in the EE System.
- If the district 4K is community-based (funded by the district and located in a contracted community classroom) and the district provides the teacher, then the district evaluates the teacher and they are subject to participation in the EE System.
- For more information on the EE System and early childhood go to <http://www.livebinders.com/play/play?id=1225721#anchor> and click on the early childhood tab on the left. You can find information on FAQ, Practice Evidence, Quality Indicators for 4K/Early Childhood Special Education Instruction Based on the Danielson Framework for Teaching, and sample Student Learning Outcomes (SLOs).

#### **27. When does the State Educator Effectiveness System NOT apply to four-year-old kindergarten (4K) teachers:**

- If the district 4K is community-based (funded by district and located in a contracted community classroom) and the community program employs and therefore evaluates the licensed teacher, then they are NOT subject to participation in the EE System.
- If a community program calls their program 4K, but it is not funded through a contract with a school district, then it is NOT subject to participation in the EE System.

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### **28. Is Shaken Baby Syndrome training a requirement for 4K teachers?**

Not in all cases. State child care licensing regulations require any child care provider, employee, or substitute who provides care and supervision to children under age 5 in a certified or licensed child care center to receive training in Shaken Baby Syndrome (SBS) prevention. This requirement does not apply to staff in school-based 4K, although it would be considered beneficial training. Depending on the individual child care centers policies in community approach sites, district staff may need to receive the training. The training could also be used as part of a Parent Outreach Activities. The training is required for child care licensing in a face to face approach. Centers can usually train the staff using the approved curriculum.

## **TRANSPORTATION**

### **29. What is the district's obligation for providing transportation?**

According to Wis. Stats. § 121.54(2)(a), a pupil attending a public elementary or secondary school, including 4- and 5-year-old kindergarten, is entitled to transportation by the public school district in which the pupil resides if the pupil resides two or more miles from the nearest public school that the pupil is entitled to attend.

Because transportation “to and from school” is required, the school district is responsible for transportation to and from half-day kindergarten programs as well as full-day kindergarten programs. Therefore, students who are entitled to transportation and who participate in morning half-day kindergarten programs must be offered transportation to school and transported home at the time their kindergarten program ends. Similarly, students entitled to transportation who participate in afternoon half-day programs must be transported from their homes to the program for the beginning of the kindergarten program as well as home again at the end of the day. State law prohibits the school district from charging a fee for the cost of the transportation to parents of such students.

### **30. May a district contract with parents in order to meet transportation requirements?**

Yes, the district may contract with parents to provide transportation for their children to and from 4K. The amount of compensation provided to the parent under such a contract would be negotiated between the parent and the district. The parent of a child enrolled in a public school program cannot be forced to accept a parent contract in lieu of school-provided transportation. Districts should develop written contracts and should always consult their legal counsel for assistance in drawing up the contracts (see Wis. Stats. § 121.55).

### **31. May a school district provide transportation for children to after-school child care?**

Yes, for students who are required by law to be transported, the resident school district has the option of providing transportation to and from child care instead of to and from home [Wis. Stats. § 121.54(2)(am)]. If the district chooses to honor a parent's request to pick up/drop off a student at the child care provider, the district cannot charge a fee for this service as this is prohibited under Wis. Stats. § 121.54(8).

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However, if the particular child is not required by law to be transported (i.e., the child lives within 2 miles of the school; the district has chosen to use the "city option," or perhaps the child is attending a school outside of the designated attendance area), then the district could provide the transportation to/from child care and charge a fee [Wis. Stats. § 121.545(2)]. The law allows the fee to be waived; the district receives no state transportation aid on behalf of that child.

### 32. Are there laws or policies about adults meeting the bus?

State law does not require a parent or other responsible person to meet a kindergarten child at the bus stop. However, individual school boards may adopt policies regarding bus pick-up and drop-off procedures for kindergarten students. The DPI agrees with the following resolution passed by the Wisconsin School Bus Association in 2006:

In the interest of safety of our youngest riders, the Wisconsin School Bus Association recommends to the Department of Public Instruction and to local school districts that "a policy be adopted that a parent or responsible person be present to receive a kindergartner or younger student from the school bus stop."

### 33. How do laws regarding the use of safety seats for transporting young children apply to schools?

Yellow school buses are exempt from the child safety seat requirements that apply to child care programs. The safety seat rules enacted in 2006 only apply when children are transported in vehicles other than school buses. Wisconsin 2005 Act 106 imposes age and weight/height requirements for child safety seats and applies to the transportation of children by any individual or agency, including schools, child care providers, and Head Start. The Department of Transportation website has information on this law at <http://www.dot.wisconsin.gov/safety/vehicle/child/laws.htm>.

## STANDARDS, SUBJECT AREAS, CURRICULUM, SCREENING, AND ASSESSMENT

### 34. What learning standards guide 4K?

*Wisconsin Model Early Learning Standards* (WMELS) provide a shared framework for understanding and communicating developmentally appropriate expectations for young children from birth to first grade (mandatory school age). The *WMELS* provide a framework for the development of program, curriculum, and assessment practices. As a result, young children will have more opportunities for positive development and learning. The standards are a guide for parents, professionals, and policymakers, all of whom share responsibility for the well-being of young children. *The WMELS* promote beneficial connections between early childhood and K-12 educational experiences. The *WMELS* can be found at <http://ec.dpi.wi.gov/sites/default/files/imce/fscp/pdf/ec-wmels-rev2013.pdf>.

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### 35. What are the required subject areas for 4K?

Wis. Stats. § 121.02(1) defines subject areas at each grade level including four- and five-year-old kindergarten. For required kindergarten the subject areas include:

- Reading and Language Arts
- Mathematics
- Social Studies
- Science
- Health
- Physical Education
- Art
- Music
- Environmental Education
- Computer Literacy

The subject area requirements are the same for 4- and 5-year-old kindergarten. However, the curriculum for 4-year-olds will differ from that of 5-year-olds. The curriculum should be developmentally, individually, and culturally appropriate for four-year-old children.

Curricula are locally determined and should be based on best practice. Best practice (see references for publications by the National Association of Elementary School Principals and National Association for the Education of Young Children) for kindergarten reflects an integrated and developmentally appropriate curriculum rather than curriculum taught by subject area. An appropriate curriculum incorporates concepts from the required subject areas.

The required subjects do not need to be taught as separate subjects; for example, the teacher can engage movement (physical education), singing (music), and counting (math) all at the same time. Physical education, art, and music can be completely integrated into the curriculum under the direction of a teacher licensed in that subject area or it can be taught directly by a teacher licensed in that subject area. Environmental education and computer literacy should also be integrated into other subject areas.

