



50-STATE REVIEW



Age Requirements for Free and Compulsory Education

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Across the nation, policymakers continue to examine age requirements for free and compulsory education both to ensure students receive the benefits of early education and to reduce student dropout rates in high school. However, the number of years that states require attendance varies, from 9 years to 13 years. Since this 50-State Review was last released in May 2015, several states have begun to expand their age requirements for compulsory attendance at both ends of the K-12 spectrum; and 11 states now require that students attend school for 13 years.¹

All states offer free education for more years than they require attendance.

Oregon expanded the lower limit of its compulsory education age from age 7 to age 6, and **Rhode Island** moved from age 6 to age 5. Additionally, **Maryland**

and **Texas** expanded the upper limit of their compulsory attendance ages to age 18 and age 19, respectively.

Research supports the benefits of extending schooling on both ends of the K-12 spectrum, in the early years and through high school graduation. Most states begin free education at age 5, and some provide extensions to younger students or allow local education agencies to make this decision. Additionally, states often allow younger children to enter kindergarten before the required lower age limit if they will reach that age during the school year or within a specified time frame. Although only 13 states and the District of Columbia require districts to offer full-day kindergarten, 35 states report that 70-89 percent of their students attend full-day kindergarten programs — demonstrating an increasing desire for the youngest students to have access to schooling.² Lowering the age requirement for compulsory attendance ensures that students have

DEFINITIONS

While states offer free public education to students within a certain age range, they also specify the years in which attendance is mandatory. In all states, the age range offered is greater than the range in which attendance is compulsory.

- Age requirements for a **FREE EDUCATION** refer to the years in which a student *must be admitted* into a public school *free of charge*. A range of age 5 to age 21 means that the district provides a child with a free education beginning on their 5th birthday and continuing through their 21st birthday.
- Age requirements for **COMPULSORY EDUCATION** refer to the years in which a student is *required to attend school* or an equivalent program defined by law.

access to the social, emotional and cognitive exposure and learning they need to be successful in future years.

Access to educational opportunities is just as important at the end of a student's public education as it is at the beginning. As high school graduation rates have increased to 83 percent, states continue to look for policy tools to support students in completing their secondary education and acquiring the necessary skills to excel in career or postsecondary opportunities.³ Research indicates that an additional year of high school is associated with a 10 percent increase, on average, in lifetime earnings, which supports an extension of the upper limit of the age requirements for compulsory attendance.⁴

Exemptions

On both ends of the K-12 spectrum, exemptions exist to support students with circumstances outside of the compulsory attendance requirements. Some states extend authority to districts to adjust to local needs, often providing specialized support for rural schools. Additionally, states often have exceptions for school entry when students are enrolling from different states where the lower age limit varies.

Students can sometimes be exempt from compulsory school attendance in the following cases:

- Employment.
- Physical or mental condition that impacts attendance.
- Parental permission.
- District or local school board permission.
- Enrollment in a work-based program, such as a career or technical school.
- Completion of graduation requirements, regardless of age.

Students are required to attend school for as few as nine years and up to 13 years, depending on the state.

Policy Considerations

By evaluating age requirements for free and compulsory education, policymakers can better support students — especially special education and at-risk students — at both ends of their educational experiences. When combined with early learning and high school support strategies, the following policy considerations can ensure that all students are given appropriate access to public education:

- Extend age requirements for free education to support early learning programs.
- Examine age requirements and funding lengths for special education.
- Engage families and community partners in supporting students.
- Develop data systems to create early-warning indicators and intervention systems to support students at risk of dropping out.
- Utilize dropout prevention policies.
- Align the age requirements for compulsory attendance to match the age requirements for free education.

How Many Years Is School Attendance Required?



7 STATES: Alaska, Idaho, Montana, North Carolina, North Dakota, Pennsylvania, Wyoming



12 STATES: Arizona, Florida, Georgia, Iowa, Maine, Massachusetts, Minnesota, Missouri, New Jersey, New York, Vermont, Washington



10 STATES: Alabama, Colorado, Delaware, Illinois, Indiana, Kansas, Louisiana, Mississippi, Nevada, West Virginia



12 STATES: California, Kentucky, Michigan, Nebraska, New Hampshire, Ohio, Oregon, South Carolina, South Dakota, Tennessee, Utah, Wisconsin



10 STATES: Arkansas, Connecticut, District of Columbia, Hawaii, Maryland, New Mexico, Oklahoma, Rhode Island, Texas, Virginia



