

## **CHAPTER 15.1-22 KINDERGARTEN**

### **15.1-22-01. Kindergarten - Establishment by board.**

The board of a school district shall:

1. Provide at least a half-day kindergarten program for any student enrolled in the district;  
or
2. Pay the tuition required for the student to attend a kindergarten program in another school district or, if requested by a parent or guardian, through the center for distance education.

### **15.1-22-02. Public kindergarten - Requirements.**

A school district operating a kindergarten:

1. May not employ an individual as a kindergarten teacher unless the individual is licensed to teach by the education standards and practices board or approved by the education standards and practices board;
2. Shall submit to the superintendent of public instruction and follow a developmentally appropriate curriculum;
3. Shall provide kindergarten instruction, on a half-day or full-day basis, as determined by the school board;
4. Shall provide for a kindergarten instructional calendar equal to at least fifty percent of the full-time instructional days required in accordance with section 15.1-06-04;
5. Shall apply all municipal and state health, fire, and safety requirements to the kindergarten; and
6. May not enroll a child who is not five years old before August first of the year of enrollment, unless the child will be five years old before December first and:
  - a. The child, by means of developmental and readiness screening instruments approved by the superintendent of public instruction and administered by the kindergarten operator, can demonstrate superior academic talents or abilities and social and emotional readiness; or
  - b. The child has been enrolled in another approved kindergarten.

### **15.1-22-03. Nonpublic kindergarten - Requirements - Approval.**

Any person operating a nonpublic kindergarten may request approval of the kindergarten from the superintendent of public instruction. The superintendent shall approve a nonpublic kindergarten if it meets the requirements of section 15.1-22-02.

### **15.1-22-04. Kindergarten - Discontinuation.**

A school board by resolution may cease to provide a kindergarten.