



## Attendance

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### Compulsory School Age Requirements

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#### Summary

Compulsory school attendance refers to the minimum and maximum age required by each state in which a student must be enrolled in and attending public school or some equivalent education program defined by the law.

The vast majority of states include an added clause providing for pupils to be released from compulsory attendance requirements upon graduation of high school, regardless of their age.

**Arizona, Vermont and Wyoming** all exempt children from compulsory attendance requirements upon completion of the 10th grade.

Five states – **Virginia, South Dakota, Nevada, Maryland and Connecticut** – allow the minimum compulsory age to be extended by at least one year if the parent(s) obtain a waiver from their assigned school.

Nearly half of all states allow children ranging from age 14 to 18 to be exempt from the compulsory attendance requirement if they meet one or more of the following stipulations: are employed, have a physical or mental condition that makes the child's attendance infeasible, have passed the 8th-grade level, have their parents' permission, have the permission of the district court or the local school board, meet the requirements for an exit interview, or have arranged alternative education such as vocational or technical school. Endnotes are provided for Indiana, Louisiana, Massachusetts and Virginia as examples of such legislation.

#### Part I: Age Ranges

*Minimum compulsory age and corresponding number of states:*

- Age 5: 8 states and the District of Columbia, Puerto Rico and Virgin Islands
- Age 6: 24 states and American Samoa
- Age 7: 16 states
- Age 8: 2 states

*Maximum compulsory age and corresponding number of states:*

- Age 16: 24 states and the Virgin Islands
- Age 17: 8 states
- Age 18: 18 states and the District of Columbia, American Samoa, and Puerto Rico

<b>State/Territory</b>	<b>Requirement</b>	<b>Citation</b>
Alabama	7-16	ALA. CODE § 16-28-3
Alaska	7-16	ALASKA STAT. 14.30.010
Arizona	6-16 or completion of grade 10	ARIZ. REV. STAT. § 15-802
Arkansas <sup>1</sup>	5-17	ARK. STAT. ANN. § 6-18-201
California	6-18	CAL. EDUC. CODE § 48200
Colorado	6-17	COLO. REV. STAT. § 22-33-104
Connecticut <sup>2</sup>	5-18	CONN. GEN. STAT. § 10-184
Delaware	5-16	14 DEL. CODE ANN. §2702
District of Columbia	5-18	D.C. CODE ANN. § 38-202
Florida	6-16	FLA. STAT. § 1003.21
Georgia	6-16	GA. CODE ANN. § 20-2-690.1
Hawaii	6-18	HAW. REV. STAT. § 302A-1132
Idaho	7-16	IDAHO CODE § 33-202
Illinois	7-17	105 ILL. COMP. STAT. ANN. 5/26-1
Indiana <sup>3</sup>	7-16	IND. CODE ANN. § 20-33-2-6
Iowa	6-16	IOWA CODE §299.1A
Kansas	7-18	KAN. STAT. ANN. § 72-1111
Kentucky	6-16	KY. REV. STAT. ANN. § 159.010
Louisiana <sup>4</sup>	7-18	LA. REV. STAT. ANN. § 17:221
Maine	7-17	ME. REV. STAT. ANN. § TIT. 20A, § 3271
Maryland	5-16	MD. CODE ANN., EDUC. § 7-301
Massachusetts <sup>5</sup>	6-16	MASS. REGS. CODE TIT. 603. § 8.02 MASS. GEN. LAWS ANN. CH. 76 § 1
Michigan	6-16	MICH. STAT. ANN. § 380.1561
Minnesota	7-16	MINN. STAT. § 120A.22
Mississippi	6-17	MISS. CODE ANN. § 37-13-91
Missouri	7-16	MO. REV. STAT. § 167.031
Montana <sup>6</sup>	7-16	MONT. CODE ANN. § 20-5-102
Nebraska	6-18	NEB. REV. STAT. ANN. § 79-201
Nevada	7-18	NEV. REV. STAT. ANN. § 392.040
New Hampshire <sup>7</sup>	6-18 (effective 7/01/09)	N.H. REV. STAT. ANN. § 242.1
New Jersey	6-16	N.J. REV. STAT. §18A:38-25
New Mexico	5-18	N.M. STAT. ANN. § 22-8-2; § 22-12-2
New York <sup>8</sup>	6-16	N.Y. EDUC. LAW § 3205
North Carolina	7-16	N.C. GEN. STAT. § 115C-378
North Dakota	7-16	N.D. CENT. CODE § 15.1-20-01
Ohio	6-18	OHIO REV. CODE ANN. § 3321.01
Oklahoma	5-18	70 OKLA. STAT. TIT, 70, § 10-105
Oregon	7-18	OR. REV. STAT. § 339.010
Pennsylvania	8-17	PA. STAT. ANN. § 13-1326
Rhode Island	6-16	R.I. GEN. LAWS § 16-19-1
South Carolina <sup>9</sup>	5-17	S.C. CODE ANN. § 59-65-10
South Dakota	6-18	S.D. CODIFIED LAWS § 13-27-1
Tennessee <sup>10</sup>	6-17	TENN. CODE ANN. § 49-6-3001
Texas <sup>11</sup>	6-18	TEX. EDUC. CODE ANN. § 25.085
Utah	6-18	UTAH CODE ANN. § 53A-11-101
Vermont	6-16 or completion of grade 10	VT. STAT. ANN. TIT. 16 § 1121
Virginia <sup>12</sup>	5-18	VA. CODE ANN. § 22.1-254
Washington	8-18	WASH. REV. CODE § 28A.225.010
West Virginia	6-16	W. VA. CODE § 18-8-1
Wisconsin	6-18	WIS. STAT. § 118.15
Wyoming	7-16 or completion of grade 10	WYO. STAT. ANN. § 21-4-102
Am. Samoa	6-18	ASCA 16-3-16.0302
Puerto Rico	5-18	3 P.R. LAWS ANN. § 143B
Virgin Islands	5-16	V.I. CODE ANN. TIT. 17, § 82