State Example

In 2015, the **Oregon** legislature approved S.B. 321 to change the state's lower compulsory attendance age from 7 to 6 years old. This law took effect July 1, 2016. As part of the legislative process, additional information about 6-year-old enrollment revealed that the majority of 6-year-olds were already enrolled in public school or accepted educational programs, with this bill likely impacting no more than 2,000 students in a given academic year.⁵



State Example

In 2011, **Rhode Island** extended its age requirements for compulsory attendance to age 18 and in 2015, to age 5 so that compulsory attendance applies to all students enrolled in kindergarten. Additionally, the state requires that districts offer full-day kindergarten. When students are at-risk of dropping out — often determined by early-warning indicators — an alternative-learning plan can be established to support the student.⁶

Educational Age Requirements and Limits Across the United States

State	Age Requirements for Free Education	Age Requirements for Compulsory Education	Notes	Statute
Alabama	5-19	6-17	In city school systems, students are entitled to admission until age 19. The parent or legal guardian of a 6-year-old child may opt them out of enrollment by notifying the local board of education, in writing, that they will not be enrolled in school until they are 7 years old.	Ala.Code 1975 § 16-28-4 Ala.Code 1975 § 16-11-16 Ala.Code 1975 § 16-28-3
Alaska	5-20	7-16 (or completion of 12th grade)		AS § 14.03.080 AS § 14.03.070 AS § 14.30.010
Arizona	6-21	6-16 (or completion of 10th grade)		A.R.S. § 15-821 A.R.S. Const. Art. 11 § 6 A.R.S. § 15-802
Arkansas	5-21	5-18		A.C.A. § 6-18-202 A.C.A. § 6-18-207 A.C.A. § 6-18-201
California	5-21	6-18	No school district may receive school district appropriations for independent study by students 21 years of age or older, or by students 19 years of age or older who have not been continuously enrolled in kindergarten or any of the first to 12th grades, inclusive, since their 18th birthday.	Ann.Cal.Educ.Code § 48000 Ann.Cal.Educ.Code § 46300.1 Ann.Cal.Educ.Code § 48200
Colorado	5-21	6-17		C.R.S.A. § 22-1-102 C.R.S.A. § 22-33-104
Connecticut	5-21	5-18	The parent of a 5- or 6-year-old child may opt out of enrolling them until age 7 by personally appearing at the school district office and signing an option form.	C.G.S.A. § 10-186 C.G.S.A. § 10-184
Delaware	5-21	5-16		14 Del.C. § 202 14 Del.C. § 2702
District of Columbia	5-no upper age limit	5-18	A student who is at least 3 years old by Sept. 30 is eligible for admission to a preK-3 program, when preschool programs are available. A student who is 4 years old by Sept. 30 is eligible for a preK-4 program. A student who is 5 years old by Sept. 30 is eligible for admission to kindergarten. An adult student who is a resident is eligible for free instruction in the schools and programs of D.C. Public Schools, as long as the student meets all other criteria and prerequisites for admission.	5-E DCMR § 2004 5-E DCMR § 2000 DC ST §38-202
Florida	4-not in statute	6-16		F.S.A. Const. Art. 9 § 1 F.S.A §1003.21

State	Age Requirements for Free Education	Age Requirements for Compulsory Education	Notes	Statute
Georgia	5-19	6-16		Ga. Code Ann., § 20-2-150 Ga. Code Ann., § 20-2-690.1
Hawaii	5-20	5-18		HRS § 302A-1134 HRS § 302A-1132
Idaho	5-21	7-16		I.C. § 33-201 I.C. § 33-202
Illinois	4-21	6-17	Re-enrollment is denied to children 19 years of age or older who have dropped out of school and who cannot (because of age and lack of credits) attend classes during the normal school year and graduate before their 21st birthday.	105 ILCS 5/34-19 105 ILCS 5/26-2 105 ILCS 5/26-1
Indiana	5-22	7-18		IC 20-33-2-7 IC 20-21-1-6 IC 20-33-2-6
Iowa	5-21	6-16	Children enrolled in preschool programs (who are 4 years old by Sept. 15) are considered to be of compulsory-school-attendance age.	I.C.A. § 282.1 I.C.A. § 299.1A
Kansas	5-no upper age limit	7-18	No upper age limit for free education exists. Adults have access to an education if they enroll in a public school. However, school districts are not required to provide educational services in a regular school setting to anyone who has reached 19 years of age and who is not currently enrolled in the school district. If a school district elects not to provide such person with educational services in a regular school setting, the school district must offer the person educational services in an alternative setting or an alternative educational program.	K.S.A. 72-1107 K.S.A. 72-53,111 K.S.A. 72-1111
Kentucky	5-21	6-18		KRS § 158.030 KRS § 158.100 KRS § 159.010
Louisiana	5-20	7-18	Each city and parish school board, by rule, may provide for a child younger than age 5 to enter kindergarten, provided that they have been evaluated and identified as gifted in accordance with the regulations of the state department of education. Admission must be granted to students who are 19 years of age or younger on Sept. 30 of the calendar year in which the school year begins, or is 20 years of age on Sept. 30 of the calendar year in which the school year begins and has sufficient course credits that they will be able to graduate within one school year of admission or re-admission.	LSA-R.S. 17:151.3 LSA-R.S. 17:221 LSA-R.S. 17:222
Maine	5-20	7-17	A child who will be at least 5 years old on Oct. 15 of the school year may enroll in school. A child who will be at least 4 years old on Oct. 15 of the school year may enroll in a public preschool program prior to kindergarten, if it is offered.	20-A M.R.S.A. § 5201 20-A M.R.S.A. § 5001-A



