R.S. 18A:38-25,26

September 14, 1964

LEGISLATIVE NOTES ON R.S. 18A:38-25,26
(School attendance required)

COPY

The first compulsory attendance law in New Jersey was passed in 1874:

L. 1874, p. 135

... Shall attend some public or private school ... or be instructed at home ...

L. 1875, p. 105

L. 1903, Chapter 1 (2d special session) - A1
No statement.
... unless such child is being taught at home ... send such child to a day school.

L. 1914, Chapter 223 - S191
Introduced February 17 by Senator Egan.
No statement.
Was amended before passage.

L. 1919, Chapter 35 - S49
Introduced February 3 by Senator Pilgrim.
Not amended during passage.
Concerns attendance at continuation schools by employed children.

L. 1931, Chapter 307 - S102
Introduced January 26 by Senator Pierson.
Bill had statement.
Amended twice during passage.
Changed wording from 1903 act concerning alternative schooling to the wording which is now in effect. (This change not referred to in the statement).

L. 1940, Chapter 154, § 1 - A174B
Introduced February 5 by Mr. Ferster.
Bill had statement.
This act concerned the upper age limits for leaving school.

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L. 1954, Chapter 180 - A251
Introduced February 19 by Mr. Beadleston.
Not amended during passage.
No statement.
Adds proviso to section:

... but nothing herein shall be construed as permitting the temporary or permanent exclusion from school by the board of education of the district of any child between the ages of 5 and 20, except as explicitly otherwise provided by law.

We searched the following unsuccessfully:

J379.749 L483	Leech, C.G. The constitutional and legal basis of education in New Jersey. 1932.
974.901 E31 1875 1879	N.J. State Board of Education. School Report.
974.90 E24 1930	N.J. Commission to Survey Public Education. Report.

S102 A31

the district of which he is a resident for at least six hours each week for a period of thirty weeks. Credit for attendance at such evening school shall not exceed two hours in one evening.

2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

3. This act shall take effect July first, one thousand nine hundred and thirty-one.

STATEMENT

This bill makes the compulsory school age from 6 years to 16 years, instead of from 7 years to 16 years, and also permits a pupil between the ages of 14 years and 16 years who has completed the eighth grade to attend an approved evening school in lieu of attendance at a day continuation school.

1940 A174 B

STATEMENT

The purpose of this bill is:

1. To amend the Child Labor Law of New Jersey to bring it into conformity with the school laws of the neighboring States, all of which require children to remain in school until 16 years, and also with the Federal Wage and Hour Law, which requires the same standards. In the year ending August 31, 1939, 3,449 New Jersey children of 14 and 15 years secured work licenses.

2. To raise the age of boys engaged in street trades from 10 years (one of the lowest age levels in any State) to 14 and of girls to 18 years, and sets a minimum age for children engaged in agriculture of 12 years and forbids nonresident children from working in New Jersey when schools are in session. For vacation employment the age is 14 and work in factories is forbidden.

3. It restricts hours of work for minors up to 18 years to 8 a day, 40 a week, and to 6 consecutive days in any week. Minors under 16 may not work before 7 A. M., or after 6 P. M.; below 18 years, before 6 A. M., or after 10 P. M., except in concert or theatrical performances up to 11 P. M.

4. It provides adequate certification of working papers for minors and forbids the employment of minors under 18 years in a limited list of hazardous occupations.

5. It does away with continuation schools, thus providing reallocation of funds for vocational education.

6. It shifts unemployment for minors from the higher age levels to the lower, and thus provides more jobs for breadwinners rather than infants.