

The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	Legislative Priorities: Blended Learning and ALE Funding; Compulsory Age of School Attendance	
As Related To:	<input checked="" type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input type="checkbox"/> Goal Three: Closing achievement gap.	<input type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input checked="" type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
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Policy Considerations / Key Questions:		
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input checked="" type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input checked="" type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
Synopsis:	<p>At its September retreat, the SBE discussed and approved for further work three legislative priorities for the 2013 Session: Phased-In Implementation of Career and College-Ready High School Graduation Requirements, the definition of “school day” for basic education, and state assistance to struggling schools.</p> <p>Two additional legislative priorities are presented for your consideration and approval:</p> <ol style="list-style-type: none"> Compulsory Age of School Attendance. Washington is one of two states with a compulsory starting age of school attendance of eight. The U.S. average compulsory age is six. Legislation has been offered to lower Washington’s compulsory age, including two bills introduced in the 2011-12 Legislature. The proposal is to support legislation lowering Washington’s minimum compulsory age of school attendance to six. In your packet you will find a memo in the form of a policy brief and a report by the Education Commission of the States. Blended Learning and ALE Funding. Blended learning is a form of alternative learning experience (ALE) consisting of a mix of online delivery of content and content delivered at a supervised brick-and-mortar location away from home. The use of blended learning models in Washington is impeded by the reduction in funding for ALE enrollments made by the Legislature in 2011. The proposal is to support a funding change for the next biennium that restores full funding for blended learning programs, and to work with OSPI in development of an ALE proposal. In your packet you will find a memo in the form of a policy brief. 	

2013 Legislative Priorities

SUMMARY

Compulsory Age of School Attendance

Washington is one of just two states with a minimum compulsory age of school attendance of eight. The average for U.S. states is age six. The industrialized nations of the world, including neighboring Canada and Mexico, also have a compulsory age of six.

Legislation has been introduced to lower the minimum compulsory age, including two bills in the 2011-12 Session. Proponents argue that there is a lack of consistency between state law requiring school districts to make the state's K-12 basic education program accessible to students beginning at age five while not requiring attendance until age eight, and that children who enter school late often have difficulty catching up and meeting standards. Representatives of the Office of Superintendent of Public Instruction and major state education organizations indicated their support of legislation introduced in the 2012 Session, that would have reduced the minimum compulsory age of attendance to six. As in current law, that legislation would exempt home-schooled children and children attending approved private schools from the compulsory age requirement.

The fiscal note to HB 2199 indicated that the anticipated increase in enrollment from the bill would not be great enough to incur state costs from a higher K-12 enrollment forecast.

The State Board of Education will support legislation in the 2013 Session lowering the minimum compulsory age of school attendance from eight to six, to line Washington up with most of the U.S. and the world. Legislation supported by SBE would maintain exemptions for home-schooled and private school students.

POLICY BRIEF
Compulsory Age of School Attendance

Issue

State law on mandatory school attendance sets a minimum age of eight at which parents must cause their child to attend the public school in which the child resides. Exceptions are made to the compulsory attendance law for children attending an approved private school, receiving home-based instruction meeting certain criteria, or attending an approved education center (RCW 28A.225.010.)

Washington is one of only two states in the nation that has a minimum compulsory age of attendance of eight, (Pennsylvania being the other). The average age for U.S. states is six.

Minimum Compulsory Age of Attendance	Number of States
Age 5	8 states and D.C.
Age 6	24 states
Age 7	16 states
Age 8	2 states

Among Western states, New Mexico has a compulsory age of five, Arizona, California, Colorado, and Hawaii are at six, and Alaska, Idaho, Montana, Oregon and Wyoming at seven. Washington is alone at eight (M. Bush, "Compulsory School Age Requirements," Education Commission of the States, June 2010).

Washington trails not only U.S. states but the industrialized nations of the world in this regard.

Minimum Compulsory Age of Attendance	Countries
Age 5	United Kingdom, Netherlands, Israel, New Zealand
Age 6	Australia, Canada, China, Czech Republic, France, Germany, India, Ireland, Italy, Japan, Mexico, Norway, Russia, Slovakia, South Korea, Taiwan
Age 7	Brazil, Finland, Hungary, Poland, Sweden, Switzerland
Age 8	None

Source: ChartsBin statistics collector team 2009, *Starting Age of Compulsory Education Around the World*, chartsbin.com

Repeated legislation has been proposed to lower the compulsory age of school attendance, including two bills in the last session. HB 1633, offered by Reps. Kelley and Maxwell in the 2011 Session, proposed to drop the compulsory age to seven. HB 2199 in the 2012 Session lowered the compulsory age to the U.S. average of six, altered provisions of truancy law for six and seven year-olds, and provided additional consideration for home-schooled children. Both bills had public hearings in the Education Committee, but did advance further.

The prime sponsor of HB 2199, Rep. Kelley, said the bill's introduction was prompted by cases district of children almost nine years old who had not yet received schooling of any kind. In support of his bill, Rep. Kelley raised the following concerns:

- The difficulty of integrating older children into the education system, which is underscored when we demand more accountability of schools and districts.
- The anomaly of a basic education law that requires districts to make schooling available for children beginning age five, alongside law that doesn't oblige children to be in school until age eight.

Rep. Kelley said the U.S. military supports the bill because it brings Washington into closer alignment with school laws in other states in which children of active military personnel reside.