The statutes do not specify the amount of time needed to address these areas. Established DPI practices suggest the following proportions:

- Reading and language arts activities should be approximately 30 percent of the curriculum.
- Math, social studies, science, health, physical education, art, and music should be approximately 10 percent each of the teacher-directed curriculum activities for a total of 70 percent of the curriculum.
- Up to one-third of each day should be in student self-directed activities.

See the DPI website for more information at [http://ec.dpi.wi.gov/ec\\_ecqualhm](http://ec.dpi.wi.gov/ec_ecqualhm).

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### 36. Can a district implement 4-year-old kindergarten using mixed age groupings?

School districts establish grade level and curriculum designs at the local level. Multiage or mixed age grouping is a design that may be adopted. Mixed age groups for 4- and 5-year-old kindergarten are the most common mixed age model. When districts implement 4K in community settings, the community program may already be mixed age and include 3 through 5-year-old children; in these community models, 3-year-old children are not considered enrolled in 4K and may not be claimed for funding through the 3<sup>rd</sup> Friday count.

### 37. Coursework Completion and 4K

The Coursework Completion System (CWCS) is a component of the student level data collection of the Department of Public Instruction (DPI) Individual Student Enrollment System (ISES). CWCS is intended to capture data on all K4-12 grade level curriculum and student achievement:

- The courses taught and the student enrollment (using standard course codes).
- The teacher(s) teaching the course based on their DPI Educator File Number.
- Classroom Type – optional field (single or multiple).
- Multiple other course, teacher, or student characteristics.

CWCS applies to all students enrolled in a school district program. Students with disabilities that attend general curriculum or modified curriculum courses are reported through CWCS with their special education services reflected by the appropriate course rigor level. CWCS is NOT collecting information on special education students that are not receiving services in general education settings.

*4K implications:* The *WMELS* apply to early childhood special education, 4K, and 5K. They reflect five comprehensive domains: Health and Physical Development, Social and Emotional Development, Language Development and Communication (includes Early Literacy), Approaches to Learning, and Cognition and General Knowledge (includes Early Math). Wisconsin Common Core State Standards (CCSS) apply also to 4K and 5K. Both the *WMELS* and CCSS assist in determining and guiding assessment and curriculum decisions. CWCS reporting should be based on these standards and should reflect the curriculum, instructional approaches, assessments, and report to parents.

More detailed information can be found on the DPI website at:

<http://lbstat.dpi.wi.gov/cwcsapplication>, look for the 4K section under submission guidelines.

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### **38. Are children in 4K part of the statewide Wisconsin Student Assessment System?**

No, 4K is not part of the Wisconsin Student Assessment System. To measure progress in 4K, Wisconsin school districts use a variety of curriculum and assessment tools. Best practice (see references for publications by the National Association of Elementary School Principals and National Association for the Education of Young Children) includes authentic assessment methods that observe and record children's progress in typical activities throughout the program year. Best practice also includes seeking information and input from parents and/or primary caregivers. Child progress is documented in all domains of learning including physical, social-emotional, cognitive, and language development. Assessment information is used to individualize instruction and plan next steps.

See the DPI website for information on how several school districts have assessed student progress in 4K at <http://fscp.dpi.wi.gov/sites/default/files/imce/fscp/pdf/ec-impact-dev.pdf>.

### **39. How are 4-year-old kindergarten students involved in the state early literacy screening?**

Wis. Stats. 118.016(1) requires an early literacy screener to be administered to all 4-year-old kindergarten to 2nd grade students enrolled in public school districts and charter schools. This assessment provides administrators, teachers, and parents with valuable information necessary to improve the reading skills of students. Results are used to identify reading problems early on and to inform instruction. The data from the screener is not part of the accountability system.

The Phonological Awareness Literacy Screening (PALS), developed by the University of Virginia, has been purchased under a state contract to serve as the required literacy screener. Districts do not incur costs related to the purchase of the assessment but are responsible for costs associated with the administration of PALS. A brief document on PALS with information for parents is available online.

State law requires districts and schools to assess all students. There is not an exemption or parent opt-out provision; this includes students with disabilities and dual language learners. See PALS Wisconsin ([http://www.palswisconsin.info/administrators\\_accommodations.shtml](http://www.palswisconsin.info/administrators_accommodations.shtml)) for more information on special education. Dual language learners in four-year-old kindergarten are required to be administered the English language version of PALS-PreK.

Professional development modules for teachers who administer PALS are available online at the PALS Wisconsin Resource Center, <http://palswisconsin.info>, a website specifically for Wisconsin educators. All educators who will administer PALS need to complete the series of six 15-minute modules and the accompanying certification assessment prior to administering PALS. For educators who have already completed the administration modules and desire to review the materials, the modules will remain available during subsequent administration windows.

The PALS Wisconsin Resource Center also includes an FAQ page with commonly asked questions regarding administration, scoring, training, and administration for children with

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IEPs and dual language learners. A PDF is also available for distribution to parents specifically at <http://www.palswisconsin.info/parents.shtml>.

You can also learn even more about PALS by visiting <http://pals.virginia.edu/>.

PALS webinars, news, discussion forums, and timelines will also be archived on <http://readwisconsin.dpi.wi.gov>.

### **CLASS SIZE AND TEACHER RATIOS**

#### **40. What are appropriate teacher-child ratios and class sizes?**

There are no state regulations directing the teacher-child ratio for 4K. Class size is a local policy determined by the school board. As districts develop teacher ratio and class size policies, they may consider practices in other programs such as:

- 1:10 with a maximum class size of 20 as defined for quality benchmarks by the National Institute on Early Education Research (NIEER);
- 1:13 with a maximum group size of 24 as required in state child care licensing regulations;
- 1:15 ratio required by the Student Achievement Guarantee in Education (SAGE) class size reduction program and early childhood special education inclusion models; or
- 2 teachers working with groups of 16 to 20 as advised by the National Association for the Education of Young Children (NAEYC).

#### **41. What is the required square footage for 4-year-old classrooms?**

No minimum square footage requirements specifically apply for 4K classrooms. However, for safety and building design purposes, the Wisconsin Department of Commerce (WDOC) has adopted the International Building Code which specifies 20 square feet per occupant of open floor space, assuming a self-contained classroom with one exit. This standard does not suggest this is the optimal room size for an education program. In considering space for educational programming, a district may look for guidance to the Head Start and child care requirement of no less than 35 square feet of usable floor space for each child.

### **SPECIAL EDUCATION AND 4K**

#### **42. If a child is enrolled in 4K and receives special education, does the district receive funding for both?**

Yes, when a child is enrolled in 4K and receives special education services, the district is eligible for equalization aid and for state and federal special education funding. The child is reported as in 4K on the third Friday count.

