

KINDERGARTEN ATTENDANCE (NRS 392.040)

While public schools are mandated to offer kindergarten, no statute or regulation specifies ages of admission for private schools or home schooling. However if a child comes to enroll in a public K, 1st grade or 2nd grade, the age requirement for public school, will apply to that child. If the child has completed kindergarten, 1st grade and 2nd grade, there is no age requirement for 3rd grade entrance into public school. While the law is silent about age requirements for private schools, most private schools follow the public school age requirement of:

1. 5 by September 30th for kindergarten
2. 6 by September 30th for 1st grade and completed kindergarten
3. 7 by September 30th for 2nd grade and completed both kindergarten and 1st grade

What happens when any child enrolls who is **7 by September 30th**? The compulsory school age is 7 to 17 or the student is considered truant.

1. If the child has completed K and 1st grade, s/he must be admitted to 2nd grade;
2. If the child completed K, s/he must be admitted to 1st grade; or
3. If the parent has waived K attendance (and the child is 6 or 7 by September 30th), the child must undergo an assessment by the district (usually the Brigance) to determine whether s/he is developmentally prepared for 1st grade. If the district determines the child is not developmentally prepared for 1st grade, s/he must be admitted to kindergarten.

Is there any way around the **September 30th age cutoff**? State statutes only allow districts to waive the age requirement under two conditions:

1. A child becomes a Nevada resident **after completing K or beginning 1st grade in another state may be admitted to the grade s/he was or would be attending in the other state regardless of age**, unless the local school board determines the family deliberately circumvented Nevada's laws in that regard.
2. A gifted and talented pupil may be admitted at the age of 4 only if the district has elected to establish optional specialized programs for such pupils. (NRS 388.490)