

THE LISTENING POST

UNTIL THE PAST few years school legislation affecting the education of children below the age of 6 has dealt chiefly with the conditions under which kindergartens may be established in the public schools. Wartime needs for nursery schools have caused some adjustments of this kindergarten legislation to include younger children. In a few instances legislation designed to meet wartime needs is of a temporary nature and will terminate at the close of the war. However, in several states the new legislation seems to be of a permanent nature, specifically authorizing or implying authorization for the organization and maintenance of nursery schools as a part of public school offerings.

This current interest in school provisions for young children suggests the need for school and community workers in all states to study the local needs for kindergartens and nursery schools and the effectiveness of legislation enabling, restricting, or requiring local school officials to add or extend this service as part of the elementary school.

Characteristics of such laws which could well be studied include the age of entrance, possible limitations upon the size or location of towns or cities in which schools for young children may be conducted, the source of funds and any restrictions upon their use, the voice parents or citizens may have in requesting or demanding school facilities appropriate for children below the age of 6, the authority vested in boards of education with respect to opening or closing these schools, and the qualifications for the certification of teachers.

A current review of legislation concerning early childhood education shows that the statutes of forty-two states and the District of Columbia include some express provisions to authorize the establishment of kindergartens. In states where the laws are silent with reference to kindergartens—Arkansas, Massachusetts, Nebraska, New Hampshire, Rhode Island, and Tennessee, the provision of

this school program has been construed as permissible under the general terms of the state school laws with the exception of Tennessee and possibly Arkansas. Specific authorization for organizing and conducting nursery schools is included in the Florida School Code and in recently amended school legislation for the states of Illinois, Michigan, New Jersey, Oregon, and Wisconsin. Such authority is implied in the 1943 Cumulative Supplement to General Statutes of Connecticut which gives boards of education the opportunity to maintain such educational activities as best serve the interests of the town.

Temporary legislative permission has been granted local school boards in a number of states to conduct nursery schools and kindergartens as part of the program designed to assist the war effort through releasing women for industrial employment. Although little information is available as to possible plans for making this temporary permission a permanent regulation, it is conceivable that the values of nursery schools and kindergartens to a child's development both at school and—through parent-school cooperation—at home, may cause requests for continued authorization of these school services.

For those interested in assuring educational opportunities for children below the age of 6 in states which have not already made such provisions, it seems important that they consider appropriate steps toward one or more of the following objectives: (1) to remove legal obstacles which prevent the distribution of state or local school funds for the education of the children indicated above, (2) to obtain legislation expressly authorizing school boards to establish the appropriate school program needed, and (3) to obtain legislation which would require school boards to establish and maintain adequate facilities upon the petition of a reasonable number of parents or interested citizens.—*Mary Dabney Davis*, U. S. Office of Education, for DSCD Legislative Committee.

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