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### **43. What opportunities are created for 4-year-olds with disabilities when school districts provide 4K?**

As school districts expand the range of general education settings available to young children with disabilities, 4-year-old kindergarten is a placement being considered for 4-year-old children with disabilities. It is important that the kindergarten program can accommodate the needs of a diverse population of learners. Designing general education programs in a way that allows all children to be successful will promote the inclusion of children with disabilities. Providing developmentally and individually appropriate experiences by qualified staff in environments that are specifically designed for all young children is critical in designing inclusive programs.

Local education agencies (LEAs) are using a variety of approaches to support 4K students with disabilities. For example:

- Special education teachers and related service providers visit early childhood general education settings primarily to coach and consult with staff members (also called Itinerant Services).
- Where several children with disabilities are present in one setting, an early childhood special education teacher may spend two or three sessions per week team teaching or co-teaching in the classroom.
- Programs for children with and without disabilities may be located in close proximity to allow fluid movement of staff and children between classrooms.

The type and amount of support is dictated by the needs and strengths outlined in the child's IEP. These service decisions are child-driven based upon the IEP, not based upon the disability of the child. Sometimes, more than one setting may be used to provide special education and related services. The IEP team would keep in mind that services are required to be in the Least Restrictive Environment. A child with a disability is removed from a setting with typically developing age peers only when the nature and severity of the disability requires removal so that the child can make progress in the general curriculum or an alternate curriculum. For example, a child with a visual impairment may receive services in an Early Childhood Special Education (ECSE) classroom part-time, in addition to a visual impairment teacher providing service to that child in a general early childhood setting. Regardless of the actual strategy, collaborative communication skills and flexibility are crucial to the success of these services.

### **44. With 4K becoming a more frequently used general education setting, may a school district place all 3-year-olds with disabilities in a 4K program?**

No, a district cannot have a policy or practice to place all 3-year-olds with disabilities in a 4-year-old kindergarten program. There may be some instances where an IEP team would determine that the 4-year-old kindergarten classroom is the most appropriate placement such as if it is a multi-age 3-4 classroom with non-disabled 3-year-old children. If a 3-year-old with an IEP is being served in 4K, they are not counted in the actual 4K first Friday Count

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because these children are not 4 years of age.

### **45. What factors should be considered when developing class size in kindergarten programs that include children with disabilities?**

LEAs should consider the class size research for young students and the needs of enrolled children with disabilities. 4K programs are including more children with disabilities. Throughout school personnel and parents are striving for natural proportions of children with and without disabilities in kindergarten classes, it is important to include more children without disabilities to provide adequate opportunities for engagement with typically developing peers.

### **46. If a child has an IEP, are the rules different for admission, enrollment, or retention?**

Admission, enrollment, and retention rules are the same for all children including those who are receiving special education services.

For more information on delayed entrance and retention, go to the DPI website at [http://ec.dpi.wi.gov/ec\\_ec-entr-admiss](http://ec.dpi.wi.gov/ec_ec-entr-admiss).

### **47. When the 4K teacher is dually licensed as both a kindergarten teacher and as an early childhood special education teacher, can s/he perform both general and special education roles within one classroom?**

A 4K program must have an appropriately licensed teacher who holds an Early Childhood (EC) or Early Childhood-Middle Childhood (ECMC) licensure. A dual licensed teacher who holds both EC and Early Childhood Special Education (ECSE), or both ECMC and ECSE, may teach children with disabilities and children without disabilities in the same classroom.

The dual licensed teacher must be able to provide special education services in accordance with a child's IEP. Consideration should be given to the amount and frequency of special education services specified in an IEP, which may impact the availability of a dual licensed teacher to also serve as the general education teacher. The use of a dual licensed teacher may not limit the placement and/or services options for children with disabilities.

A dual licensed EC/ECSE teacher may be contracted as both a special education and general education teacher. Regardless of license, if there is a single teacher in a 4K program, instructing both students with and without disabilities, there is no excess cost of providing special education instruction or related services. The salary would be in fund 10 and not eligible for categorical or IDEA funding.

For further information about special education personnel working with students who are not identified as students with disabilities, refer to the DPI guidance document at <http://sped.dpi.wi.gov/sites/default/files/imce/sped/pdf/sped-incidental-benefit.pdf>.

Dual certification provides teachers with a strong background in both general and special education. More universities are offering dual certification. With specific planning, the teacher's expertise in both general and special education can form the basis of a solid 4K

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program.

### USDA CHILD NUTRITION PROGRAMS AND 4K

#### **48. Can children participating in a 4K program receive reimbursable meals under the United States Department of Agriculture (USDA) Child Nutrition Programs?**

The USDA provides financial reimbursement for meals and snacks served to children in schools and nonschool programs.

School Programs: Children enrolled in schools are eligible to participate in USDA and state funded child nutrition programs offered by schools. Reimbursement is based on the number of meals served to children eligible for free, reduced price, and non-needy meals. Programs available to schools include the National School Lunch Program, the School Breakfast Program, the Special Milk Program, the Afterschool Snack Program, and the Wisconsin School Day Milk Program.

Non-School Programs: Children enrolled in qualified outside-of-school-hours care centers such as child care and Head Start are eligible to participate in USDA's Child and Adult Care Food Program. The site must be organized for the purpose of providing child care services and is distinct from extracurricular programs organized primarily for scholastic, cultural, and athletic purposes. Reimbursement will be based on the percentage of enrolled children in the categories of free, reduced price, and non-needy; the number of meals served by type and the prevailing rates of reimbursement.

Snacks served to children may also be reimbursed at the "free rate" at qualified "At-Risk Snack Sites" participating in the Child and Adult Care Food Program. "At-Risk Snack Sites" establish eligibility by being located in a school area where 50% or more of the children are eligible for free or reduced price school meals or where eligibility is documented using census tract data.

For additional information on School or Non-School Programs, check out the Wisconsin Child Nutrition Program home page at <http://fns.dpi.wi.gov/>.

### 4K AND YOUNGSTAR

#### **49. How are 4K programs related to YoungStar?**

Districts that operate 4K programs using community approaches with child care and/or Head Start may participate in YoungStar if at least one (1) hour of child care service is provided per day outside of/beyond the 4K service delivery timeframe. The educational qualifications of the 4K teacher may be counted for YoungStar purpose if the teacher is in the classroom beyond the school district-funded hours, and is providing child care teaching responsibilities during the alternative hours of the day. For more information on 4K and YoungStar go to the Q&A document at: <http://dcf.wisconsin.gov/youngstar/faq.htm>.

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### **OPEN ENROLLMENT**

#### **50. Does open enrollment apply to 4K and school-operated child care?**

Open enrollment applies to 4K and school-operated child care only if the child's resident school district offers the same type of program the child wishes to attend and only if the child is eligible for the program in her or his resident school district [Wis. Stats. § 118.51(2)].

