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## Free and compulsory school age requirements

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Policymakers across the nation continue to push for expanded free and compulsory school age requirements. More states are considering granting students earlier access to a free education so that they can begin their academic pursuits earlier in life. Similarly, every year a number of states consider extending the upper limit for compulsory school age to discourage students from dropping out.

This 50-state review provides a snapshot of current state policies, providing answers to the following questions:

- ◆ At what age is a district required to provide free public education to students, and at what age is a district no longer required to provide free public education?
- ◆ At what age does compulsory school attendance begin and at what age does it end?
- ◆ How many years total is a student required to attend school?

Expanding the age range in which students are permitted and required to attend school has and will continue to receive attention. This 50-state review provides a snapshot of current school age requirements across the nation.

### KEY TAKEAWAYS

To date, 24 states and the District of Columbia require students to attend school until they turn 18.

In Massachusetts, children as young as 3 years old are considered to be of school age.

Students are required to remain in school for as few as nine years and as many as 13 years, depending on the state.



## Overview

Over the past decade, many states have considered increasing their compulsory education requirements as part of a comprehensive plan to boost graduation rates and produce a workforce more capable of meeting the needs of 21st century employers. Since 2013, at least five states have made changes to their compulsory education laws, three of which raised the upper age limit. To date, 24 states and the District of Columbia require students to attend school until they turn 18 years old, 11 states require students to attend until they turn 17 and 15 states require students to attend until they turn 16.

While many states are extending the upper age limit of compulsory education requirements, several states have considered extending the lower age limit of free education requirements. In most states, the lower age limit for free education is 5 years old. Only in Massachusetts, Florida, Illinois and Wisconsin are students younger than 5 (but at least 3 in Massachusetts, and at least 4 in Florida, Illinois and Wisconsin) entitled to a free education. Local education agencies in New Hampshire can determine whether to admit children younger than the compulsory school age of 6. Some states extend the upper age limit of free education requirements for students with disabilities. This is the case in Arizona, where general education funding ends when a student turns 22, but special education funding can continue until the end of a school year after a student turns 22.

### Defining the Scope

Compulsory education age requirements refer to the age range in which a student is required to attend school or some other equivalent education program as defined by law.

Free education age requirements refer to the age range in which a student must be admitted to a public school without charge.

In all cases, the range in which free services must be provided is greater than the range in which attendance is required.

## Exemptions

Many states allow children to enter kindergarten before they reach the minimum age requirement if the child will come of age during a specified time in the school year or if the child was previously enrolled in kindergarten in another state.

In many cases, students can be exempted from compulsory attendance if they:

- ◆ Are employed
- ◆ Have a physical or mental condition that makes attendance infeasible
- ◆ Have parent permission
- ◆ Have the permission of the district court or local school board
- ◆ Meet the requirements for an exit interview
- ◆ Are enrolled in a career and technical or other work-based program.

In some states, such as Alabama and Alaska, students can be exempted from compulsory attendance if they reside more than two miles from a public school or public transportation route. Most state statutes permit students to be released from compulsory attendance upon graduation from high school, regardless of age.

## Free and compulsory school age requirements

The free and compulsory school age requirements in each state are provided in the following table. For free education age requirements, the lower limit is the *age at which a district must begin providing a free education*, and the upper limit is the age at which a district is no longer required to provide a free education. An age range of 5-20, for instance, means that a district must begin providing a child with a free education upon that child's 5th birthday but is not required to provide a free education after his or her 20th birthday. For compulsory education age requirements, the lower limit is the *age at which a child is required to begin attending school*. The upper limit is the age at which a student is released from compulsory attendance requirements. The same method applies.