Representatives of the Office of Superintendent of Public Instruction, the Washington State School Directors Association, the Association of Washington School Principals, and the Washington Education Association signed in support of HB 2199 at the public hearing. In a message to SBE, OSPI says

Superintendent Dorn supported HB 2199 because he believes that all children six years and older should be subject to the mandatory attendance statute. At the present time six and seven year-olds are excluded from those provisions. Washington is one of two states that begin requiring mandatory attendance at age eight, a provision that dates back to a law passed in 1901. Washington needs to join 32 other states that require attendance by age six.

A representative of a home schools organization testified in opposition on the basis that parents should be able to decide when their children are ready for formal education. The Washington Federation of Independent Schools signed in opposed.

The OSPI fiscal note to HB 2199 estimated no increased costs to the state from an increase in the statewide enrollment forecast. Information provided at SBE request indicates that as many as 2,059 children might be brought into public school by reducing the age of compulsory attendance to six, but that data are lacking to make a close calculation.

Proposal

Support legislation in the 2013 Session lowering the minimum compulsory age of school attendance from eight to six years of age. Retain provisions in current law that exempt children attending an approved private school or receiving home-based schooling from this requirement.

2013 Legislative Priorities

Blended Learning and ALE Funding

SUMMARY

Blended learning is a form of alternative learning experience that mixes online delivery of instructional content, with some student control of time and pace, with face-to-face, supervised delivery in a brick-and-mortar setting. Blended learning can offer major benefits, including access to high-quality, engaging content in a variety of forms and the ability to personalize learning to the individual needs of students. It can have particular benefits for both struggling and advanced students whose needs may not be well met through traditional kinds of instruction. Schools around the country are experimenting with a diversity of blended learning models designed to serve a range of student needs.

The Office of Superintendent of Public Instruction's Office of Digital Learning reports that blended learning is "not yet widespread in Washington," and attributes its limited reach here at least in part to disincentives created for districts by recent state funding reductions. Legislation passed in 2011 required an aggregate reduction of 15 percent in state allocations for ALE programs. OSPI adopted rules to implement the legislation to both implement the reduction and establish related regulatory requirements. The impact of the legislation and new rules is not yet certain. OSPI, however, says the funding reduction "has the potential to stunt the growth of online learning in Washington."

The State Board of Education will advocate for full funding of programs of blended learning in the next biennium. It will seek opportunities for partnerships with private entities with expertise in the area to support promising models of blended learning, especially for historically underserved children. It will work with the Office of Superintendent of Public Instruction in support of an ALE proposal for the 2013 Session.

Blended Learning and ALE Funding

POLICY BRIEF

Issue

According to OSPI's last *Online Learning Annual Report*, Washington school districts reported that 18,649 students took at least one online course in 2010-11. Students registered for a total of 72,180 courses. Both were large increases from the year before. OSPI's Digital Learning Department attributed the increases both to more activity and improved data reporting by districts. (OSPI, *Online Learning Annual Report, 2010-11.*)

One of the forms of digital learning offering the most promise for both student achievement and program accountability is blended learning. OSPI says that the term "blended learning" broadly refers to "bringing significant online content and tools into the face-to-face classroom. The term is also used when students might mix and match an online experience with an in-person experience." (OSPI, *Online Learning*, p. 94.) Innosight Institute defines blended learning in more specific terms as "a formal education program in which a student learns at least in part through online delivery of content and instruction with some element of student control over time, path and/or pace *and* at least in part at a supervised brick-and-mortar location away from home." (H. Staker and M. Horn, *Classifying K-12 Blended Learning*, May 2012.)

The Gates Foundation cites some major benefits of the blended learning model:

- Access to high quality, relevant and engaging content in a variety of forms.
 - More flexible class time and structure.
 - Ability to personalize learning to the individual needs of students.
 - Student access to multiple sources of instruction and to diagnostic tools to help assess the pace and format of learning.
 - Capability for teachers to tailor their instruction and guidance to ensure progress for all students, with a focus on those who historically have been underserved.
- (Schoolwires.com, "Blending the Best of Online Learning and Face-to-Face Learning to Improve Student Outcomes," August 2012.)

"This blended approach combines the best elements of online and face-to-face learning. It is likely to emerge as the predominant model of the future – and to become far more common than either one alone." (J. Watson, "Blended Learning: The Convergence of Online and Face-to-Face Learning," in Schoolwires, "Blending.")

In its annual *Keeping Pace with K-12 Online Learning*, the Evergreen Education Group notes that "Most district programs are blended, instead of fully online." Though it is difficult to know precisely from available data, this is an area where Washington does not appear to be keeping pace. According to OSPI, blended learning "is not yet widespread in Washington."

Few Washington districts seem to be experimenting with blended learning. There is activity: A number of districts are moving toward providing students with Internet capable

devices (laptops, iPads, etc.) and many districts use online content, especially in the credit recovery context. *Funding is likely an issue here, especially for districts considering the more flexible scheduling arrangements found in the ALE rules. With funding cuts to ALE, districts are incentivized to run seat-time based programs rather than ALE programs.* (OSPI, *Online Learning*, p. 96. Emphasis added.)

It is an example of how Washington's school funding model – like most states' – can work against technological innovation in learning. In so doing it also works against movement toward more competency-based rather than seat-time based measures of schooling.

The prospects for wider use of blended learning in Washington were set back by legislation passed in the 2011 Session. ESHB 2065 required an aggregate 15 percent reduction in funding for Alternative Learning Experience (ALE) programs, leaving it to OSPI, with certain guidelines, to determine how the savings would be taken. The rule adopted by OSPI to implement the cut directs that for the prior and current school years, districts reporting online enrollments will receive funding at 80 percent of what would otherwise have been generated under the basic education formula, unless certain detailed program requirements are met, in which case the district will receive funding at 90 percent of the formula funding. (WAC 392-121-182.) OSPI says that the ALE funding reduction instituted by ESHB 2065 “has the potential to stunt the growth of online learning in Washington.” (*Annual Report*, p. 96.)