#### **51. Is a student who attends 4K under open enrollment required to reapply for kindergarten in the nonresident school district?**

No. Once the student open enrolls into a nonresident school district, the student may continue to attend the nonresident school district without annual reapplication, except that the student may be required by the nonresident school district to reapply when the student enters middle school, junior high, or high school [Wis. Stats. § 118.51(3)(c)].

#### **52. May a child request early admission to 4K under open enrollment?**

A child must be 4 years old by September 1 to begin 4K. The parents or legal guardian of a child who will not be 4 years old by this date may request that both the resident school district and nonresident school district evaluate the child for early admission under the district's own early admission policy. The child must be found eligible by both school districts to open enroll, even if the criteria are different. However, the nonresident school district is not required to evaluate the child and may deny the student's open enrollment based on the child not being old enough to attend school [Wis. Stats. § 118.14(1)(b), 118.51(2) and 121.12(25)].

#### **53. For the purposes of open enrollment, what constitutes "the same type of program?"**

If students enrolled in the programs are eligible to be counted for state aid and revenue limit membership, then the programs are the same type of program.

#### **54. What is the timeline for applying for open enrollment?**

Open enrollment legislation (Wis. Stats. § 118.51 and Wis. Admin. Code PI 36) establishes the timelines and procedures for public school open enrollment. The statute provides two procedures to apply for open enrollment: The regular application period requires applications to be submitted between February and April of the school year preceding the one in which parents desire their children to attend a nonresident district. An alternative procedure allows a parent to apply for open enrollment at any time during a school year. Under both procedures, open enrollment only applies when both districts have 4K and the child is eligible for the program in the resident school district.

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### **COMMUNITY APPROACHES – DISTRICT FUNDING AND RESPONSIBILITIES**

#### **55. What approaches are being used as public schools work with other early childhood programs in their communities?**

Schools are taking new approaches for universally available 4K that use a school-community interface. The key to expansion of 4K is the involvement of a broad range of community early childhood stakeholders.

Community approaches bring together community leaders representing business, schools, child care, Head Start, parents, recreation, and parent education to explore the issues and develop community-based approaches to 4K. They are finding new and innovative approaches that may be school-based or community-based. For example, some communities have 4-year-old kindergartens located in a variety of settings including elementary schools, licensed child care centers, and Head Start programs. One approach has school teachers and support staff providing the 4K program in established community programs. In another approach, the school district contracts with established programs that have DPI-licensed teachers on staff to provide kindergarten.

More information can be found on this approach in the resource section of this document or by going to [http://ec.dpi.wi.gov/ec\\_ec4yrpag](http://ec.dpi.wi.gov/ec_ec4yrpag) or <http://www.collaboratingpartners.com/4k-community-approaches-resources.php>.

#### **56. What is the financial responsibility for districts that use community approaches?**

Wisconsin's school finance formula is premised on the state and local district "sharing" in the cost of educational programming. Once a community has an approved 4K program through public-private partnerships with community programs, the district's financial responsibility is similar to traditional school-based kindergarten. The following requirements reflect the implementation of 4K in community approaches:

- The district must ensure that there is an appropriately licensed 4K teacher. The district may employ the teacher or may contract with the community program to employ the licensed kindergarten teacher.
- Parent outreach will vary depending on whether or not the district is claiming the 437-hour program or a 437-hour program plus 87.5 hours of parent outreach. Parent outreach may be provided by the district through contract or through other arrangements with community partners.
- The school district covers the cost of instruction for the 4K portion of the program including staff compensation, special education, and support services for children.
- The district covers up to the full cost of facilities, supplies, food, and staff development, based on the collaborative approach agreed upon by the partners.
- The district is responsible for transportation of children enrolled in the 4K portion of any of the programs. Parents, Head Start, or the child care center provide transportation when

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children are enrolled for a length of time exceeding 4K hours.

- The district retains a portion of its state aid to cover district costs such as administration and support staff.
- Interagency agreements or contracts define these roles and responsibilities in detail (see question 68 for more information on the content of these agreements or contracts).

### **57. While equalization aid and revenue limit authority is a primary source of funding for 4K, what other funding can be used to support community approaches?**

Communities are finding ways to bring a wide range of funding streams together to provide new approaches to serve all 4-year-old children and their families. These sources cannot replace the district's financial responsibility for the 4K program. Community funding can include, but is not limited to child care and Head Start. Several examples of blended funding are described below:

- When schools use community-based child care approaches, child care funding (such as Wisconsin Shares Child Care Subsidy Program funding from the Wisconsin Department of Workforce Development, Child Care Section) provides subsidies for eligible parents in approved activities to support the full-day operation of the program.
- Communities may find new approaches through partnerships between 4K and Head Start that expand the number of hours and services to children and families.

For more details see the DPI's "Financing Four-Year-Old Kindergarten in Community Approaches" that can be found at <http://www.collaboratingpartners.com/4k-community-approaches-fiscal.php>.

### **58. If a district is implementing 4K in public-private community approaches with a community program, how much oversight does the district have over the program?**

In 4K programs using community approaches, 4K is considered part of the school district's 4K program. School districts are not relieved of their obligations for oversight of programs conducted with community partners. Through appropriate planning and site supervision, the school district must assure that the required components of 4K are implemented in all of their settings. Most districts have established collaborative councils that plan and oversee these community approaches. These councils address the details of these programs and provide reports to the school board. There should also be contracts between the participating provider(s). These agreements should address the district fiscal contribution and clarify service delivery models, child care licensing, Head Start performance standards, hiring, teacher inservice, planning time, curriculum and program practices, and other roles and responsibilities. The school district holds the authority and obligation to supervise the program for compliance with contract, district, and state requirements.

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### **COMMUNITY APPROACHES – RELATED REGULATIONS**

**59. Why are 4K statutes and program requirements different from child care and Head Start requirements?**

The main reason for the differences is that each entity is subject to the rules of a different federal and/or state governmental agency. School districts must meet Wisconsin State Educational Standards and requirements from the Wisconsin Department of Public Instruction and the U.S. Department of Education. Child care providers must meet DCF 251, Licensing Rules for Group Child Care Centers which are standards established by the Wisconsin Department of Children and Families. Head Start is a federal program administered by the U.S. Department of Health and Human Services.

**60. Are requirements for teacher-child ratios and class sizes different when 4K is being implemented in community settings?**

When 4K is implemented in child care settings, child care licensing regulations will need to be followed. These regulations are for teacher-child ratios of 1:13 and a maximum group size of 24.

**61. Are all facilities used for the 4K instructional program sponsored by the school district required to meet the building requirements for a "SCHOOL" under the jurisdiction of the Wisconsin Department of Commerce?**

The facilities used for 4K instruction must meet the most stringent applicable building code. If the program is located in a child care center, the district must meet the child care code and be in compliance with school codes. Local municipalities may have stricter code requirements.