State	Age Requirements for Free Education	Age Requirements for Compulsory Education	Notes	Statute
Maryland	5-21	5-18		MD Code, Education, § 7-101 MD Code, Education, § 7-301 Maryland State Department of Education “State Enrollment”
Massachusetts	3-22	6-16	Each school committee is permitted to establish its own minimum age for school attendance, provided that it is not older than the mandatory minimum age established by the state.	M.G.L.A. 71B § 1 603 CMR 8.02 M.G.L.A. 76 § 1 Massachusetts Department of Education “School Finance: School Choice”
Michigan	5-20	6-18		M.C.L.A. 380.1147 M.C.L.A. 388.1606 M.C.L.A. 380.1561
Minnesota	5-21	7-17		M.S.A. § 120A.20 M.S.A. § 120A.22
Mississippi	5-21	6-17		Miss. Code Ann. § 37-15-9 Miss. Code Ann. § 37-45-1 Miss. Code Ann. § 37-13-91
Missouri	5-21	7-17 (or completion of 16 credits toward high school graduation)	A child between ages 5-7 can be excused from attendance at school if a parent or guardian makes a written request that the child be dropped from the school's rolls.	V.A.M.S. 160.051 V.A.M.S. 167.031 Missouri Department of Education “Compulsory Attendance Law”
Montana	5-19	7-16 (or completion of 8th grade)		MCA 20-7-117 MCA 20-5-101
Nebraska	5-21	6-18	A child is of mandatory-attendance age if they will reach age 6 prior to Jan. 1 of the current school year.	Neb. Const. Art. VII, § 1 Neb.Rev.St. § 79-201
Nevada	5-21	7-18	Students may attend a comprehensive public school until age 21; or, from age 18, they may attend an adult high school program. There is no upper age limit for adult high schools.	N.R.S. 392.040 Nev. Admin. Code 387.345(5)
New Hampshire	LEA decision - 21	6-18		N.H. Rev. Stat. § 189:1-a N.H. Rev. Stat. § 193:1
New Jersey	5-20	6-16		N.J.S.A. 18A:38-1 N.J.S.A. 18A:38-25
New Mexico	5-not in statute	5-18		N. M. S. A. 1978, § 22-8-2 N. M. S. A. 1978, § 22-12-2



