

Legal Corner

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The New Jersey Universal Preschool and Full-Day Kindergarten Act

On July 9, 2025, Governor Phil Murphy signed the New Jersey Universal Preschool and Kindergarten Act (Act) and additional related legislation into law.¹ Governor Murphy had made it one of his policy priorities to expand preschool and full-day kindergarten programs throughout the State with the intention of improving the educational outcomes of children, particularly those who are economically disadvantaged.²

The Act requires all school districts serving elementary grades to provide full-day kindergarten by the start of the 2029–2030 school year.³ Districts that are unable to implement a full-day kindergarten may enter sending-receiving agreements with neighboring districts to satisfy the mandate.⁴

Regarding the expansion of preschool programs, the law codifies the preschool funding formula⁵ and establishes preschool expansion grants.⁶ The New Jersey Department of Education (NJDOE) will provide at least one opportunity annually to award preschool expansion grants to school districts that provide full-day kindergarten and satisfy other criteria established by the Commissioner, with priority given to districts with high concentrations of at-risk students.⁷ The NJDOE, along with other agencies, will maintain a list of districts offering State-funded preschool, as well as licensed child care providers and Head Start programs in the community.⁸ This list will be updated by July 14th of each year.

The Commissioner will establish a three-year pilot program covering the 2025-2026 through the 2027-2028 school years for preschool education aid that includes a cost-sharing formula between the State and each district receiving aid.⁹ School districts that receive preschool education aid are required, among other things, to demonstrate their ability to partner with licensed child care providers and Head Start programs, submit and implement an annual plan for program implementation, and participate in quality self-assessments.¹⁰

The Act establishes a Universal Preschool Implementation Steering Committee, comprising eight members, including the Commissioner, whose duties include, among other things, recommending the funding methodology for 2028–2029 school year onward, evaluating the pilot program, and making recommendations to expand the preschool workforce.¹¹ To support preschool programs, the NJDOE will develop a “Mixed Delivery Model Preschool Handbook” that contains all relevant legal requirements, guidance documents, and addresses topics such as staffing, curriculum, and assessments, among others.¹² Lastly, the Act addresses accountability and requires that beginning March 1, 2026, and each March 1st thereafter, the NJDOE will report to the Legislature on the status of preschool education in the State and the mixed delivery method of preschool education.¹³

To comply with the new law and ensure that a full-day kindergarten program is in place by the 2029-30 school year and to implement preschool programs, school administrators serving elementary school students will need to plan for facilities, staffing, and budgeting. It will require an assessment of current facilities, which may necessitate expansion or renovation. Additionally, for preschool programs, it may be necessary to apply for preschool program expansion grants to secure financing. School administrators will also need to create and update professional development for early childhood educators. Lastly, school administrators should monitor updates from the Universal Preschool Implementation Steering Committee and get the Mixed Delivery Model Preschool Handbook when released. Questions regarding the Act and its implementation should be directed to the board attorney.

¹ Pub. L. 2025, ch. 100. The Act is codified at N.J.S.A. 18A:44-7 through -12, N.J.S.A. 18A:7F-54.1, and N.J.S.A. 18A:3B-14.4.

² See The New Jersey Strategic Plan for State-Supported Preschool Expansion Phase II: Implementation and New Jersey Strategic Plan for Preschool Expansion Phase I: The Foundation available on the Internet at <https://www.nj.gov/education/earlychildhood/preschool/docs/NewJerseyStrategicPlanforPreschoolExpansionPhase2.pdf> and <https://www.nj.gov/education/earlychildhood/docs/NewJerseyStrategicPlanforPreschoolExpansionPhase1-TheFoundation.pdf>.

³ N.J.S.A. 18A:44-2(b).

⁴ *Id.*

⁵ See N.J.S.A. 18A:7F-54 (as amended).

⁶ See N.J.S.A. 18A:7F-54.1.

⁷ *Id.*

⁸ *Id.*

⁹ See N.J.S.A. 18A:7F-54(h) (as amended).

¹⁰ See N.J.S.A. 18A:44-11.

¹¹ See N.J.S.A. 18A:44-9.

¹² See N.J.S.A. 18A:44-10.

¹³ See N.J.S.A. 18A:44-12.