Preliminary data for the 2011-12 school year suggest the fear is justified. OSPI finds that ALE enrollment dropped by 4,463 full-time equivalent pupils from 2010-11 to 2011-12, with the largest decrease coming from in-district, contract-based programs mostly serving students in grades 9-12. There is evidence of shifting of programs from ALE to seat-time enrollments as a result of the changes made by HB 2065. OSPI attributes a decline of at least 514 ALE enrollments to this shift.

The online funding cut may tend to inhibit the spread in Washington of the new models of blended learning seen elsewhere, especially where schools are afforded the freedom to innovate. “There's such a diversity of different types of programs and models that are using content in different ways,” says Susan Patrick, president of the International Association for K-12 Learning. “It parallels the range of student needs that are out there. (K. Ash, “Blended Learning Models Generating Lessons Learned,” *Education Week*. Oct. 23, 2012.) Grand Rapids, Michigan schools, for example, are implementing a designed to give high school students a pathway to in-school fellowships and internships that can lead to careers. (I. Quillen, “E-Learning Opens Real-World Doors,” *Education Week*, Oct. 24, 2012.

As a state almost synonymous with technological innovation, Washington should be on the leading edge of such changes, not lagging because of its funding system.

At the same time, the rapid expansion of online learning has brought with it an increasing focus on the accountability of these programs and their funding. “As e-learning moves further into the K-12 mainstream, it is also attracting close scrutiny from educators, policymakers, researchers,

and the news media. Questions about its effectiveness are being asked more often . . . , and even advocates concede that the e-learning movement needs to take a harder look at putting accountability measures in place.” (K. Bushweiler, “Spotlight Turns Toward Virtual Ed. Accountability,” *Education Week*. March 12, 2012.)

In Washington, a state audit still in progress has made preliminary findings, as of September 21, of \$24.7 million in questioned costs for fiscal years 2009, 2010 and 2011. (Questioned costs are not necessarily improper expenditures.) Common audit issues include required Written Student Learning Plans that were missing or incomplete, and no documentation of required weekly contact between certificated teachers and students. About two-thirds of the questioned costs are in Parent-Partnership Programs (PPPs), defined as those that “include significant parent participation and partnership by parents and families in in the design and implementation of a student’s learning experience.” (WAC 392-121-182.) Students in grades K-8 made up 75 percent of the students served by PPPs in 2010-11.

Effective reform of ALE should both remove the funding disincentives that may discourage the use of blended learning models with promise for improving student achievement, and provide greater assurance that state allocations for basic education are used for basic education.

Proposal

The State Board of Education will support funding and regulatory changes in the ALE program that would, at a minimum,

1. Restore full funding for ALE enrollments in upper grades.
2. Apply necessary and appropriate requirements for teacher-student contact in earlier grades as a condition of ALE funding.

SBE will explore opportunities for partnerships with private entities having expertise in the area to support promising models of blended learning, especially for historically underserved children. It will work with the Office of Superintendent of Public Instruction in support of an ALE proposal for the 2013 Session.

Compulsory Age of School Attendance

Jack Archer
Senior Policy Analyst
November 8, 2012

The minimum compulsory age of school attendance in Washington is eight

RCW 28A.225.010. Attendance mandatory — Age — Exceptions.

- (1) All parents in this state of any child *eight years of age and under eighteen years of age* shall cause such child to attend the public school of the district in which the child resides and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless:
 - (a) The child is attending an approved private school for the same time or is enrolled in an extension program as provided in RCW 28A.195.010(4);
 - (b) The child is receiving home-based instruction as provided in subsection (4) of this section;
 - (c) The child is attending an education center as provided in chapter 28A.205 RCW;

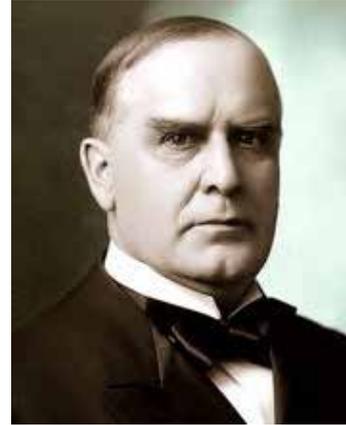
Washington is one of only two states with a minimum compulsory age of eight.

- 8 states and D.C. have a minimum compulsory age of **five**.
- 24 states have a minimum compulsory age of **six**.
- 16 states have a minimum compulsory age of **seven**.
- Only Pennsylvania and Washington are at **eight**.

The average minimum compulsory age for U.S. states is six.

The minimum age of compulsory attendance in Washington has been eight since 1901

William McKinley was President.



Queen Victoria died.



Most other countries have a lower compulsory age of school attendance than Washington's.



- The United Kingdom, Netherlands and Israel have a minimum compulsory age of *five*.
- Australia, Canada, China, France, Germany, India, Ireland, Japan, Mexico, South Korea and Taiwan are at age *six*.
- Finland, Poland, Sweden have a compulsory age of *seven*.

Legislation was proposed in the last session to lower the compulsory age of attendance.

- HB 1633 (2011) lowered the compulsory age to seven.
- HB 2199 (2012) lowered the compulsory age to six.
- Both bills had public hearings in the House Education Committee.
- In support of HB 2199: OSPI, WSSDA, AWSP, WEA.
- Opposed to HB 2199: Organizations representing home schools and private schools.