**62. How do districts report DPI-licensed teachers who are employed by child care or Head Start centers under contract as 4K providers?**

The PI-1202 form has two fields on the assignment screen for 4K teachers who are hired by child care or Head Start centers. The district should report the teacher and change the default for the field, "Subcontracted through a Contracted Agency," from N (No) to Y (Yes). They will then need to report the information for the center that actually hired the 4K teacher in the "Local Use" field. The other information they will need to report for this individual is social security number, first and last name (optional is middle, suffix, former last name), birth year, gender, race, and local and total experience. Districts will need to make sure the teacher is reported at the same school that they report the students attending.

More information can be found at: <http://lbstat.dpi.wi.gov/fallstaff>.

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### **COMMUNITY APPROACHES – ORGANIZATIONAL CONSIDERATIONS**

#### **63. How can districts bring community stakeholders together to explore community approaches?**

Most districts exploring or implementing community approaches have established early childhood community councils. These councils include representatives from the school district, community child care providers, Head Start, families, and any other community or municipal agencies that are interested in the care and education of young children. It is not necessary to include every private provider in the community, but the district should make a good faith effort to include a balanced representation of private providers to the council.

#### **64. How are communities providing a structure to sustain their community approaches?**

The council plays a key role in the communication and decision making needed to sustain community approaches. The council provides a forum to address implementation issues, facilitate program evaluation, promote program expansion or improvement, and link with the school board.

Many school districts designate a staff person to act as the coordinator for community approaches. Whether it is a district principal or a community coordinator, this position can be vital to ensure ongoing attention to these community approaches.

### **COMMUNITY APPROACHES – SITE PARTNERSHIPS**

#### **65. How can a district work with a family child care provider to implement 4K?**

Currently, most collaborations between schools and family child care focus on participation in school-sponsored professional development training, joint field trips, transition orientations, or transportation. Districts may also interface with family child care providers as part of the outreach component. Family child care providers are also excellent connections to support family engagement since they have such direct contact with parents on a daily basis.

#### **66. What needs to be considered for community approaches with Head Start and 4K?**

As more communities are beginning to implement 4K for all children, partnerships between the programs are critical to ensure that comprehensive services for low income families are available and that the expertise of both the public schools and Head Start is maximized.

While programs can be co-located as morning and afternoon programs, with little direct collaboration, programs can also be designed so that Head Start-eligible 4-year-old children can be jointly enrolled and can be counted for Head Start and 4K funding. These design approaches must assure that the state 4K requirements, as well as the federal Head Start requirements, are followed. In some instances, state child care licensing must also apply.

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To use both school district equalization aid and Head Start funding, communities need to consider how to enhance programs for children and families using resources efficiently and without duplication. Community approaches using 4K and Head Start require specific considerations to comply with federal Head Start fiscal requirements; performance standards for comprehensive child development services, health services, and parent involvement; and design for service delivery.

These considerations have led to two basic community approaches to 4K and Head Start.

1. The district enters into agreements with Head Start to deliver 4K to Head Start-eligible children. Both state 4K and federal Head Start requirements are followed. Eligible 4-year-old children are considered enrolled in both programs and are counted for Head Start funding and 4K equalization aid when services are provided to a greater extent than either program could offer operating in isolation. This approach extends services including:
  - Extending the program days by combining the part-day 3-hour Head Start program with the part-day 2.5 hour 4K program to create a 5.5-hour day for children.
  - Extending the program hours and/or program year to provide the program during non-school days and into the summer months.
2. To provide integration of low income and higher income families within the same classes, the school district provides the 4K program requirements for all children either directly or through agreement with Head Start. The Head Start program provides the full range of Head Start services to Head Start-eligible/enrolled children. The district costs for the 4K program and the Head Start child development program are prorated or shared to account for the additional hours and number of Head Start-eligible and non-Head Start-eligible children. Prorating follows federal Head Start guidance and audit requirements.

These approaches are described in the Department of Public Instruction's "Financing Four-Year-Old Kindergarten in Community Approaches" that can be found at <http://www.collaboratingpartners.com/4k-community-approaches-fiscal.php>.

### **67. May community approach models exist with faith-based programs?**

When community sites are used, partnerships can occur with faith-based schools with certain assurances. Districts should select community sites based solely on religion-neutral criteria. The district's 4K program must be open to all eligible children whose parents want the program. The district must ensure a non-sectarian environment, curriculum, and program for all students during the "4K" part of the day at the faith-based program. The program must be open to any district child without faith-based requirements. Interagency agreements or contracts must define these assurances and define how the district will oversee the program to assure compliance (see question 58 for more information on the content of these agreements or contracts).

Districts should consider how they already work with faith-based programs in terms of special education, transportation, Title I, or any other connections. Approaches should be

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consistent in how to address the environment issues and whether there are other written agreements. Funds received from the district by a faith-based partner cannot be used for any religious purpose and must only be for 4K purposes.

There are several good sources of information on collaborations with faith-based programs included in the resources at the end of this document. Before entering into a community partnership with a faith-based program, a district should consult with its legal counsel.

### **68. What should be included in an interagency agreement for collaborative programs?**

An interagency agreement or contract should be established with each of the community settings. This signed agreement will be used to determine who has responsibility for the specific components of the program. Interagency agreements should include at a minimum the following:

- A mission, goal, or purpose statement;
- A statement that this specified 4K program is part of the district's 4K program;
- Specific roles and responsibilities of each agency, including, but not limited to:
  - a. Programming responsibilities; e.g., building maintenance, outdoor play space requirements, transportation, and parent outreach and involvement;
  - b. Parameters of collaboration; e.g., joint activities, shared staff expertise, or shared resources;
  - c. Staff issues; e.g., staff supervision, joint planning time, and background checks;
  - d. Common professional development and shared learning opportunities; and
  - e. Responsibility for insuring compliance with the applicable licensing rules.
- Financial responsibility; e.g., insurance coverage, space rental, and contractual arrangements;
- Maintenance of student records;
- District rights and responsibilities for program supervision;
- Timelines;
- Agreements with faith-based programs must ensure a non-sectarian environment, curriculum, and program for all students during the 4K part of the day; be open to any district child without religious-based requirements, and outline methods by which the district will oversee the program to assure compliance (see question 58 for more information on the content of these agreements or contracts);

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- Definitions and/common uses of terminology; and
- Dispute resolution.

