



State Delivered Kindergarten policy

Version: 1.0 | **Version effective:** 23/01/2023

Audience

Department-wide

Purpose

This policy supports the governance of State Delivered Kindergarten (SDK) and the obligation to comply with early childhood legislation (state and federal), regulations, frameworks and guidelines when delivering kindergarten in state schools.

Policy statement

The Queensland Government is committed to providing all children with a great start by ensuring all eligible children have access to an approved kindergarten program, regardless of where they live.

The Department of Education (the department) is the provider of kindergarten where there is market failure, unique challenges experienced by families in accessing kindergarten or non-viability in geographically isolated communities.

Principles

The following principles align with the approach and requirements set out in the National Quality Framework (NQF).

Principle	What this means for the department
Access and equity	State Delivered Kindergarten programs ensure all children have access to a kindergarten program in the year before school, no matter where they live.
Child focus	Ensuring that the rights and best interests of the child are paramount. Children are seen as capable, successful learners and able to participate in decisions that affect them, including their learning.
Inclusive and safe	Children of all abilities (including children with disabilities) and social and cultural backgrounds are supported to participate in an inclusive, equitable, culturally safe and respectful kindergarten environment that recognises their diverse learning needs and

Principle	What this means for the department
	values their identities and cultures. Strong family and community engagement are central to children's health, learning and wellbeing. Employees and visitors are equipped with the knowledge and skills to keep children safe.
Australia's Aboriginal and Torres Strait Islander cultures are valued	The cultural safety of Aboriginal and Torres Strait Islander kindergarten children and their families is protected. Employees honour diverse cultures and languages and programs offer many opportunities for First Nations perspectives to be respected and valued.
Collaborative	Schools seek partnerships with parents, families and local communities developing respectful relationships to support children of all cultural and family backgrounds to participate in a safe and respectful kindergarten environment that meets the needs of the local community.
Continuous improvement	Schools delivering a kindergarten program access dedicated staff training, resources and support to drive continuous improvement and delivery of a quality kindergarten program.

Requirements

Kindergarten is a part-time educational program that promotes social, emotional, physical and cognitive development and wellbeing for children in the year prior to Prep. SDK is delivered by registered teachers (and where necessary delivered by, or with access to a qualified Early Childhood Teacher), supported by teacher aides, in accordance with an approved learning framework (the [Queensland Kindergarten Learning Guideline](#) supported by [Foundations for Success](#)). A transition statement is prepared for each child and provided to families at the end of the kindergarten year.

Eligibility criteria

A state school must be prescribed under the [Education \(General Provisions\) Act 2006 \(Qld\)](#) (EGPA) and [Education \(General Provisions\) Regulation 2017](#) to deliver kindergarten.

To be eligible to deliver kindergarten, a school must be a prescribed school located:

- at least 40 kilometres by road from the nearest approved kindergarten, or
- in a selected, discrete Aboriginal and Torres Strait Islander community, or
- in other selected communities where there have been barriers to accessing kindergarten.

Under the EGPA, a child must turn 4 years of age by 30 June in the year they are registered to attend kindergarten. An application for registration of a kindergarten age child in SDK must be made to the school principal, using the [approved form](#). The program is provided at no charge to eligible children.

Legislation

The legislation that applies the delivery of a kindergarten program is based on the number of children participating.

Kindergarten delivered for up to 4 kindergarten children is subject to the stand-alone care requirements of the [Education and Care Services Act 2013 \(Qld\)](#) (ECS Act). The department is the provider for the purposes of SDK delivered under the ECS Act.

Kindergarten delivered for 5 or more kindergarten children is subject to requirements of the [Education and Care Services National Law \(Queensland\) Act 2011](#) (National Law). Kindergarten must not be provided to more than 4 children unless the school holds a service approval under the National Law. The Queensland Government (acting through the department) is the approved provider of SDK regulated under the National Law and other authorities set out in the [National Quality Framework](#).

For schools operating under the national law, certain roles are assigned to regional and school employees to meet legislative obligations. Regional and central SDK teams will support employees to meet their legislative obligations in these positions. The Regional Director (RD) must be approved by the Regulatory Authority as the Person in Management or Control (PMC) to act on behalf of the approved provider. Supporting positions are:

- nominated supervisor (usually the principal, appointed by the RD)
- education leader (usually a teacher, appointed by the RD)
- person in day-to-day control (appointed by principal or RD)

In addition to the numbers of children registered, the setting in which kindergarten is delivered – composite or non-composite – impacts the legislative requirements applicable to the service.

Operation

Schools are approved and funded to deliver kindergarten in accordance with the QKLG and National Quality Standard in a defined delivery model specific to the kindergarten size and setting.