*Notes:*

<sup>1</sup> Arkansas: "Any parent, guardian, or other person residing within the state and having custody or charge of any child may elect for the child not to attend kindergarten if the child will not be age six on September 15 of that particular school year."

<sup>2</sup> Connecticut: "The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age and the parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age."

<sup>3</sup> Indiana: An individual is required to stay in school until he or she: graduates; is between 16 and 18 and meets the requirements for an exit interview; or reaches at least 18 years of age. Withdrawal before 18 requires parent/guardian's and principal's written permission.

<sup>4</sup> Louisiana: "A child between the ages of seventeen and eighteen may withdraw from school prior to graduation with the written consent of his parents, tutor, or legal guardian. Any child below the age of 7 who legally enrolls in school is also subject to the provisions."

<sup>5</sup> Massachusetts: "Every child between the minimum and maximum ages established for school attendance by the board of education, except a child between fourteen and sixteen who meets the requirements for the completion of the sixth grade of the public school as established by said board and who holds a permit for employment in private domestic service or service on a farm, under section eighty-six of chapter one hundred and forty-nine, and is regularly employed thereunder for at least six hours per day, or a child between fourteen and sixteen who meets said requirements and has the written permission of the superintendent of schools of the town where he resides to engage in non-wage-earning employment at home, or a child over fourteen who holds a permit for employment in a cooperating employment, as provided in said section eighty-six, shall, subject to section fifteen, attend a public day school in said town, or some other day school approved by the school committee, during the number of days required by the board of education in each school year, unless the child attends school in another town, for said number of days, under sections six to twelve, inclusive, or attends an experimental school project established under an experimental school plan, as provided in section one G of chapter fifteen, but such attendance shall not be required of a child whose physical or mental condition is such as to render attendance inexpedient or impracticable subject to the provisions of section three of chapter seventy-one B or of a child granted an employment permit by the superintendent of schools when such superintendent determines that the welfare of such child will be better served through the granting of such permit, or of a child who is being otherwise instructed in a manner approved in advance by the superintendent or the school committee."

<sup>6</sup> Montana: requires that a child shall remain in school until the later of either the child's 16th birthday or the date of completion of the work of the eighth grade.