### **COMMUNITY APPROACHES – ATTENDANCE AND ENROLLMENT**

#### **69. How should districts "code" children for DPI reporting when they are receiving 4K services in community-based settings?**

At this time, there is not a required structure for “coding” 4K children who receive services in community-based settings. A district may report 4K students at any public elementary school(s) in the district. DPI suggests the following options for a district to report 4K students:

- A district may report all 4K students under one existing elementary school; one reason for this choice might be that the administrator/principal of the school is overseeing the 4K program.
- A district may report 4K students at several existing elementary schools of the district’s choosing.
- A district may report 4K students under whichever existing school serves the elementary attendance area in which the community setting is physically located.
- A district may set up a new school entity and use the new school to report the enrollment of all 4K students who are in community settings (new school code assigned by DPI [dpistats@dpi.wi.gov](mailto:dpistats@dpi.wi.gov)). The district designates the address and other contact information for the new school to insure that the mail and email for the school go to the correct person and location at the district.
- A district may report some 4K students at existing elementary schools and also set up a new school for other 4K students as described above.

#### **70. If a district uses community approaches, must it provide transportation to any site that the parent prefers or can the district designate attendance areas?**

A school board has authority to designate attendance areas for 4K programs located in community centers and other sites in the same manner as it does for public schools within the school district. When parents are given options for community-based settings, the district may assign community-based settings according to designated attendance areas. A 4K student is entitled to transportation to the 4K program in whose attendance area he/she resides. Therefore, if parents choose to have their children attend a 4K program at a community setting that was not assigned; the district does not have to provide transportation.

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### **71. If a district uses community approaches, does every site need to be open for any parent that selects that site?**

The district-wide 4K program must be open to any age-eligible child whose parents reside in the district. Local school districts can establish their own enrollment and placement policies. Policies can be set up by the district for enrollment in 4K that allow for parents to prioritize the site they want or for the district to assign sites by certain criteria such as attendance areas or availability of slots in community settings.

Districts can allow parents to reject an attendance area placement and select a site as a “within district enrollment” option. In these cases, the district should consider having a policy comparable to those for the other grades when a parent chooses an “out of attendance area” school.

Districts may not establish enrollment criteria that limit access to the district’s 4K program, such as existing enrollment in the community setting, membership in any faith-based organization, sibling attendance, income, or developmental ability.

### **72. Often children attending child care centers may be from more than one school district. May the non-resident 4-year-olds at the child care center participate in the 4-year-old kindergarten program at that site?**

In Wisconsin, children are entitled to a free education in the district in which they reside [Wis. Stats. § 121.77(1)(a)]. Children's ability to attend school in a district in which they do not reside is governed by state laws. State laws provide the following ways for children to attend nonresident school districts:

- Intergovernmental agreements under Wis. Stats. § 66.0301 (previously called 66.30). School districts can use agreements reached under Wis. Stats. § 66.0301 to allow children from one school district to attend 4K in another school district. More information can be found at [http://sfs.dpi.wi.gov/sfs\\_coop\\_agree](http://sfs.dpi.wi.gov/sfs_coop_agree).
- Public school open enrollment (Wis. Stats. § 118.51 & Wis. Admin. Code PI 36). Open enrollment legislation establishes the timelines and procedures for public school open enrollment. This includes the requirement that applications must be submitted between February and April of the school year preceding the one in which parents desire their children to attend a nonresident district. The statute does not provide any exceptions to this requirement. However, open enrollment only applies when both districts have 4K and the child is eligible for the program in the resident school district.
- Parent-paid tuition (Wis. Stats. § 121.81). If a nonresident school district has space, it may allow nonresident students to enroll on a parent-paid tuition basis. For the 2007-08 school year, full-time tuition is \$6,043. If a kindergarten program is half-time, the tuition cost would be one-half of the full-time amount.

Tuition payment by resident school district (Wis. Stats. § 121.78). State law permits resident school districts to enter into tuition agreements with other school districts. However, it is uncommon for school districts to enter into these agreements except for students who need

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special education or related services that the resident school district cannot provide. State law [Wis. Stats. § 121.77(1)(b)] requires that school districts charge tuition for non-resident students, unless the student is entitled to attend the district under open enrollment or a tuition waiver.

### COMMUNITY APPROACHES – STANDARDS AND CURRICULUM

#### **73. If a district is going to contract with child care or Head Start agencies, do those agencies have to use the same curriculum as the district?**

Regardless of where a district holds 4K or who is providing it, all 4K programs must meet the state requirements for subject area content and the district's curriculum expectations.

The *WMELS* were developed as a tool to guide the creation and implementation of a developmentally appropriate environment for children. The *WMELS* provides a unifying approach for community settings implementing 4K in community approaches. More information on *WMELS* can be found at <http://ec.dpi.wi.gov/sites/default/files/imce/fscp/pdf/ec-wmels-rev2013.pdf>.

### COMMUNITY APPROACHES – PROFESSIONAL DEVELOPMENT

#### **74. Is the district required to provide the same professional development to Head Start and/or child care teachers as to district teachers?**

Unless the teacher is a district employee, there are no requirements that professional development be provided to Head Start or child care teachers. However, providing high-quality professional development opportunities for 4K teachers in all settings will improve the quality experiences for children.

#### **75. How is Wisconsin helping child care providers obtaining bachelor's degrees?**

Well-trained and well-paid staff are key to providing quality early childhood care, and Wisconsin offers assistance to promote training and retention of child care workers. Since its creation in 1999, TEACH (Teacher Education and Compensation Helps) Early Childhood Wisconsin has awarded more than 6,000 scholarships to assist child care workers to enroll in higher education courses while they are working. Eighty-four percent of TEACH recipients serve low-income children whose parents receive a Wisconsin Shares subsidy. According to a recent evaluation, TEACH recipients received wage increases averaging 7.1% per year; more than double the 3.3% wage increase other child care workers received. More information on TEACH can be found at <http://wisconsinearlychildhood.org/programs/teach/>.

#### **76. How is Wisconsin helping Head Start and other nonpublic school teachers achieve their bachelor's degrees and teacher licenses?**

Nonpublic school programs need information and support for their licensed teachers and administrators. Therefore, to help nonpublic school teachers achieve a bachelor's degree

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and/or teacher license, the DPI has worked hand-in-hand with the University of Wisconsin System and the Wisconsin Technical College System to promote articulation from between the two systems. Through these efforts and faculty mini-grants, several technical colleges are in partnerships with Wisconsin's four-year degree-granting colleges and universities to assist early childhood educators with associate degrees obtaining bachelor's degrees.

### **77. How is Wisconsin helping Head Start and other nonpublic school teachers maintain their teacher licenses?**

To help nonpublic school teachers maintain their licenses, the DPI provides a variety of resources. Online resources may be found at:

<http://tepd.dpi.wi.gov/sites/default/files/imce/tepd/pdf/pdpinitialeducatortoolkit.pdf> and <http://tepd.dpi.wi.gov/resources/initial-educators>.