Each kindergarten child is counted as a half FTE (full-time equivalent) registration and attends an average of 15 hours per week, or 600 hours over a school year. Schools receive support and extra resources to deliver an inclusive, quality kindergarten program.

The health, safety and wellbeing of each child is paramount. Under the National Law, kindergartens are required to implement a suite of operational policies and procedures covering set matters including health and safety requirements, staffing arrangements, interactions with children and governance and leadership. As the approved provider for SDKs, the department develops and maintains this suite, accessible on the [edStudio](#) (DoE employees only – access provided by Early Childhood Division). This suite of national required documents enable SDKs to meet legislative obligations and support staff to deliver a quality kindergarten program.

Early Childhood Division, in partnership with regional offices, support schools to implement the requirements set out in the edStudio suite, effectively manage SDK and ensure compliance with relevant legislation. To support quality outcomes for all children, schools are also assisted to engage in continuous improvement of their kindergarten program.

Definitions

Term	Definition
Approved provider	A person/entity who holds a provider approval (National Law). A provider approval authorises a person to apply for one or more service approvals and is valid in all jurisdictions. The State of Queensland (Acting through the Department of Education) is the approved provider for SDK.
Approved learning framework	The Queensland kindergarten learning guideline (QKLG) is the required curriculum for kindergarten (supported by Foundations for Success). The QKLG describes a set of five learning and development areas that align to the five broad learning outcomes identified in the Early Years Learning Framework (EYLF). It adopts a holistic perspective on teaching and learning that promotes social, emotional, physical and cognitive development and wellbeing.
Composite class setting	Integrated delivery of a kindergarten program in a classroom where full-time education is being delivered to school children.
Foundations for Success	Aligned to the EYLF, Foundations for Success supports the QKLG and is a practical guideline to extend and enrich learning for Aboriginal and Torres Strait Islander children in the kindergarten year.
Kindergarten	A part-time early childhood educational program for children in the year before Prep.
Kindergarten child	A child who will be 4 years old by 30 June in the year proposed for the child's participation in SDK.
Non-composite class setting	Delivery of a kindergarten program in a purpose-built kindergarten building/classroom established to accommodate a straight kindergarten class.
National Quality Framework	National system for regulating early learning and school age care. The framework consists of the National Law, National Regulations, National Quality Standard, approved learning frameworks and assessment and rating conducted by the Regulatory Authority).
National Quality Standard	The NQS sets a national benchmark for the quality of education and care services and includes seven quality areas that are important to positive outcomes for children.
Prescribed school	As per section 419A of the EGPA, a prescribed school is: <ul style="list-style-type: none"> • a state school that immediately before the commencement of section 419A in 2009 was providing a program: <ul style="list-style-type: none"> ○ focused on literacy and numeracy for preparing a child for education in the preparatory year; and ○ approved by the Minister for the school; or • a state school prescribed under a regulation.

Term	Definition
	The EGPA provides the Minister may approve a program focused on literacy and numeracy for preparing a child for education in the preparatory year, to be a kindergarten learning program for a prescribed state school. In order for a state school to commence delivery of a kindergarten learning program, it must be prescribed in a regulation.
State Delivered Kindergarten (SDK)	The program under which prescribed state schools operate face-to-face kindergarten in either a composite or non-composite class setting.

Legislation

- [Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Education \(General Provisions\) Regulation 2017 \(Qld\)](#)
- [Education and Care Services Act 2013 \(Qld\)](#)
- [Education and Care Services Regulation 2013 \(Qld\)](#)
- [Education and Care Services National Law \(Queensland\) Act 2011](#)
- [Education and Care Services National Law Act 2010 \(Vic\)](#)
- [Education and Care Services National Regulations 2011 \(NSW\)](#)
- [Working with Children \(Risk Management and Screening\) Act 2000 \(Qld\)](#)

Delegations/Authorisations

- Nil

Policies and procedures in this group

- [Establishing a State Delivered Kindergarten procedure](#)
- [Delivery of State Delivered Kindergarten procedure](#)

Supporting information for this policy

- Nil

Other resources

- [SDK nationally required documents](#) to meet early childhood legislative requirements available via edStudio to relevant departmental staff and leaders and to families on request.
- [State Delivered Kindergarten Operational handbook](#) (Authorised DoE employees only)
- [Australian Children's Education and Care Quality Authority \(ACECQA\)](#)

- [Early Childhood Education and Care - SDK](#)
- [Queensland kindergarten learning guideline \(QKLG\)](#)
- [Foundations for success](#)

Contact

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Superseded versions

Previous seven years shown. Minor version updates not included.

Nil

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