<sup>7</sup> New Hampshire: The superintendent, may grant waivers upon proof that the pupil is 16 years of age or older and has an alternative learning plan for obtaining either a high school diploma or its equivalent. This law takes effect July 1<sup>st</sup>, 2009.

<sup>8</sup> New York: Both New York City and Buffalo require minors to attend school from the age of 6 until the age of 17. Districts are authorized to require minors between 16 and 17 who are not employed to attend school. The board of education of the Syracuse city school district is authorized to require minors who are five years of age on or before December first to attend kindergarten instruction.

<sup>9</sup> South Carolina: In South Carolina, kindergarten is mandatory. However, state statutes permit parental waiver for kindergarten at age five.

<sup>10</sup> Tennessee: "A parent or guardian who believes that such parent's or guardian's child is not ready to attend school at the designated age of mandatory attendance may make application to the principal of the public school which the child would attend for a one semester or one year deferral in required attendance."

<sup>11</sup> Texas: School districts may require persons who voluntarily enroll in school or voluntarily attend school after their 18th birthday to attend school until the end of the school year.

<sup>12</sup> Virginia: "For a student who is at least 16 years of age, there shall be a meeting of the student, the student's parents, and the principal or his designee of the school in which the student is enrolled in which an individual student alternative education plan shall be developed in conformity with guidelines prescribed by the Board..."

## Part II: Statutory Excerpts

**Alabama** – "Every child between the ages of **7** and **16** . . . ."

**Alaska** – "Every child between **7** and **16** years of age . . . ."

**American Samoa** – ". . . the age of **six** through **eighteen** . . . ."

**Arizona** – "Every child between the ages of **6** and **16** years . . ." or ". . . has completed the high school course of study necessary for completion of graduation . . . ."

**Arkansas** – ". . . age **5** through **17** years on or before September 15<sup>th</sup> of that year. . . ."

**California** – "Each person between the ages of **6** and **18** . . . ."

**Colorado** – "Every child who has attained the age of **6** years and is under the age of **17** years on or before August 1<sup>st</sup> of each year . . . ."

**Connecticut** – ". . . a child **five** years of age and over and under **eighteen** years of age . . . ."

**Delaware** – ". . . a child between **5** years of age and **16** years of age . . . ."

**District of Columbia** – ". . . a minor who has reached the age of **5** years or will become **5** years of age on or before December 31st of the current school year . . . until the minor reaches the age of **18** years."

**Florida** – "All children who have attained the age of **6** years or who will have attained the age of **6** years by February 1 of any school year or who are older than **6** years of age but who have not attained the age of **16** years . . . ."

**Georgia** – ". . . between their **sixth** and **sixteenth** birthdays . . . ."

**Hawaii** – ". . . all children who will have arrived at the age of **6** years, and who will not have arrived at the age of **18** years, by January 1 of any school year . . . ."

**Idaho** – ". . . any child resident in this state who has attained the age of **7** years at the time of commencement of school in his district, but not the age of **16** years . . . ."

**Illinois** - ". . . any child between the ages of **7** and **17** years . . . ."

**Indiana** – ". . . the individual becomes **7** years of age until . . . reaches at least **16** years of age but who is less than **18** years of age and the requirements under subsection (j) concerning an exit interview are met enabling the individual to withdraw from school before graduation; or . . . the individual reaches at least **18** years of age . . . ."

**Iowa** – "A child who has reached the age of **6** and is under **16** years of age by September 15 . . . ."

**Kansas** – ". . . any child who has reached the age of **7** years and is under the age of **18** years . . . ."

**Kentucky** – ". . . any child between the ages of **6** and **16** . . . A child's age is between **6** and **16** when the child has reached his **6th** birthday and has not passed his **16th** birthday. . . ."

**Louisiana** – ". . . from that child's **seventh** birthday until his **eighteenth** birthday . . . ."

**Maine** – "Persons . . . who are at **7** and under **17** years of age . . . ."

**Maryland** – ". . . each child who . . . is **5** years old or older and under **16** . . . ."

**Massachusetts** – "Each child must attend school beginning in September of the calendar year in which he or she attains the age of **six**." (Language for the maximum age found in MASS. GEN. LAWS ANN. 76 § 1.)

