

ASSEMBLY, No. 4442

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MAY 20, 2024

Sponsored by:

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

SYNOPSIS

Lowers age requirement of compulsory school attendance from six to five years old.

CURRENT VERSION OF TEXT

As introduced.



A4442 REYNOLDS-JACKSON, WIMBERLY

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1 AN ACT concerning compulsory education and amending various
2 sections of the statutory law.

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

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

8 18A:38-25. Every parent, guardian or other person having
9 custody and control of a child between the ages of **[six]** five and 16
10 years, shall cause such child regularly to attend the public schools
11 of the district or a day school in which there is given instruction
12 equivalent to that provided in the public schools for children of
13 similar grades and attainments or to receive equivalent instruction
14 elsewhere than at school.

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

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

18 18A:38-27. Any child **[between the ages of six and 16 years]**
19 required to attend school pursuant to N.J.S.18A:38-25 who shall
20 repeatedly be absent from school, and any child of such age found
21 away from school during school hours whose parent, guardian or
22 other person having charge and control of the child is unable to
23 cause him to attend school and any pupil who is incorrigible,
24 actually vagrant, vicious, or immoral in conduct, shall be deemed to
25 be a juvenile delinquent and shall be proceeded against as such.

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

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

29 18A:38-28. Any attendance officer who shall find any child
30 **[between six and 16 years of age]** required to attend school
31 pursuant to N.J.S.18A:38-25, who is a truant from school, shall take
32 the child and deliver him to the parent, guardian or other person
33 having charge and control of the child, or to the teacher of the
34 school which such child is lawfully required to attend.

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

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37 4. N.J.S.18A:38-31 is amended to read as follows:

38 18A:38-31. A parent, guardian or other person having charge
39 and control of a child **[between the ages of six and 16 years]**
40 required to attend school pursuant to N.J.S.18A:38-25, who shall
41 fail to comply with any of the provisions of this article relating to
42 his duties, shall be deemed to be a disorderly person and shall be
43 subject to a fine of not more than \$25.00 for a first offense and not
44 more than \$100.00 for each subsequent offense, in the discretion of
45 the court. In any such proceeding, the summons issuing therein, or

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 in special circumstances a warrant, shall be directed to the alleged
2 disorderly person and the child.

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

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5 5. This act shall take effect immediately and shall first apply to
6 the second full school year beginning after the date of enactment.

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STATEMENT

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11 This bill lowers the age requirement for compulsory school
12 attendance from six to five years of age. The bill also includes
13 technical corrections to sections of law regarding student truancy to
14 reflect the lower age for compulsory school attendance established
15 by the bill.