STATE OF NEW YORK

1774

2017-2018 Regular Sessions

IN ASSEMBLY

January 13, 2017

Introduced by M. of A. PAULIN, JAFFEE, PRETLOW, ZEBROWSKI, RAMOS, STECK, HEVESI, RIVERA, SEPULVEDA, COOK, MAYER, GALEF, ABINANTI, SKOUFIS, RAIA, LUPARDO -- Multi-Sponsored by -- M. of A. FARRELL, GOTTFRIED -- 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:

Section 1. Subdivision 1 of section 1712 of the education law is amended to read as follows:

1. The board of education of each school district [~~may~~] **shall** maintain kindergartens which shall be free to resident children between the ages of four and six years, provided, however, such board may fix a higher minimum age for admission to such kindergartens. **In the two thousand nineteen--two thousand twenty school year and thereafter, all such kindergartens shall be operated on a full-time basis.**

§ 2. Subdivision 1 of section 2514 of the education law, as added by chapter 762 of the laws of 1950, is amended to read as follows:

1. The board of education of each city school district [~~may~~] **shall** maintain kindergartens which shall be free to resident children between the ages of four and six years, provided, however, such board may fix a higher minimum age for admission to such kindergartens. **In the two thousand nineteen--two thousand twenty school year and thereafter, all such kindergartens shall be operated on a full-time basis.**

§ 3. Subdivision 1 of section 2555 of the education law, such section as renumbered by chapter 762 of the laws of 1950, is amended to read as follows:

1. The board of education of each city [~~may~~] **shall** maintain kindergartens which shall be free to resident children between the ages of four and six years, provided, however, such board may fix a higher minimum age for admission to such kindergartens. **In the two thousand nineteen-**

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

LBD06286-01-7

-two thousand twenty school year and thereafter, all such kindergartens shall be operated on a full-time basis.

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

9. Aid for conversion to full day kindergarten. School districts may make available full day kindergarten programs for all children wishing to attend such programs**, and, commencing with the two thousand nineteen--two thousand twenty school year, shall make full-day kindergarten programs available to all children**.

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

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

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