

ASSEMBLY, No. 1054

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

SYNOPSIS

Requires full-day kindergarten in all school districts; establishes uniform age requirement for kindergarten enrollment; reduces compulsory age of school attendance.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 11/5/2020)

1 AN ACT concerning kindergarten programs and compulsory
2 attendance and amending various parts of the statutory law.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. N.J.S.18A:38-5 is amended to read as follows:

8 18A:38-5. No child **under** attaining the age of five years after
9 October 1 of that school year shall be admitted to any public school,
10 except such as may be provided pursuant to law for children of his
11 age.

12 No board of education shall be required to accept by transfer
13 from public or private school any pupil who was not eligible by
14 reason of age for admission on October 1 of that school year **],** but
15 the board may in its discretion admit any such pupil if he or she
16 meets such entrance requirements as may be established by rules or
17 regulations of the board**].**

18 (cf: N.J.S.18A:38-5)

19

20 2. N.J.S.18A:38-25 is amended to read as follows:

21 18A:38-25. Every parent, guardian or other person having
22 custody and control of a child between the ages of **[six]** five and 16
23 years shall cause such child regularly to attend the public schools of
24 the district or a day school in which there is given instruction
25 equivalent to that provided in the public schools for children of
26 similar grades and attainments or to receive equivalent instruction
27 elsewhere than at school.

28 The provisions of this section shall be applicable to a child who
29 attains the age of five by October 1 of the school year.

30 (cf: N.J.S.18:38-25)

31

32 3. N.J.S.18A:38-27 is amended to read as follows:

33 18A:38-27. Any child between the ages of **[six]** five and 16
34 years who shall repeatedly be absent from school, and any child of
35 such age found away from school during school hours whose
36 parent, guardian or other person having charge and control of the
37 child is unable to cause him to attend school and any pupil who is
38 incorrigible, actually vagrant, vicious, or immoral in conduct, shall
39 be deemed to be a juvenile delinquent and shall be proceeded
40 against as such.

41 The provisions of this section shall be applicable to a child who
42 attains the age of five by October 1 of the school year.

43 (cf: N.J.S.18A:38-27)

44

45 4. N.J.S.18A:38-28 is amended to read as follows:

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 18A:38-28. Any attendance officer who shall find any child
2 between **【six】** five and 16 years of age who is a truant from school,
3 shall take the child and deliver him to the parent, guardian or other
4 person having charge and control of the child, or to the teacher of
5 the school which such child is lawfully required to attend.

6 The provisions of this section shall be applicable to a child who
7 attains the age of five by October 1 of the school year.

8 (cf: N.J.S.18:38-28)

9
10 5. N.J.S.18A:38-31 is amended to read as follows:

11 18A:38-31. A parent, guardian or other person having charge
12 and control of a child between the ages of **【6】** five and 16 years,
13 who shall fail to comply with any of the provisions of this article
14 relating to his duties, shall be deemed to be a disorderly person and
15 shall be subject to a fine of not more than \$25.00 for a first offense
16 and not more than \$100.00 for each subsequent offense, in the
17 discretion of the court.

18 In any such proceeding, the summons issuing therein, or in
19 special circumstances a warrant, shall be directed to the alleged
20 disorderly person and the child.

21 The provisions of this section shall be applicable to a child who
22 attains the age of five by October 1 of the school year.

23 (cf: P.L.1980, c.153, s.1)

24
25 6. N.J.S.18A:44-2 is amended to read as follows:

26 18A:44-2. a. The board of education of **【any】** a district **【may】**
27 shall establish a kindergarten school or kindergarten department,
28 which in order to receive State aid shall be a one-year program in
29 advance of or in preparation for entrance to first grade, in any
30 school under its control, and **【may** admit to such kindergarten
31 school or department any child over the age of four and under the
32 age of five and**】** shall admit to such kindergarten school or
33 department any child over the age of five and under the age of six
34 years as of October 1 of that school year who is a resident of the
35 district.

36 b. A kindergarten school or kindergarten department
37 established by a board of education shall provide a full-day
38 kindergarten program. A district classified in district factor groups
39 A, B, CD, or DE that is not providing a full-day kindergarten
40 program prior to the effective date of P.L. , c. (pending before
41 the Legislature as this bill) shall provide a full-day kindergarten
42 program no later than the beginning of the 2019-2020 school year.
43 Any other district that is not providing a full-day kindergarten
44 program prior to the effective date of P.L. , c. (pending before
45 the Legislature as this bill) shall provide a full-day kindergarten
46 program no later than the beginning of the 2020-2021 school year.

47 (cf: P.L.1996, c.138, s.72)

1 7. This act shall take effect immediately.

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STATEMENT

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6 This bill requires all school districts to provide full-day
7 kindergarten programs for their students. If a school district does
8 not currently provide a full-day kindergarten program, and is
9 classified in district factor groups A, B, CD, or DE, then the district
10 would be required to begin offering such a program by the
11 beginning of the 2019-2020 school year. All other school districts
12 would be required to provide such a program by the beginning of
13 the 2020-2021 school year.

14 The bill also establishes a uniform age requirement for a student
15 to enroll in kindergarten. Under current law, each school district
16 determines the date by which a child must attain the age of five
17 years in order to enroll in kindergarten. Under the bill, a child
18 would have to be five years old by October 1 of the school year in
19 order to enroll in kindergarten.

20 The bill also reduces the age of compulsory school attendance.
21 Under current law, children between the ages of six and 16 are
22 required to attend school. The bill provides that a child would be
23 required to attend school if the child has attained the age of five by
24 October 1 of the school year.