SBE Legislative Priority

Support legislation in the 2013 Session to:

- ü Lower the minimum compulsory age of school attendance from eight to six.
- ü Preserve protections in current law for home-based schooling and approved private schools.

Blended Learning and ALE Funding

Jack Archer

Senior Policy Analyst

November 8, 2012

What is alternative learning experience (ALE)?

A course or set of courses developed by a certificated teacher and documented in an individual Written Student Learning Plan, and in which:

- The student pursues the requirements of the Plan in whole or in part independently from a regular classroom setting or schedule.
- The student's learning is supervised, monitored, evaluated and documented by a certificated teacher

-- WAC 392-121-182.

What is blended learning?

*“A formal education program in which a student learns at least in part through online delivery of content with some element of student control over time, path, and/or pace **and** at least in part at a supervised brick-and-mortar location away from home.”*

-- Innosight Institute

Benefits of blended learning

- ü Access to high-quality content in a variety of forms.
- ü More flexible class time and structure.
- ü Access to multiple sources of instruction.
- ü Access to diagnostic tools to assess pace of learning.
- ü Ability for teachers to personalize learning to individual students.

-- Gates Foundation, at Schoolwires.com

Benefits of blended learning

“This blended approach combines the best elements of online and face-to-face learning. It is likely to emerge as the predominant model of the future – and to become far more common than either one alone.”

-- John Watson, International Association for K-12
Online Learning

U.S.: Rapid growth in blended learning

- “Most district programs are blended, instead of fully online” – *Keeping Pace with Online Learning, 2011*.
- New types of blended learning are being developed and implemented for different types of students.
- Increased focus on effectiveness of blended learning.

Washington: Blended learning “not yet widespread”

- “Few Washington districts seem to be experimenting with blended learning.”
- Funding likely an issue. 2011 cut created incentive to run seat-time based rather than ALE programs.
- Need for more state and ESD support and leadership to “pivot classrooms into blended space.”

-- OSPI, *Online Annual Learning Report 2010-11.*

2011 ALE funding cut

- ESHB 2065 required a 15% cut in ALE programs -- \$41 million reduction in current biennium.
- OSPI rule: ALE funded at 90% of BEA formula, or at 80% if certain teacher contact requirements not met.
- 2065 funding reduction “has the potential to stunt the growth of online learning in Washington” (OSPI).

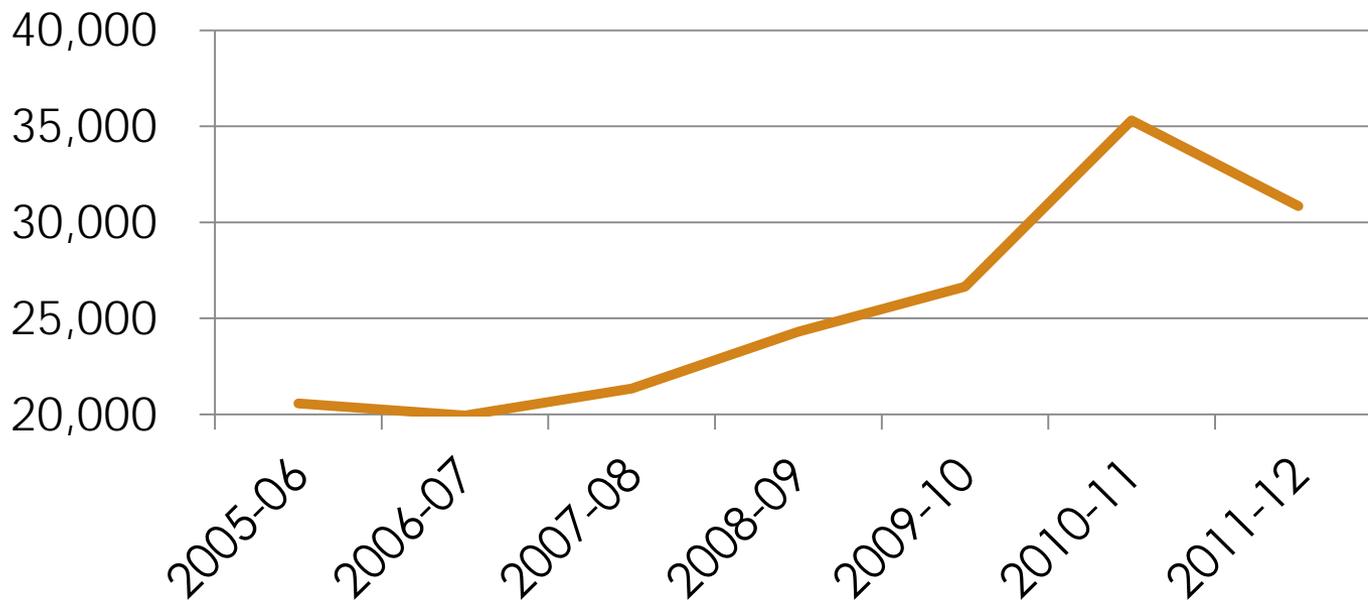
ALE enrollments declined in 2011-12

- ALE enrollment fell by 4,463 (13%) in 2011-12 from 2010-11.
- More than half the decline – 2,495 -- was in-district, contract-based programs.
- Evidence of some shifting from ALE to traditional seat-time enrollments as a result of HB 2065.