## Free and Compulsory School Age Requirements in the United States

State	Free Education Age Requirements	Compulsory Education Age Requirements
<b>Alabama</b> Ala.Code 1975 § 16-28-4; Ala.Code 1975 § 16-11-16; Ala.Code 1975 § 16-28-3	5-local determination after student's 17th birthday <sup>1</sup>	6 <sup>2</sup> -17
<b>Alaska</b> AS § 14.03.080; AS § 14.03.070; AS § 14.30.010	5-20	7-16 (or completion of 12th grade)
<b>Arizona</b> A.R.S. § 15-821; A.R.S. Const. Art. 11 § 6; A.R.S. § 15-802	5-21	6-16 (or completion of 10th grade)
<b>Arkansas</b> A.C.A. § 6-18-207; A.C.A. § 6-18-202; A.C.A. § 6-18-201	5-21	5-18
<b>California</b> Ann.Cal.Educ.Code § 48000; Ann.Cal.Educ.Code § 46300.1; Ann.Cal.Educ.Code § 48200	5-21 <sup>3</sup>	6-18
<b>Colorado</b> C.R.S.A. § 22-1-102; C.R.S.A. § 22-33-104	5-21	6-17
<b>Connecticut</b> C.G.S.A. § 10-186; C.G.S.A. § 10-184	5-21	5 <sup>4</sup> -18
<b>Delaware</b> 14 Del.C. § 202; 14 Del.C. § 2702	5-21	5-16
<b>District of Columbia</b> 5-E DCMR § 2004; 5-E DCMR § 2000; DC ST § 38-202	5 <sup>5</sup> -no upper age limit <sup>6</sup>	5-18
<b>Florida</b> F.S.A. Const. Art. 9 § 1; F.S.A. § 1003.21	4-not in statute	6-16
<b>Georgia</b> Ga. Code Ann., § 20-2-150; Ga. Code Ann., § 20-2-690.1	5-20	6-16
<b>Hawaii</b> HRS § 302A-1134; HRS § 302A-1132	5-20	5-18
<b>Idaho</b> I.C. § 33-201; I.C. § 33-202	5-21	7-16

<b>Illinois</b> 105 ILCS 5/34-19; 105 ILCS 5/26-2; 105 ILCS 5/26-1	4-21 <sup>7</sup>	6-17
<b>Indiana</b> IC 20-33-2-7; IC 20-21-1-6; IC 20-33-2-6	5-22	7-18
<b>Iowa</b> I.C.A. § 282.1; I.C.A. § 299.1A	5-21	6 <sup>8</sup> -16
<b>Kansas</b> K.S.A. 72-1107; K.S.A. 72-53,111; K.S.A. 72-1111	5-no upper age limit <sup>9</sup>	7-18
<b>Kentucky</b> KRS § 158.030; KRS § 158.100; KRS § 159.010	5-21	6-18 <sup>10</sup>
<b>Louisiana</b> LSA-R.S. 17:151.3; LSA-R.S. 17:221	5 <sup>11</sup> -20 <sup>12</sup>	7-18
<b>Maine</b> 20-A M.R.S.A. § 5201; 20-A M.R.S.A. § 5001-A	5 <sup>13</sup> -20	7-17
<b>Maryland</b> MD Code, Education, § 7-101; MD Code, Education, § 7-301; Maryland State Department of Education "School Enrollment"	5-21	5-17
<b>Massachusetts</b> M.G.L.A. 71B § 1; 603 CMR 8.02; M.G.L.A. 76 § 1; Massachusetts Department of Education "School Finance: School Choice"	3 <sup>14</sup> -22	6-16
<b>Michigan</b> M.C.L.A. 380.1147; M.C.L.A. 388.1606; M.C.L.A. 380.1561	5-20	6-18
<b>Minnesota</b> M.S.A. § 120A.20; M.S.A. § 120A.22	5-21	7-17
<b>Mississippi</b> Miss. Code Ann. § 37-15-9; Miss. Code Ann. § 37-45-1; Miss. Code Ann. § 37-13-91	5-21	6-17
<b>Missouri</b> V.A.M.S. 160.051; V.A.M.S. 167.031; Missouri Department of Education "Compulsory Attendance Law"	5-21	7 <sup>15</sup> -17 (or the completion of 16 credits toward high school graduation)
<b>Montana</b> MCA 20-7-117; MCA 20-5-101; MCA 20-5-101; MCA 20-5-102	5-19	7-16 (or completion of 8th grade)
<b>Nebraska</b> Neb. Const. Art. VII, § 1; Neb.Rev.St. § 79-201	5-21	6 <sup>16</sup> -18