This dialogue will assist educators as they navigate the PDP goal-writing process. DPI requires all goal approval and PDP verification processes be done online via one of our statewide providers. For more information, please check with the QEI or WECAN-PDP (<https://myqei.org/> or <http://services.education.wisc.edu/pdp/>).

## **COMMUNITY APPROACHES – COMPLYING WITH CHILD CARE LICENSING**

### **78. What is the difference between a child care center and a preschool?**

There is no difference between a child care center and a preschool or nursery school when it comes to child care licensing. Because preschools typically operate for 2 ½ to 3 ½ hours per session, some of the licensing rules do not apply. Some rules that may not apply are those related to serving meals, providing naps, programming for the beginning and end of the day, and those rules related to the care of infants and toddlers and school-age children unless the program serves children of these ages.

### **79. Do child care programs operated by public schools need to be licensed?**

No. Under Wis. Stats. § 48.65, public or private schools are exempt from licensure. Child care programs operated by public schools are, however, required to meet the child care licensing rules established by the DCFS under Wis. Stats. § 120.13(14), which says in part that a school board may establish and provide or contract for the provision of child care programs. Child care programs established under this law shall meet the standards for licensed child care centers established by DCFS.

### **80. Do child care programs operated by private schools need to be licensed?**

No. Private schools do not need to be licensed to operate a child care center except as it applies to Wisconsin Shares Child Care Subsidy payments which are described in the next section. A private school is an institution that has been determined to be a private school by the state superintendent under Wis. Stats. § 118.167. Parochial schools and private schools have the same definition per the DCF and the DPI.

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### **81. Do collaborative 4K programs that are located in a public school building and operated jointly with a public school and a child care or Head Start program need to be licensed?**

If the public school is assuming the responsibility for the collaborative program, the program does not need to be licensed. If responsibility for the collaborative program is shared by the community approach partners, the child care or Head Start program must be licensed. A contract or interagency agreement that has been signed by all of the parties in the collaborative will be used to determine who has responsibility for the collaborative program (see question #57). A license may be issued to the collaborative or to the child care or Head Start program.

Once a license is issued to a collaborative program, the program is subject to routine monitoring visits by a DCF licensing specialist. These visits will focus on compliance with licensing rules. The agency that holds the license is responsible for maintaining compliance with the licensing rules.

### **82. Do collaborative 4K programs that are operated jointly with a private school and a child care or Head Start program need to be licensed?**

If the private school is assuming the responsibility for the collaborative program (and the private school does not wish to receive child care subsidy reimbursement), the program does not need to be licensed. If responsibility for the collaborative program is shared by the community approach partners, or the private school wishes to be eligible to receive child care subsidy payments, the program must be licensed. A contract or interagency agreement signed by all the parties in the collaborative will be used to determine who has responsibility for the collaborative program. A license may be issued to the collaborative or to the private school, child care, or Head Start program.

Once a license is issued to a collaborative program, the program is subject to routine monitoring visits by a DCF licensing specialist. These visits will focus on compliance with licensing rules. The agency that holds the license is responsible for maintaining compliance with the licensing rules.

An ECSE program can only provide services through an IEP to children in licensed or regulated child care programs. If the private school is not licensed, the school would provide special education through an Individualized Service Plan. More information can be found at <http://sped.dpi.wi.gov/sites/default/files/imce/sped/pdf/bul10-03.pdf>.

### **83. How do the child care licensing rules apply when a collaborative 4K program, operated by a public school and a licensed child care or Head Start program, is located in a licensed child care or Head Start setting?**

The licensed center must meet the applicable child care licensing rules. If there is a public school employee present (i.e., working as a teacher in the collaborative program), the public school is responsible for maintaining staff information including background checks. Supervision of the public school employee and program planning responsibilities must be addressed in the collaborative or interagency agreement.

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Once a license is issued to a program in a collaborative, the program is subject to routine monitoring visits by a DCF licensing specialist. These visits will focus on compliance with licensing rules.

### **84. How do the child care licensing rules apply when a public school rents space in the public school to a child care program?**

The child care center is licensed under the child care licensing rules.

### **85. How do the child care licensing rules apply when a collaborative 4K program operates in a public school building with a child care or Head Start program?**

The child care or Head Start program must be licensed unless the school district assumes responsibility for the complete program. The child care or Head Start program must meet the licensing requirements. Caregiver background checks must be completed on all staff of the licensed child care or Head Start program. School district personnel who may be involved in the collaborative program must meet the background check requirements of the school district. Each agency is responsible for maintaining records of the staff and children for their program. Other responsibilities should be defined in an interagency agreement.

Once a license is issued to a collaborative program, the program is subject to routine monitoring visits by a DCF licensing specialist. These visits will focus on compliance with licensing rules. The agency that holds the license is responsible for maintaining compliance with the licensing rules. The licensing specialist will refer to the collaborative or interagency agreement to determine who has responsibility for maintaining child and staff records. Items addressed in the licensing rules and not specifically designated as the school's responsibility in the collaborative or interagency agreement will be monitored for compliance with the licensing rules.

### **86. Who monitors for compliance with the child care licensing rules and what happens if a licensing violation is noted?**

The DCF Bureau of Early Care Regulation is responsible for monitoring licensed child care centers for compliance with the licensing rules. Licensing specialists will review interagency agreements to determine which partner in a collaborative is responsible for items covered by the child care licensing rules.

Licensed programs receive regular monitoring visits by a DCF licensing specialist. During a monitoring visit, the licensing specialist may observe the program, check health and safety requirements, and review child and staff files and other documents related to licensing rules. Violations will be noted on a statement of non-compliance issued to the licensee. Licensees are responsible for filing a plan of correction for all violations and ensuring that violations have been corrected.

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### **87. Can fees be charged by a child care program if child care children are enrolled in a collaborative with a school district?**

Yes. While child care is primarily funded by parent fees, 4K is part of the public system and is provided at no cost to families. Therefore, any child attending the community approach classroom only for the 4K hours of a day may not be charged tuition for the 4K program. However, child care programs typically determine that a 5 or 6 hour day is considered full-day and anything less is considered part-day. For example, in a program that does not charge by the hour, if the child participates in 4K for 2 ½ hours and is attending the child care program for an additional 6 ½ hours, the cost for child care is not reduced because the child is still in care for more than 6 hours.

### **88. Can child care programs access Wisconsin Shares Child Care Subsidy Program dollars when they are offering collaborative 4K for children enrolled in the child care program and Wisconsin Shares eligible children are participating in this programming?**

Yes. Wisconsin Shares Child Care Subsidy policy supports the authorization of the hours of care needed while a child is in a regulated child care setting. When a child care setting additionally offers collaborative programming for Head Start or 4K programs, the full amount of hours should be authorized—up to the total amount of hours of care needed while the parent is in an approved activity. The parent is responsible for paying for any costs when the child is in care while the parent is not in an approved activity.