-- OSPI

After historic rise, ALE enrollments saw big drop in 2011-12

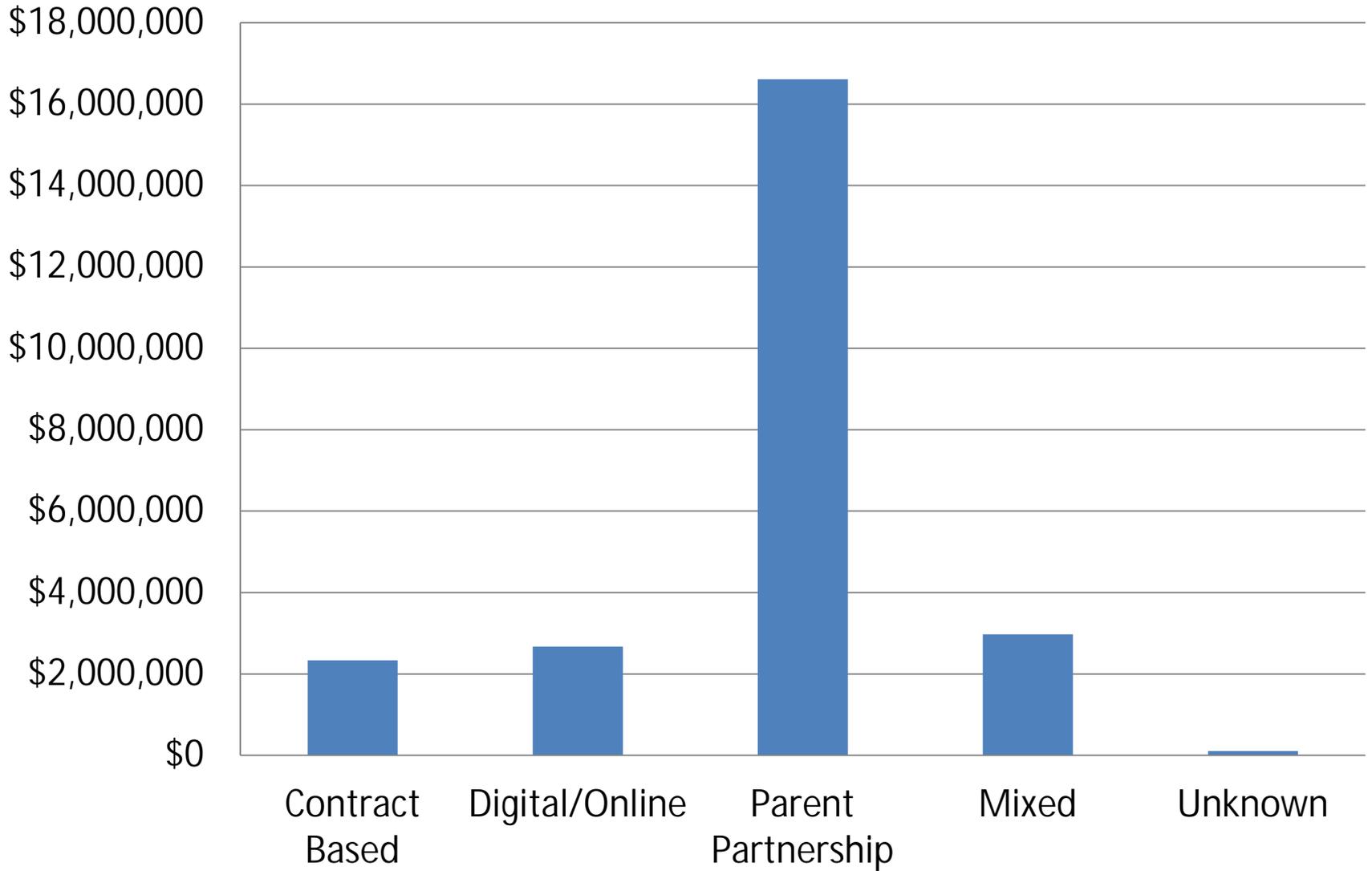
Total ALE FTE Enrollments



Concerns about ALE accountability

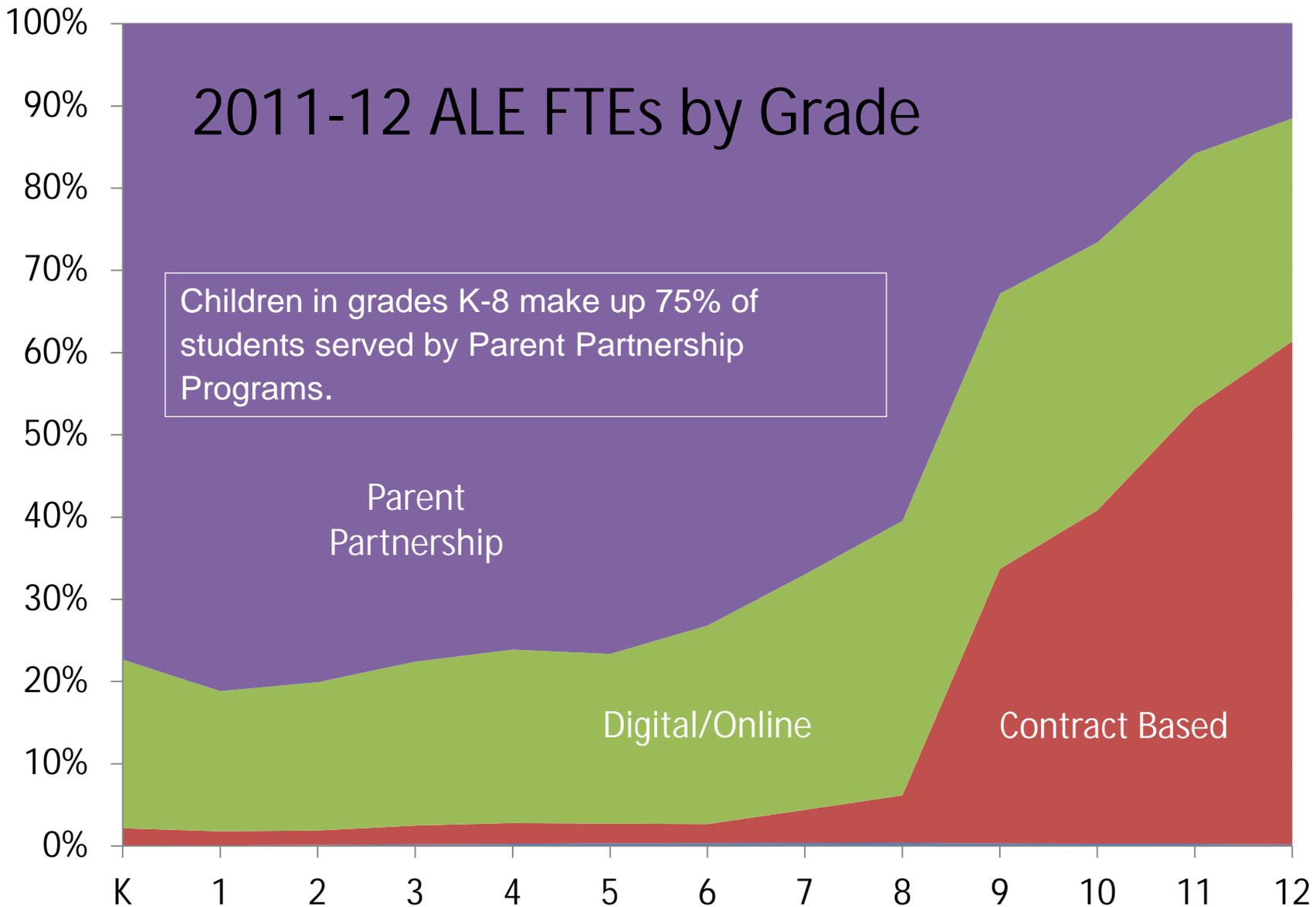
- Accountability a driver of HB 2065 funding changes.
- State Auditor performance audit of ALE in progress.
- Preliminary audit findings: \$24.7m in questioned costs.
- Common audit issues:
 - Missing or incomplete Written Student Learning Plans.
 - No documentation of weekly contact between teachers and students.

ALE Audit Questioned Costs As of 9/21/12



2011-12 ALE FTEs by Grade

Children in grades K-8 make up 75% of students served by Parent Partnership Programs.



Adequate funding for ALE must be coupled with improved accountability.

“As e-learning moves further into the K-12 mainstream, it is also attracting closer scrutiny. . . Even advocates concede that the e-learning movement needs to take a harder look at putting accountability measures in place.”

– *Education Week*, 3/1/12

SBE Legislative Priority

- Restore full funding for ALE enrollments in upper grades to support use of blended learning.
- Apply requirements for teacher-student contact in earlier grades as a condition of ALE funding.
- Work closely with OSPI in support of ALE reform proposal.

Update on Legislative Priorities Discussed in November

Ben Rarick, Executive Director
November 8th, 2012

Topics covered:

- Graduation Requirements
- Accountability Framework
- English Language Learners

Graduation Requirements - Costs

Draft Proposal by the Joint Task Force on Education Funding

Problem Statement: Size of Enhancement to Be Covered

dollars in millions

	<u>FY14</u>	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>
SHB 2776						
Transportation	\$43	\$99	\$112	\$114	\$115	\$117