<b>Nevada</b> N.R.S. 392.040; Nev. Admin. Code 387.345(5)	5-21 <sup>17</sup>	7-18
<b>New Hampshire</b> N.H. Rev. Stat. § 189:1-a; N.H. Rev. Stat. § 193:1	Local Education Agency decision-21	6-18
<b>New Jersey</b> N.J.S.A. 18A:38-1; N.J.S.A. 18A:38-25	5-20	6-16
<b>New Mexico</b> N. M. S. A. 1978, § 22-8-2; N. M. S. A. 1978, § 22-12-2	5-not in statute	5-18
<b>New York</b> McKinney's Education Law § 3202; McKinney's Education Law § 3205	5-21	6 <sup>18</sup> -16 <sup>19</sup>
<b>North Carolina</b> N.C.G.S.A. § 115C-364; N.C.G.S.A. § 115C-1; N.C.G.S.A. § 115C-378	5-21	7-16
<b>North Dakota</b> NDCC, 15.1-06-01; NDCC, 15.1-20-01	5-21	7-16
<b>Ohio</b> R.C. § 3313.64; R.C. § 3321.01	5-22	6-18
<b>Oklahoma</b> 70 Okl.St. Ann. § 1-114; 70 Okl.St. Ann. § 10-105	5 <sup>20</sup> -21	5-18
<b>Oregon</b> O.R.S. § 339.115; O.R.S. § 339.010	5-19 <sup>21</sup>	7-18
<b>Pennsylvania</b> 24 P.S. § 13-1301; 24 P.S. § 5-503; 24 P.S. § 13-1326	6 <sup>22</sup> -21 <sup>23</sup>	8-17
<b>Rhode Island</b> 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	5-21 <sup>24</sup>	6-18 <sup>25</sup>
<b>South Carolina</b> Code 1976 § 59-63-20; Code 1976 § 59-65-10	5-22 <sup>26</sup>	5-17
<b>South Dakota</b> SDCL § 13-28-2; SDCL § 13-28-5; SDCL § 13-27-1	5-21	6-18 <sup>27</sup>
<b>Tennessee</b> T. C. A. § 49-6-3001; Tenn. Comp. R. & Regs. 0520-01-03	5-not in statute	6-18
<b>Texas</b> V.T.C.A., Education Code § 25.001; V.T.C.A., Education Code § 25.085	5-26	6-18

<b>Utah</b> U.C.A. 1953 § 53A-3-402; U.C.A. 1953 § 53A-11-101	5-not in statute	6-18
<b>Vermont</b> 16 V.S.A. § 1073; 16 V.S.A. § 1121; 16 V.S.A. § 945	5 <sup>28</sup> -no upper age limit <sup>29</sup>	6-16 (or completion of 10th grade)
<b>Virginia</b> VA Code Ann. § 22.1-1; VA Code Ann. § 22.1-254	5-20	5-18
<b>Washington</b> RCWA 28A.225.160; RCWA 28A.225.010	5-21	8-18
<b>West Virginia</b> W. Va. Code, § 18-5-18; W. Va. Code, § 18-5-15; W. Va. Code, § 18-8-1a	5-22	6-17
<b>Wisconsin</b> W.S.A. Const. Art. 10, § 3; W.S.A. 118.15	4-20	6-18
<b>Wyoming</b> W.S.1977 § 21-4-301; W.S.1977 § 21-4-102	5-21	7-16 (or completion of 10th grade)

Source: Education Commission of the States

## Total number of years attendance is required



## REFERENCES

Massachusetts Department of Education, "Choosing a School: A Parent's Guide to Educational Choice in Massachusetts," [http://www.doe.mass.edu/finance/schoolchoice/choice\\_guide.html](http://www.doe.mass.edu/finance/schoolchoice/choice_guide.html) (April 10, 2015).

Maryland State Department of Education, "Student Enrollment," [http://www.marylandpublicschools.org/msde/divisions/studentschoolsvcs/student\\_services\\_alt/student\\_enrollment\\_issues/](http://www.marylandpublicschools.org/msde/divisions/studentschoolsvcs/student_services_alt/student_enrollment_issues/) (April 9, 2015).

Missouri Department of Elementary and Secondary Education, "The Compulsory Attendance Law," <https://dese.mo.gov/governmental-affairs/freqaskques/Attendance> (April 10, 2015).

Rhode Island Board of Education, "Regulations Governing the Education of Children with Disabilities," Part 300.115(A)(6), <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DESE/7377.pdf> (April 9, 2015).

