

[First Reprint]

ASSEMBLY, No. 5218

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED JUNE 4, 2026

Sponsored by:

Assemblyman GREGORY P. MCGUCKIN

District 10 (Monmouth and Ocean)

Assemblywoman DAWN FANTASIA

District 24 (Morris, Sussex and Warren)

Assemblywoman ROSAURA "ROSY" BAGOLIE

District 27 (Essex and Passaic)

Co-Sponsored by:

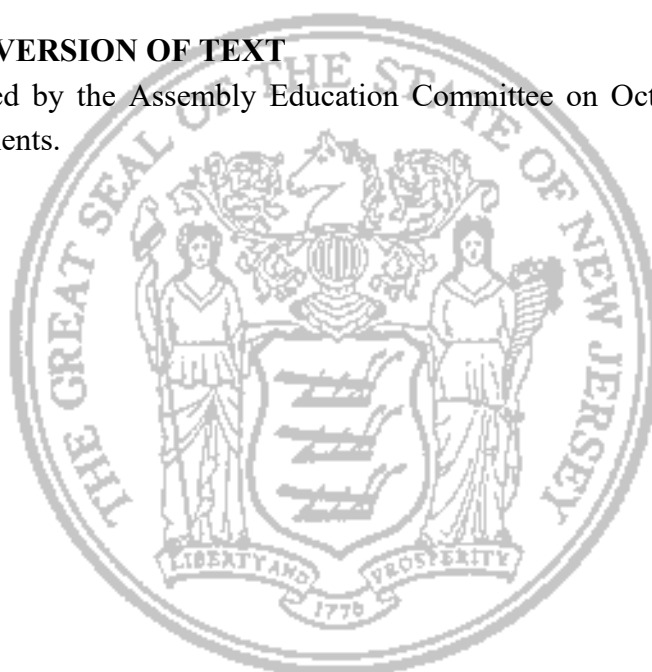
Assemblymen Inganamort, Simonsen and Assemblywoman Brennan

SYNOPSIS

Concerns enrollment of twins or higher order multiples in public preschool programs.

CURRENT VERSION OF TEXT

As reported by the Assembly Education Committee on October 15, 2026, with amendments.



(Sponsorship Updated As Of: 10/19/2026)

1 AN ACT concerning preschool enrollment and amending and
2 supplementing P.L.2008, c.70.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 1 of P.L.2008, c.70 (C.18A:36-38) is amended to
8 read as follows:

9 1. a. (1) A parent or guardian of twins or higher order multiples
10 enrolled in the same **[K]** preschool through 8 grade level at the
11 same public school may request that the children be placed in the
12 same classroom or in separate classrooms. The school principal
13 may recommend a classroom placement to the parent or guardian
14 and may provide the parent or guardian with professional education
15 advice that will assist the parent or guardian in making the best
16 decision for the children's education. The parent or guardian shall
17 request the classroom placement in writing no later than 14 days
18 after the first day of each school year. The school principal shall
19 provide the classroom placement requested by the parent or
20 guardian and the students shall remain in this initial placement for
21 the duration of the school year unless the board of education makes
22 a different classroom placement determination pursuant to the
23 provisions of subsection b. of this section.

24 In the event that the twins or higher order multiples enroll in the
25 school after the school year commences, the parent or guardian
26 shall request the classroom placement in writing no later than 14
27 days after the first day of attendance. The school principal shall
28 provide the classroom placement requested by the parent or
29 guardian if space is available in accordance with written local
30 district class size requirements and the students shall remain in this
31 initial placement for the duration of the school year unless the board
32 of education makes a different classroom placement determination
33 pursuant to the provisions of subsection b. of this section.

34 (2) A parent or guardian of twins or higher order multiples
35 enrolled in the same 9 through 12 grade level at the same public
36 school may request that the children be placed in the same
37 classroom or in separate classrooms. The placement decision shall
38 be made at the discretion of the school principal in the best interests
39 of the school and its students. The parent or guardian may appeal
40 the school principal's decision to the board of education, which
41 shall make a final determination on the placement.

42 b. A school principal may, after consultation with the students'
43 parent or guardian and teachers at the end of the initial grading
44 period, request that the board of education make a different
45 classroom placement determination for the twins or higher order

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AED committee amendments adopted October 15, 2026.

1 multiples if the initial classroom placement is determined to be
2 disruptive to any of the students in the class or classes in which the
3 students are enrolled or if the principal concludes that the initial
4 placement does not sufficiently support the students' academic or
5 social development. Upon receiving the request, the board of
6 education shall make a final classroom placement determination.

7 c. As used in this section, "higher order multiples" means
8 triplets, quadruplets, quintuplets, or larger group of siblings born at
9 one birth.

10 d. The provisions of this section shall not apply to a school
11 district which maintains only a single classroom for the grade level
12 in which the twins or higher order multiples are enrolled.

13 e. The parent or guardian shall be responsible for any
14 additional pupil transportation costs that are incurred by the school
15 district as a result of providing the requested classroom placement,
16 unless the school district is in agreement with the placement.

17 f. In the event that one of the twins or higher order multiples
18 receives special education services, the requested classroom
19 placement shall not be accommodated if the placement is
20 inconsistent with a student's Individualized Education Plan.

21 g. If the twins or higher order multiples enroll in a public
22 preschool program operated by ¹a school district, a Head Start
23 Program, or¹ a licensed child care provider, the parent or guardian
24 may request that the children be placed in the same classroom or in
25 separate classrooms if the ¹【licensed child care provider】 public
26 preschool program¹ maintains multiple preschool classrooms.

27 (cf: P.L.2008, c.70, s.1)

28
29 2. (New section) ¹【a.】¹ A public school that utilizes a lottery
30 system or open enrollment to award seats in a preschool program
31 shall ¹, upon the request of a parent or guardian,¹ treat twins or
32 higher order multiples as one unit in the lottery system or open
33 enrollment. The twins or higher order multiples ¹, if treated as one
34 unit for the purpose of a lottery system or open enrollment pursuant
35 to this section,¹ shall either be selected or waitlisted for seats in the
36 preschool program as one unit ¹【and shall not be placed in
37 preschool programs operated by different schools or licensed child
38 care providers within the district except at the request of the parents
39 or guardians of the twins or higher order multiples】¹. ¹If the
40 number of available seats in a public preschool program utilizing a
41 lottery system or open enrollment is less than the twins or higher
42 order multiples being treated as one unit pursuant to this section,
43 the twins or higher order multiples shall all be waitlisted. The
44 parent or guardian of twins or higher order multiples selected for
45 enrollment in a public preschool program through a lottery or open
46 enrolment pursuant to this section may request that the children be

1 placed in the same classroom or in separate classrooms pursuant to
2 subsection g. of section 1 of P.L.2008, c.70 (C.18A:36-38).¹

3

4 3. This act shall take effect immediately and shall first apply to
5 the first full school year next following the date of enactment.