MSOC	180	417	666	745	767	788
↓ K-3 class size	64	156	263	399	554	597
Full-day kindergarten	27	62	96	132	168	181
SHB 2776 Total	314	734	1,136	1,390	1,604	1,683
ESHB 2261 & other:						
Addn'l 80 hours, grades 7-12*	0	0	105	105	105	106
24 credits (subsumed in 80 hrs)	0	0	0	0	0	0
Bilingual	0	0	0	0	0	0
Task Force Target	\$314	\$734	\$1,241	\$1,495	\$1,709	\$1,789

Idea: Fund hours together with credits

Not yet clear what, specifically, the \$105 million would fund. Also, staff have suggested phasing-in other aspects of the prototypical school framework in tandem (guidance counselors, etc).

Graduation Requirements

Options for how to phase-in, and how quickly.

- Basic premise – keep alignment between funding and rate of phase-in.
- More options, based on our September discussion:
 1. The “Class of 2018 Option”
 2. The “Class of 2021 Option – Specified Credit Phase-in”
 3. The “Class of 2021 Option – Flexible Credit Phase-in”

#1 - The “Class of 2018 Option”

1. Legislature & Districts could plan for the Class of 2018
 - Legislature provides all funding up front.
 - Would impact current 7th graders (Seniors in 2018).
 - 2018 aligns with the language in statute (HB 2261).
 - Legislative action this session would set the stage for work on High School and Beyond Plan in 8th grade, per best practice.
 - No mid-course changes to students already in high school.

#2 -“Class of 2021 Option – Specified Phase-in”

1. Legislature could plan for the Class of 2021, but specify new requirements in the intervening years.
 - Current 7th graders – additional science
 - Current 6th graders – additional arts
 - Current 5th graders – additional world language
 - Current 4th graders – additional electives
2. ‘2018’ in this case would be interpreted as applying to entering freshmen in 2018, not the class of 2018.