State	Age Requirements for Free Education	Age Requirements for Compulsory Education	Notes	Statute
New York	5-21	6-16	<p>The boards of education of the Syracuse, New York city, Rochester, Utica and Buffalo school districts are authorized to require children who are 5 years old by Dec. 1 to attend kindergarten, unless the parents elect not to enroll their children until the following September or their children are enrolled in a non-public school or in home instruction.</p> <p>Local boards of education have the power to require 16- and 17-year-old students who are not employed to attend full-time day instruction until the last day of session in the school year in which the student turns 17.</p>	McKinney's Education Law § 3202 McKinney's Education Law § 3205
North Carolina	5-21	7-16		N.C.G.S.A. § 115C-364 N.C.G.S.A. § 115C-1 N.C.G.S.A. § 115C-378
North Dakota	5-21	7-16		NDCC, 15.1-06-01 NDCC, 15.1-20-01
Ohio	5-22	6-18		R.C. § 3313.64 R.C. § 3321.01
Oklahoma	5-21	5-18	Children who are at least 4, but not more than 5, years of age by Sept. 1 are entitled to attend either half- or full-day early childhood programs in their district of residence, free of charge, as long as the district has the physical facilities and teaching personnel to accommodate the child.	70 Okl.St. Ann. § 1-114 70 Okl.St. Ann. § 10-105
Oregon	5-19	6-18	A district may choose to admit a student who is not yet 21 years old if they are in need of additional education to receive a high school diploma.	O.R.S. § 339.115 O.R.S. § 339.010
Pennsylvania	6-21	8-17	<p>Although state statute dictates that every child ages 6-21 may attend the public schools in their districts, the board of directors in any school district can establish and maintain kindergarten requirements for children ages 4-6.</p> <p>A child who reaches age 21 during the school term and who has not graduated from high school may continue to attend the public schools in their district, free of charge, until the end of the school term.</p>	24 P.S. § 13-1301 24 P.S. § 5-503 24 P.S. § 13-1326
Rhode Island	5-21	5-18	<p>Although some school districts allow students to complete the school year after they turn 21, this practice is not universal and not required.</p> <p>The compulsory-school age is 16 for a student who has an alternative learning plan for obtaining a high school diploma or its equivalent.</p>	RI Gen. Laws 1956, § 16-2-27 Rhode Island Board of Education Regulations Governing the Education of Children with Disabilities, Continuum of special education placements and services Part 300.115(A)(6) RI Gen. Laws 1956, § 16-19-1
South Carolina	5-22	5-17	Individuals older than 21 years old may attend night schools.	Code 1976 § 59-63-20 Code 1976 § 59-65-10



State	Age Requirements for Free Education	Age Requirements for Compulsory Education	Notes	Statute
South Dakota	5-21	6-18	The compulsory-school age is 16 if a child enrolls in a General Education Development test preparation program that is school-based or for which a school contracts, and the child successfully completes the test or reaches the age of 18.	SDCL § 13-28-2 SDCL § 13-28-5 SDCL § 13-27-1
Tennessee	5-not in statute	6-18		T.C.A. § 49-6-3001 Tenn. Comp. R. & Regs. 0520-01-03
Texas	5-26	6-19		V.T.C.A., Education Code § 25.001 V.T.C.A., Education Code § 25.085
Utah	5-not in statute	6-18		U.C.A. 1953 § 53A-3-402 U.C.A. 1953 § 53A-11-101
Vermont	5-no upper age limit	6-16 (or completion of 10th grade)		16 V.S.A. §1073 16 V.S.A. § 1121 16 V.S.A. § 945
Virginia	5-20	5-18		VA Code Ann. §22.1-1 VA Code Ann. §22.1-254
Washington	5-21	8-18		RWCA 28A.225 RCWA 28A.225.010
West Virginia	5-22	6-17		W. Va. Code, § 18-5-18 W. Va. Code, § 18-5-15 W. Va. Code, §18-8-1a
Wisconsin	4-20	6-18		W.S.A. Const. Art. 10, § 3 W.S.A. 118.15
Wyoming	5-21	7-16 (or completion of 10th grade)		W.S. 1977 § 21-4-301 W.S. 1977 §21-4-102

ENDNOTES

1. Stephanie Aragon, *Free and compulsory school age requirements*, (Denver: Education Commission of the States, May 2015), <https://www.ecs.org/clearinghouse/01/18/68/11868.pdf>.
2. Emily Parker, Louisa Diffey, and Bruce Atchison, *Full-Day Kindergarten: A look across the states* (Denver: Education Commission of the States, 2016), <https://www.ecs.org/ec-content/uploads/Full-Day-Kindergarten-A-look-across-the-states.pdf>; and “Map: Full-Day Kindergarten Participation,” *Education Week*, January 5, 2015, <http://www.edweek.org/ew/qc/2015/map-full-day-kindergarten-participation.html>.
3. “Public High School Graduation Rates,” National Center for Education Statistics, last modified April 2017, https://nces.ed.gov/programs/coe/indicator_coi.asp.
4. Derek Messacar and Philip Oreopoulos, *Staying in School: A Proposal to Raise High School Graduation Rates*, (Washington, DC: The Hamilton Project at Brookings Institution, September 2012), http://www.hamiltonproject.org/assets/files/a_proposal_to_raise_high_school_graduation_rates.pdf.
5. “Implementation Requirements Compulsory Attendance Policy §RIGL 16-19-1,” Rhode Island Department of Education, updated August 1, 2013, <http://ride.ri.gov/Portals/0/Uploads/Documents/Diploma-System/Compulsory-Attend-Policy.pdf>.
6. “Fiscal Impact of Proposed Legislation,” Oregon Legislative Assembly 2015, Measure SB 321-A, <https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureAnalysisDocument/27475>.

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