## ENDNOTES

- 1 In Alabama's city school systems, students are entitled to admission until the age of 19.
- 2 In Alabama, the parent or legal guardian of a 6-year-old child may opt out of enrolling their child by notifying the local board of education, in writing, that the child will not be enrolled in school until he or she is 7 years old.
- 3 In California, no school district may receive school district apportionments for independent study by pupils 21 years of age or older, or by pupils 19 years of age or older who have not been continuously enrolled in kindergarten or any of grades 1 to 12, inclusive, since their 18th birthday.
- 4 In Connecticut, the parent of a 5- or 6-year-old child may opt out of enrolling their child until he or she is 7 years old by personally appearing at the school district office and signing an option form.
- 5 In the District of Columbia, a student who is at least 3 years old on or before Sept. 30 is eligible for admission to preK-3 program, when preschool programs are available. A student who is or will become 4 years old on or before Sept. 30 is eligible for the preK-4 program. A student who is or will become 5 years old on or before Sept. 30 is eligible for admission to the kindergarten program.
- 6 An adult student who is a resident of the District of Columbia is eligible for free instruction in the schools and programs of the D.C. Public Schools for which the student meets all other criteria and prerequisites for admission.
- 7 In Illinois, reenrollment is denied to any child 19 years of age or older who has dropped out of school and who cannot, because of age and lack of credits, attend classes during the normal school year and graduate before his or her 21st birthday.
- 8 In Iowa, children enrolled in preschool programs (4 years old on or before Sept. 15) are considered to be of compulsory school attendance age.
- 9 In Kansas, 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 any person who has reached 19 years of age and who is not currently enrolled in the school district with educational services in a regular school setting. 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.
- 10 Kentucky Senate Bill 97 permitted local boards to raise the upper compulsory school age from 16 to 18 and provided that when 55 percent of all districts adopted a policy raising the upper compulsory school age, all districts statewide would be required to adopt the compulsory attendance requirements. As of Jan. 14, 2015, all 173 Kentucky school districts have adopted this policy. The new compulsory attendance policy will take effect for most districts beginning with the 2015-16 school year.
- 11 In Louisiana, each city and parish school board, by rule, may provide for a child younger than 5 to enter kindergarten, provided that such child has been evaluated and identified as gifted in accordance with the regulations of the state Department of Education for such evaluation.



- 12 In Louisiana, admission must be granted to any student who is 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 he or she will be able to graduate within one school year of admission or readmission.
- 13 In Maine, 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 of age on October 15 of the school year may enroll in a public preschool program prior to kindergarten if it is offered.
- 14 In Massachusetts, 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.
- 15 In Missouri, a child between 5 and 7 years of age 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.
- 16 In Nebraska, a child is of mandatory attendance age if he or she will reach 6 years of age prior to Jan. 1 of the then-current school year.
- 17 In Nevada, students may attend a comprehensive public school until the age of 21, or, from the age of 18, may attend an adult high school program. There is no upper age limit for adult high schools.
- 18 In New York, the boards of education of the Syracuse school district, New York city school district, Rochester school district, Utica school district and Buffalo school district are authorized to require children who are 5 years old on or before Dec. 1 to attend kindergarten unless the parents elect not to enroll their child until the following September or the child is enrolled in a non-public school or in home instruction.
- 19 In New York, 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.
- 20 In Oklahoma, children who are at least 4 but not more than 5 years of age on or before Sept. 1 are entitled to attend either half-day 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.
- 21 In Oregon, a district may choose to admit a student who has not yet turned 21 years old if he or she is shown to be in need of additional education in order to receive a high school diploma.
- 22 Although state statute in Pennsylvania states that every child between the ages of 6 and 21 years may attend the public schools in his or her district, the board of school directors in any school district can establish and maintain kindergartens for children between the ages of 4 and 6 years.
- 23 In Pennsylvania, a child who reaches the age of 21 years during the school term and who has not graduated from high school may continue to attend the public schools in his or her district free of charge until the end of the school term.
- 24 Although some school districts in Rhode Island allow students to complete the school year after they turn 21, this practice is not universal and not required.
- 25 In Rhode Island, the compulsory school age is 16 for a student who has an alternative learning plan for obtaining a high school diploma or its equivalent.
- 26 In South Carolina, persons older than 21 years old may attend night schools.
- 27 In South Dakota, 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.
- 28 In Virginia, at least 10 hours of early education is offered to every 3- and 4-year-old.
- 29 In Vermont, individuals who are at least 20 years old can enroll in high school if a high school diploma has not yet been received. Individuals between 16 and 20 years of age can enroll in the General Educational Development Program.



## RELATED ECS RESOURCES

The Education Commission of the States' [Attendance – Statutory Ages \(Upper and Lower\) database](#) tracks legislation that has passed, and [this Attendance – Compulsory database](#) tracks legislation that has passed regarding compulsory school attendance.

To view the dates by which a student must be 5 years old in order to attend kindergarten, see [ECS' Kindergarten Entrance Age database](#).

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## Author

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