**Michigan** – ". . . a child from the age of **6** to the child's **16th** birthday . . . ."

**Minnesota** – ". . . every child between **7** and **16** years of age...A parent may withdraw a child under the age of 7 from enrollment at any time."

**Mississippi** – ". . . a child who has attained or will attain the age of **6** years on or before September 1 of the calendar year and who has not attained the age of **17** years on or before September 1 of the calendar year...and any child who has attained or will attain the age of 5 years on or before September 1<sup>st</sup> and has enrolled in a full-day public school program."

**Missouri** – ". . . a child between the ages of **7** and **16** years...Any parent, guardian or other person who enrolls a child between the ages of 5-7 years in a public school program of academic instruction shall cause such a child to attend the academic program on a regular basis."

**Montana** – ". . . any child who is **7** years of age or older prior to the first day of school in any school fiscal year . . . until . . . the child's **16th** birthday . . . ."

**Nebraska** – ". . . a child is of mandatory attendance age if the child (i) will reach **six** years of age prior to January 1 of the then-current school year. . . .and (iii) has not reached **eighteen** years of age."

**Nevada** – ". . . any child between the ages of **7** and **18** years..."

**New Hampshire** – ". . . any child at least **6** years of age and under **18** years of age . . . ."

**New Jersey** – ". . . a child between the ages of **6** and **16** years . . . ."

**New Mexico** – ". . . *is at least five years of age prior to 12:01 a.m. on September 1 of the school year; . . . until the school age-person is at least 18 years of age unless that person has graduated from high school or received a general educational development certificate.*"

**New York** – ". . . each minor from **6** to **16** years of age . . . ."

**North Carolina** – ". . . a child between the ages of **7** and **16** years . . . ."

**North Dakota** – ". . . child of an age of **7** years to **16** years. . . .and if a person enrolls a child of age 6 in a public school, the person shall ensure that the child is in attendance for the entire school year."

**Ohio** – "A child between **6** and **18** years of age is 'of compulsory age'..."

**Oklahoma** – ". . . a child who is over the age of **5** years, and under the age of **18** years . . . ."

**Oregon** – ". . . all children between the ages of **7** and **18** years . . . ."

**Pennsylvania** – ". . . not be later than at the age of **8** years, until the age of **17** years."

**Puerto Rico** – ". . . all children between the ages of five (**5**) and eighteen (**18**) . . . ."

**Rhode Island** – "Every child who has completed or will have completed **6** years of life on or before December 31st of any school year and has not completed **16** years of life . . . ."

**South Carolina** – ". . . the child or ward is **5** years of age before September first until the child or ward attains his **17th** birthday . . . ."

**South Dakota** – ". . . a child who is **6** years old by the first day of September and who has not exceeded the age of 18.."

**Tennessee** – ". . . any child or children between **six** years of age and **seventeen** years of age. . . ."

**Texas** – ". . . a child who is at least **6** years of age . . . and who has completed the academic year in which the child's **18th** birthday occurred . . . ."

**Utah** – ". . . a minor between **6** and **18** years of age . . . ."

**Vermont** – ". . . a child between the ages of **six** and **16** years . . ." or ". . . has completed tenth grade . . . " or ". . . is excused by the superintendent or a majority of the school directors . . . ."

**Virgin Islands** – "All children shall commence their school education . . . in the calendar year in which they reach their **5th** birthday . . . until the expiration of the school year nearest their **16th** birthday . . . ."

**Virginia** – ". . . any child who will have reached the **fifth** birthday on or before September 30 of any school year and who has not passed the **eighteenth** birthday . . . ."

**Washington** – ". . . any child **8** years of age and under **18** years of age . . . ."

**West Virginia** – "Compulsory school attendance shall begin with the school year in which the **6th** birthday is reached prior to the first day of September of such year . . . and continue to the **16th** birthday."

**Wisconsin** – ". . . a child who is between the ages of **6** and **18** years old . . . ."

**Wyoming** – ". . . a child . . . whose **7th** birthday falls on or before September 15 of any year and who has not attained his **16th** birthday . . ." or ". . . completed the tenth grade . . . ."

Recent updates to this ECS StateNote have been made by Kyle Zinth, Anthony DeSouza, Michael Colasanti and Ashley Zaleski.

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