

1122

2015-2016 Regular Sessions

I N A S S E M B L Y

January 8, 2015

Introduced by M. of A. PAULIN, JAFFEE, PRETLOW, ZEBROWSKI, RAMOS, STECK, ROBERTS, CLARK, HEVESI, RIVERA, SCARBOROUGH, SEPULVEDA, COOK, MAYER, GALEF, ABINANTI, SKOUFIS -- Multi-Sponsored by -- M. of A. CERETTO, FARRELL, GOTTFRIED, HEASTIE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to full day kindergarten

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 1712 of the education law is
2 amended to read as follows:
3 1. The board of education of each school district [may] SHALL maintain
4 kindergartens which shall be free to resident children between the ages
5 of four and six years, provided, however, such board may fix a higher
6 minimum age for admission to such kindergartens. IN THE TWO THOUSAND
7 SEVENTEEN--TWO THOUSAND EIGHTEEN SCHOOL YEAR AND THEREAFTER, ALL SUCH
8 KINDERGARTENS SHALL BE OPERATED ON A FULL-TIME BASIS.
9 S 2. Subdivision 1 of section 2514 of the education law, as added by
10 chapter 762 of the laws of 1950, is amended to read as follows:
11 1. The board of education of each city school district [may] SHALL
12 maintain kindergartens which shall be free to resident children between
13 the ages of four and six years, provided, however, such board may fix a
14 higher minimum age for admission to such kindergartens. IN THE TWO
15 THOUSAND SEVENTEEN--TWO THOUSAND EIGHTEEN SCHOOL YEAR AND THEREAFTER,
16 ALL SUCH KINDERGARTENS SHALL BE OPERATED ON A FULL-TIME BASIS.
17 S 3. Subdivision 1 of section 2555 of the education law, such section
18 as renumbered by chapter 762 of the laws of 1950, is amended to read as
19 follows:
20 1. The board of education of each city [may] SHALL maintain kindergar-
21 tens which shall be free to resident children between the ages of four
22 and six years, provided, however, such board may fix a higher minimum
23 age for admission to such kindergartens. IN THE TWO THOUSAND SEVEN-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD04865-01-5

1 TEEN--TWO THOUSAND EIGHTEEN SCHOOL YEAR AND THEREAFTER, ALL SUCH KINDER-
2 GARTENS SHALL BE OPERATED ON A FULL-TIME BASIS.

3 S 4. Subdivision 9 of section 3602 of the education law, as amended by
4 section 9 of part A of chapter 57 of the laws of 2013, is amended to
5 read as follows:

6 9. Aid for conversion to full day kindergarten. School districts may
7 make available full day kindergarten programs for all children wishing
8 to attend such programs, AND, COMMENCING WITH THE TWO THOUSAND SEVEN-
9 TEEN--TWO THOUSAND EIGHTEEN SCHOOL YEAR, SHALL MAKE FULL-DAY KINDERGAR-
10 TEN PROGRAMS AVAILABLE TO ALL CHILDREN.

11 a. For aid payable in the two thousand seven--two thousand eight
12 school year and thereafter, school districts which provided any half-day
13 kindergarten programs or had no kindergarten programs in the nineteen
14 hundred ninety-six--ninety-seven school year and in the base year, and
15 which have not received an apportionment pursuant to this paragraph in
16 any prior school year, shall be eligible for aid equal to the product of
17 the district's selected foundation aid calculated pursuant to subdivi-
18 sion four of this section multiplied by the positive difference result-
19 ing when the full day kindergarten enrollment of children attending
20 programs in the district in the base year is subtracted from such
21 enrollment in the current year.

22 b. Notwithstanding the provisions of paragraph a of this subdivision,
23 school districts that have received an apportionment pursuant to this
24 subdivision in a prior school year shall be eligible for an apportion-
25 ment where the department grants a waiver upon cause satisfactory to the
26 department, including but not limited to, satisfactory demonstration of
27 significant economic hardship that would impact the school district's
28 ability to provide full day kindergarten for all children wishing to
29 attend such programs. No school district may be granted such a waiver
30 more than once.

31 S 5. This act shall take effect on the first of July next succeeding
32 the date on which it shall have become a law.