### **89. Will full-day Wisconsin Shares authorizations be made if the child is in care only part of the day?**

No. Wisconsin Shares Child Care Subsidy authorizations only cover care for the amount of hours needed for the parent to remain in their approved activity. Full-time hours will be authorized only when the parent needs full-time care in order to be in an approved activity. Authorizations are made for the specific amount of combined hours of care needed.

### **90. Can Wisconsin Shares be accessed if the child is only enrolled in a Head Start program or a 4K program operated by a public or private school?**

No. Wisconsin Shares Child Care Subsidy cannot be authorized for Head Start or 4K hours that are not part of a community approaches program and do not offer regulated child care services.

### **91. If a Head Start or public school program offers “wrap-around” services to provide care to children outside of Head Start or 4K program hours, can Wisconsin Shares be used?**

Yes. Wisconsin Shares Child Care Subsidy can be authorized for the hours the child attends the “wrap-around” child care program.

### **92. Are private school child care programs eligible to receive reimbursement from the Wisconsin Shares Child Care Subsidy program?**

Private school child care programs are not eligible to receive subsidies from the Wisconsin

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Shares Child Care Subsidy program unless the child care program is licensed by the DCF or, if the program cares for 3 or fewer children under age 7, certified by the county in which the care is provided.

### **93. How do the child care licensing rules apply related to children's records?**

A child care center must have all required information on children enrolled in the child care program. This includes enrollment information, immunization records, health examination reports, and other information required under the licensing rules. The DCF licensing specialist will monitor a center's compliance with children's records.

When children attend a 4K collaborative program located at a child care center and those children are not enrolled in the child care program (attend for 4K services only), the child enrollment information, immunization records, and health exam reports are maintained by the school district. The DCF licensing specialist will not monitor the children's records for those children who attend the collaborative program for 4K purposes only.

### **94. How do the child care licensing rules apply when a child attends a community approach 4K program for more than four consecutive hours a day and under the licensing rules is required to have a nap or rest time?**

The Licensing Rules for Group Child Care Centers (DCF 251) require that all children under age 5 who are in care for more than 4 hours have a nap or rest period. The licensing rules also require that children who have a nap or rest period be provided with a cot, sleeping bag, or 2" thick mat to use. Children are not required to sleep or even lie down during the nap or rest period, and if the child does not sleep, should be permitted to get up after 30 minutes. A rest period could consist of a quiet time of at least 30 minutes spent looking at books or otherwise playing quietly while on the cot, sleeping bag, or 2" thick mat. This rest time could happen either before or after lunch between the 4K portion and the child care portion of the child's day.

## **CHARTER SCHOOLS, HOMESCHOOLING, AND 4K**

### **95. Can a charter school serve 4-year-olds?**

Yes. Charter schools serve elementary and secondary students. Elementary students include 4-year-old kindergarteners. It is important to note that the federal charter program makes an important distinction related to Wisconsin's 4K and charter status. If 4K is a stand-alone grade level (not part of a wider grade level charter school), it is highly likely the U.S. Department of Education would determine it is not a charter school. Therefore, it would not be eligible for federal charter school funding. This applies to virtual charter schools if the district has a policy allowing virtual schools and the charter school itself includes 4 as the age of admission.

### **96. Does the charter school need be to be located in a district building?**

No. The facilities used for charter schools are determined locally and must follow all

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building and safety codes. There are school districts that have formed partnerships with local child care centers to provide 4K programming. Charter schools using the community approaches mentioned in this bulletin must be aware that charter school law must be followed (Wis. Stats. § 118.40).

### **97. Must the employees of the charter school be employees of the school district?**

No. Based on the charter school law [Wis. Stats. § 118.40(7)], the school board of the school district in which a charter school is located shall determine whether or not the charter school is an instrumentality of the school district. If the school board determines that the charter school is an instrumentality of the school district, the school board shall employ all personnel for the charter school. If the school board determines that the charter school is not an instrumentality of the school district, the school board may not employ any personnel for the charter school. There is no provision in charter law to allow for a "blended" employment status, the charter school is either an instrumentality or a non-instrumentality of the school district

The decision of a school board to enter into a charter school contract (including the decision to make the charter school an instrumentality of the district) should be reviewed in the context of other contractual obligations, including collective bargaining agreements.

### **98. Does homeschool apply to 4k?**

Under Wisconsin law, enrollment in a home-based private educational program is a substitute for attendance at a public or private school under the compulsory school attendance law, which begins at age six. Since children under age six are not subject to the compulsory school attendance law, it is not possible to enroll a child in a homeschool program for four- or five-year-old kindergarten. If a child will not reach age six on or before September 1, it is not necessary to submit form PI-1206 to enroll him/her in a homeschool program for that school year.

## **USE OF RESTRAINTS AND SECLUSION**

### **99. Do the laws on restraints and seclusion apply to 4K and child care?**

Yes, seclusion and restraint laws apply to 4K and child care. 2011 Wis. Act 125 addresses the use of seclusion and physical restraint in public schools. The Act applies to both regular and special education students and prohibits the use of seclusion or physical restraint except when certain conditions apply. Seclusion and/or physical restraint may be used only when a student's behavior presents a clear, present, and imminent risk to the physical safety of the student or others, and it is the least restrictive intervention feasible. Certain maneuvers and techniques are prohibited, and mechanical or chemical restraints may not be used. Seclusion rooms may not have locks, and rooms must be free of any objects or fixtures that may injure the student. If it is reasonably anticipated that restraint or seclusion may be used with a student with disability, it must be included in the student's IEP. The IEP must also include positive interventions, supports, and other strategies based on a functional behavioral

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assessment. Other requirements include parental notification and documentation and training on safe use of physical restraint, including ways to deescalate behavior and non-prohibited actions. For more information go to: [http://sped.dpi.wi.gov/sped\\_sbseclusion](http://sped.dpi.wi.gov/sped_sbseclusion) and/or <http://docs.legis.wisconsin.gov/2011/related/acts/125>.

Child care licensing rules DCF 251.07 (2)(e)3 do not allow a child to be restrained or secluded including binding or tying to restrict movement or enclosing in a confined space such as a closet, locked room, box, or similar cubicle. The DCF commentary manuals provide further explanation for the rules including what is not included in the definition of physical restraint, occasional exceptions for a child with an IEP, responsibility to protect the child and others from harm, expectation that the center will work with the parents, and recommendation that the parent be referred to the child's physician, Birth to 3 agency, or public school for an evaluation and assistance in developing a plan for the future. The group child care commentary can be found at: [http://dcf.wisconsin.gov/childcare/licensed/CommManuals/GCC/251\\_07.pdf](http://dcf.wisconsin.gov/childcare/licensed/CommManuals/GCC/251_07.pdf).