“Class of 2021 Option – Specified Phase-in” (example)

Remaining Changes Necessary to Adopt 24 Credit Framework Recommended by SBE	Class of 2016	Career and College Ready	Comment					
Science	2	3	+1 lab credit	"The initial report of the Quality Education Council shall include, at a minimum: A recommended schedule for the concurrent phase-in of the changes to the instructional program and basic education and the implementation of the funding formulas and allocations to support the new instructional program of basic education as established under this chapter. . . The phase-in schedule shall have full phase-in by September 1, 2018." C 548, L 09. Sec. 114(5).				
Arts	1	2	+1 credit (may be substituted)					
World Language	0	2	+2 credits (may be substituted)					
	3	7	+4 credits					
Phase-In Schedule								
Entering 9th Grade	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	
Graduating Class	2016	2017	2018	2019	2020	2021	2022	
Credit Requirement	In place for the class of 2016 through rule WAC 180-51-067; these changes were determined by OSPI fiscal analysis to have no cost to implement.							
English								1 credit
Social Studies								.5 credit
Science			+1 lab credit					
Arts (or substitute)				+1 credit				
World Language (or substitute)					+2 credits			
Career Concentration Electives						As of this date, 2 of the 4 Elective Credits must be "Career Concentration Electives", based on the High School & Beyond Plan		
Total Additional Credits			+1	+2	+4	+4	+4	

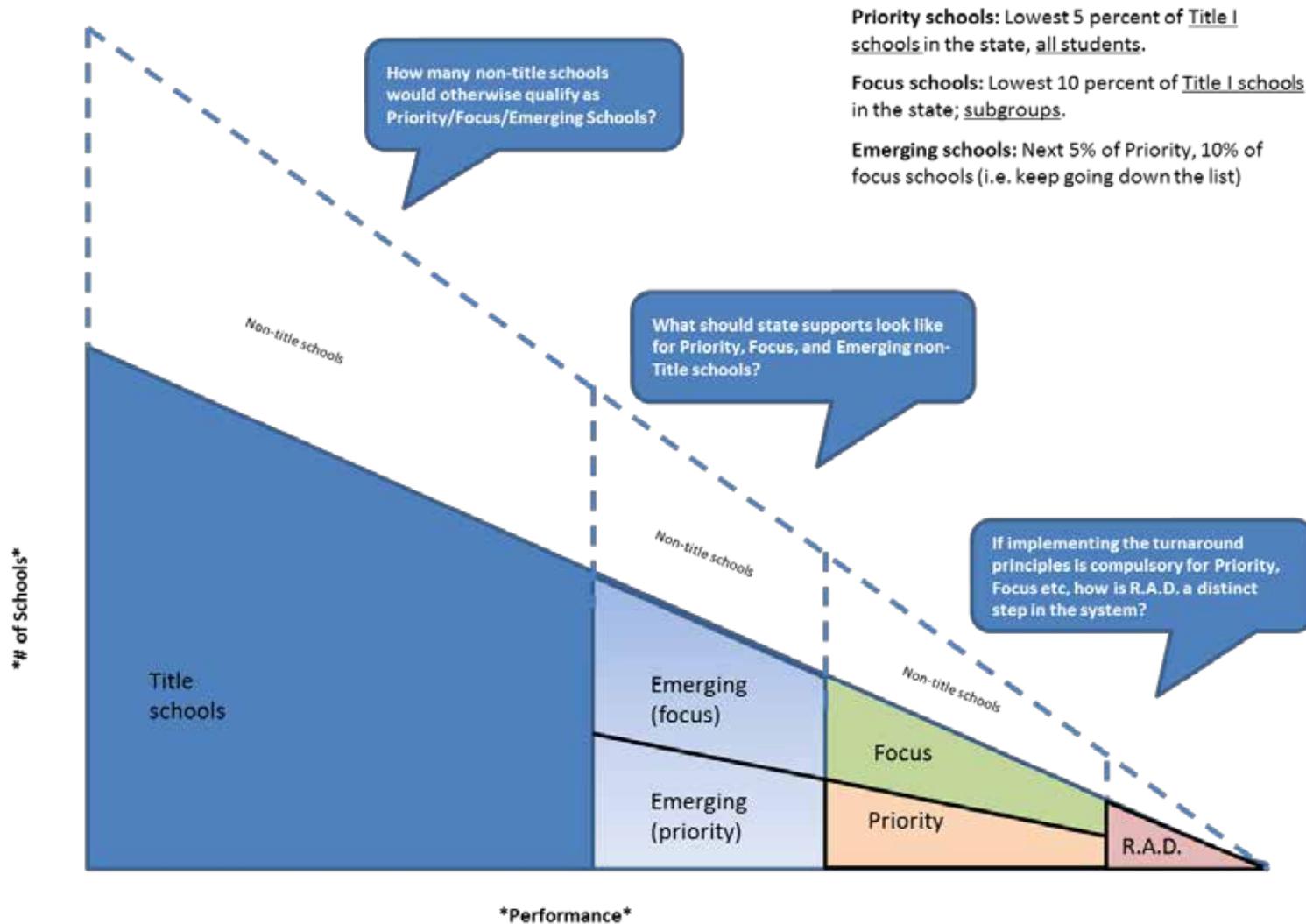
#3 - “Class of 2021 Flexible Phase-in”

- Legislature could plan for the Class of 2021, but specify staggered requirements.
 1. Class of 2018 –22 credits, 20 credit framework, with +2 credits locally specified within remaining requirements.
 2. Class of 2021 –24 credits, state specified (college & career ready graduation requirements).
- Maximum flexibility – provide an end date, and allow flexibility for districts on what they can take on, when.
- Challenges – varying grad rates across districts at a point in time, with different funding implications.

