



When Must Your Child Start Kindergarten? Can Parents Delay Kindergarten Start?

Parents sometimes feel pressured by school systems to enroll their children in kindergarten even if they feel that their child is not ready for it or if the child is receiving other specialized services at age five. Parents have the right to make the decision as to whether a five year old should start kindergarten. There are Maryland regulations in place to address this concern.

FAQs on Kindergarten Attendance and Delaying Kindergarten

Is kindergarten attendance required?

Yes, but the children do not have to start at age five. The Code of Maryland Annotated Regulations (COMAR) 13A.08.01.01B requires that a child residing in Maryland shall attend a public or nonpublic kindergarten program regularly during the school year before entering the first grade unless the child is enrolled in an alternative program. And there is an exception to this rule!

Can parents delay kindergarten until a child is six years old?

Yes. Parents can decide if their children should attend kindergarten at age five or wait until age six. COMAR 13A.08.01.02-2 says “A child who resides in this State and is five years old may be exempted from mandatory school attendance for one year if the child's parent or guardian believes that a delay in school attendance is in the best interest of the child and the parent or guardian files a written request with the local superintendent of schools asking that the child's attendance be delayed due to the child's level of maturity.” That’s pretty clear. Parents have quite a bit of control here.

If the parent of a child with a disability believes that their child needs medically necessary services that would delay kindergarten until age six, is that allowed?

Yes. Because COMAR 13A.08.01.02-2 provides for exemptions for kindergarten requirements, if your child is 5 years old and you believe that delaying their school attendance for a year would be in their best interest, you have this option. Again, parents have the right to make this decision.

Can children (including those with and without disabilities) enroll in alternative program settings instead of kindergarten?

Yes. Children can also enroll in alternative program settings and be exempted from attending public kindergarten. Again, the Maryland regulations are very clear: “A child may be exempted from attending kindergarten if a parent or guardian of the child files in writing their intent to place the child in an alternative setting and verifies that the child is enrolled: (a) Full-time in a licensed child care center; (b) Full-time in a registered family day care home; or (c) Part-time in a Head Start 5-year-old program.” Comar 13A.08.01.02-2(B). Does that mean your child MUST be enrolled in a formal education “program” to be exempt from kindergarten at age five? No, it’s just another alternative.



What is the process of requesting a Level of Maturity Waiver?

Submit Request: Fill out a written request for exemption from mandatory attendance for your 5-year-old child and send it to the local superintendent of schools. Check with your local school district to see if they have a specific form. **Approval:** Within 5 working days from date of receipt, the local school system shall approve in writing the request for delay or withdrawal. See <https://dsd.maryland.gov/regulations/Pages/13A.08.01.02-2.aspx>

What are some of the types of medically necessary services that young children might take advantage of around age four and five instead of kindergarten?

At ages four and five, young children diagnosed with Autism Spectrum Disorder may benefit from a range of essential services in lieu of traditional kindergarten. These medically necessary interventions include Applied Behavior Analysis, occupational therapy, and speech therapy. Commencing therapy at an early age significantly enhances the likelihood of your child's success. In the case of Autism, it is advisable to initiate the exploration of therapies as soon as suspicions arise, even before a formal diagnosis, as recommended by the American Academy of Pediatrics (AAP).

What should a parent do if a school pressures them to enroll their 4 or 5-year-old into public pre-k or kindergarten?

If a school is pressuring you to enroll your 4 or 5-year-old into public pre-K or kindergarten, it's important to remember that you, as the parent, know your child best, and it's essential to stand firm in your decision to ensure their education aligns with their individual needs and readiness. In Maryland, send the person pressuring you the citation for the exemption, above. As the parent of a young child, you have a long road ahead of you as your child's advocate—trust your instincts on what your child needs. We find that parents are typically right on these things!

Your five-year-old's readiness to enter kindergarten is your decision— it may seem a bit overwhelming at first, but with the right knowledge, you've got this covered. Remember, you're not alone in this journey. Whether you're exploring alternative options or advocating for your child's unique needs, trust your instincts as a parent and don't hesitate to seek support when needed.