



Washington County School District  
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# Administrative Letter A003

## Ages for school entry; birth certificates

*Administrative Letter #3 Ages for school entry; birth certificates; Approved 08/04/1998*

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**TO:** District Superintendents

**FROM:** Doug Bates, Director, School Law, Legislation, Certification and Equity

**SUBJECT:** Ages for school entry; birth certificates

**DATE:** August 4, 1998

Now that school is almost ready to start--and has started in some districts--we've gotten a number of calls about the age for entering school and the duty to provide a birth certificate. Since there has doubtless been a lot of turnover in school and district offices since the last time we addressed this issue, could you please provide the following information to persons involved in school registration.

### Age for School Entry

Utah Law [§ 53A-3-401(5)] provides that a school district may enroll children in school who are at least five years of age before September 2 of the year in which enrollment is sought. *There are no exceptions.* Exceptionally gifted children and children who have attended school in another state or country before moving to Utah are subject to the same rule. They cannot be enrolled here until they have satisfied Utah's age requirement. If a child is enrolled by error, enrollment should be revoked. The law does not apply to private schools.

The law does not specify grade. So far as the law is concerned really gifted children can be enrolled in the 6th grade or even awarded a graduation diploma. They just can't do it until they're five on or before September 1. In addition, the law does not make kindergarten less "optional" than any other grade. The only thing that is optional is that a parent does not have to enroll a child in school until the child is six on or before September 1. Upon enrollment, you may choose to place the child in kindergarten, first grade, or any other grade based upon your assessment of the best interests of the child.

The law is also silent about what you should do with children who enroll when they are five but come to you having completed kindergarten in a private school or some other state's public school. That's up to you. Given the uneven quality of private kindergartens, some districts have adopted a policy of enrolling all five year olds in kindergarten first, watching how they do, and moving those up who seem to be ready. Again, that's your call. The law leaves grade assignments up to you.

Incidentally, given the achievement range in a normal classroom, typically three or more years in kindergarten and seven or more by sixth grade, it doesn't make a whole lot of difference which grade a child is in; the important thing is having a teacher who recognizes and accommodates individual differences whether the children are gifted or not. People seem to forget that by definition half of the people in the world are above average and the other half below average. So to always teach to the average child is to ignore everyone in the classroom.

### **Birth certificates**

Whenever a child enters school in your district for the first time, *regardless of age*, the person enrolling the child should be advised that a certified copy of the birth certificate, or other reliable proof of the student's identity and age together with an affidavit (a statement made under oath and notarized) explaining why the birth certificate cannot be provided (§53A-11-503). *The birth certificate is not required at the time of enrollment.* We had two calls just this morning indicating that schools had refused to allow children to enroll without a certified copy of the birth certificate. While that is desirable, parents actually have until thirty days *after* enrollment to produce the certificate.

If you have any questions about these items please call me at 538-7832 or Carol Lear at 538-6835.