Accountability discussion - update

- Will the Joint Task Force funding discussions force the issue of K-12 accountability this session?
- Achievement and Accountability Workgroup to weigh in on these issues, but not until legislative session is over.
- Last meeting we talked about funding request. Begin the discussion of system design.

Accountability framework – design considerations



Accountability Design Principles

- All Schools and Districts Count – For Recognition, Assistance, and Required Action.
- Our Accountability System Shouldn't be Premised on Title Eligibility.
- New Achievement Index Should Drive School (Priority, Focus, etc) and AMO Designations.
- Continue to Refine the Role of Required Action in a System that Provides a Continuum of Services.

English Language Learners Funding

Proposed key points of Legislative Advocacy

- Reject proposals to fund ELL students at diminishing rates relative to the TBIP Levels, within existing funding.
- Support proposals to fund TBIP differentially based on Long-term English Language Learner status, or grade level status (e.g. more for middle and high school than elementary)
- Rather than creating a ‘bonus’ for exiting TBIP students, create a transitional allocation for recently exited Level 4 students to support their instructional needs.
 - “Bonus” implies a cash incentive to the district. “Allocation” implies support of student transitional needs.
- Support re-examination of TBIP AMAO’s in light of Index development to ensure consistency of approach.

Next Steps

Staff needs:

1. Approval to propose multiple options for graduation requirements phase-in, depending upon the recommendations of the Joint Task Force on Education Funding and the Legislature.
2. Approval to work from the Accountability Design Principles discussed.
3. Approval to work from the ELL Advocacy Points discussed.



Attendance

Education Commission of the States • 700 Broadway, Suite 810 • Denver, CO 80203-3442 • 303.299.3600 • Fax: 303.296.8332 • www.ecs.org

Compulsory School Age Requirements

Updated by Melodye Bush

Last Updated June 2010

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: 19 states and the Virgin Islands
- Age 17: 11 states
- Age 18: 20 states and the District of Columbia, American Samoa, and Puerto Rico

State/Territory	Requirement	Citation
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(Shaded line indicates change)		
Alabama	7-17	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, §15-802-D-2
Arkansas ¹	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 ²	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 ³	7-18	IND. CODE ANN. § 20-33-2-6; § 22-33-2-9(B)
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 ⁴	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 ⁵	6-16	MASS. REGS. CODE TIT. 603. § 8.02 MASS. GEN. LAWS ANN. CH. 76 § 1
Michigan	6-18	MICH. STAT. ANN. § 380.1561
Minnesota	7-16	MINN. STAT. § 120A.22
Mississippi	6-17	MISS. CODE ANN. § 37-13-91
Missouri	7-17	MO. REV. STAT. § 167.031
Montana ⁶	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 ⁷	6-18 (effective 7/01/09)	N.H. REV. STAT. ANN. § 193.1
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; § 22-8-2 m(3)
New York ⁸	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 ⁹	5-17	S.C. CODE ANN. § 59-65-10
South Dakota	6-18 (effective 7/01/09)	S.D. CODIFIED LAWS § 13-27-1
Tennessee ¹⁰	6-17	TENN. CODE ANN. § 49-6-3001 (C)(1)
Texas ¹¹	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 ¹²	5-18	VA. CODE ANN. § 22.1-254
Washington	8-18	WASH. REV. CODE § 28A.225.010
West Virginia	6-17	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

State/Territory	Requirement	Citation
(Shaded line indicates change)		
Puerto Rico	5-18	3 P.R. LAWS ANN. § 143B
Virgin Islands	5-16	V.I. CODE ANN. TIT. 17, § 82

Notes:

¹ 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."

² 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."

³ 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.

⁴ Louisiana: "A child between the ages of seventeen and eighteen may withdraw from school prior to graduation if both the following circumstances exist: (a) The written consent of his parents, tutor, or legal guardian. (b) An exit interview is conducted where the student and his parent, tutor, or legal guardian provide written acknowledgment that withdrawal from school shall likely reduce the student's future earning potential and increase the student's likelihood of being unemployed in the future. During such exit interview, a student who is withdrawing from school shall be given information that has been prepared and supplied by the Louisiana Workforce Commission regarding available training and employment opportunity programs, provided such information is available."

⁵ 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."

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

⁷ 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 1st, 2009.

⁸ New York: Both New York City and Buffalo require minors to attend school from the age of 6 until the age of 17. Each district in the state is 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.

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

¹⁰ 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."

¹¹ 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.

¹² 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 grade ten as prescribed by the State Board of Education . . ."

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

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

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

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 **6**th birthday and has not passed his **16**th 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 **16**th 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 1st and has enrolled in a full-day public school program.”

Missouri – “. . . a child between the ages of **7** and the compulsory attendance age for the district...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.” The school board of a metropolitan school district “. . .may adopt a resolution to establish a compulsory attendance age of **17** to take effect no later than the school year next following the school year during which the resolution is adopted.” In all other cases, compulsory attendance shall mean “Seventeen years of age or having successfully completed sixteen credits towards high school graduation. The school board of a metropolitan school district for which the compulsory attendance age is 17 years may adopt a resolution to lower the compulsory attendance age to sixteen years; provided that such resolution shall take effect no earlier than the school year next following the school year during which the resolution is adopted. “

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 **16**th 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 who has not completed the 12th grade. . . ."

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 September 1st 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 Melodye Bush, Kyle Zinth, and Michael Colasanti.

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