

# AGE AND TIME IN SCHOOL

## Overview

In recent sessions, the legislature has considered various proposals that all get at the question: at what age should public school start and finish? The 2019-2020 Education Interim Committee will explore preschool as a separate issue, so this brief will focus more on the question from the completion perspective. But first, let's take stock of where things are at now in terms of statute.

School district trustees are required to admit a child who has turned 5 on or before September 10. (Typically, this would be to kindergarten; trustees are required to provide at least half-day kindergarten.) Trustees obligation to admit a child ends for a child who has turned 19 on or before September 10. Trustees can admit children younger than 5 and older than 19 if there are exceptional circumstances, but children in preschool and students 19 or older are not included in ANB counts and do not generate state funding. These age requirements are found in [20-5-101, MCA](#); this section was amended by [SB 11](#) in 2019 to clarify that the age of admittance is 5, not 6.

The chart to the right shows how this typically works. If a child starts kindergarten at age 5, the child will have 14 “funded” years in which to complete 13 grades, K through 12, including something of a “cushion year” in case the child needs more time for any number of reasons. If a child does not start kindergarten until age 6, there is no cushion year, and it is up to trustees to determine whether exceptional circumstances exist warranting admittance past age 18 if the child has not graduated.

Recent legislative proposals have been to:

1. Increase the age of compulsory education from 16 or completion of 8<sup>th</sup> grade to 18 or graduation;
2. extend the age of ANB funding from 18 to 19 for all students who are still working to meet the district’s graduation requirements; and
3. extend the age of ANB funding from 18 to 20 (or 21) for students with significant disabilities who are still working to meet the goals established in their IEP (Individualized Education Program).

The committee expressed interest in examining #2 and #3.

## Funding for 19-year-olds

Several proposals in recent years have sought to extend ANB funding to 19-year-olds. None of the legislation was enacted. All the proposals

How this typically works:

If a child is \_\_\_\_\_ years old on or before Sept 10, the child is eligible to enroll in \_\_\_\_\_ grade.

5	Kindergarten
6	1st
7	2nd
8	3rd
9	4th
10	5th
11	6th
12	7th
13	8th
14	9th
15	10th
16	11th
17	12th
18	an additional year “cushion”
19 - 21	no ANB funding; trustees can continue enrolling, but are not required to

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Education Interim Committee  
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included a limitation that only students who had not yet graduated and were enrolled for the purpose of earning credits to meet district graduation requirements were eligible.

Year	Bill # (Sponsor)	Outcome	ANB increase; state cost *	Other
2013	<a href="#">SB 14 (Wanzenried)</a>	Tabled in House Ed	100 ANB; \$450,000/year	District can include up to greater of 3 additional ANB or 103%; no district can exceed 40 additional ANB.
2015	<a href="#">SB 12 (Moe)</a>	Tabled in House Ed	60 ANB; \$275,000/year	District can include up to greater of 3 additional ANB or 103%; no district can exceed 40 additional ANB.
2017	<a href="#">HB 178 (Price)</a>	Tabled in House Ed	70 ANB; \$325,000	No cap or district limit

\* Estimates from fiscal notes; ongoing costs rounded. The variations in ANB and cost estimates reflect fluctuations in the enrollment of 19-year-olds in the preceding years.

## Funding for older special education students

Several proposals in recent years have sought to extend ANB funding to older special education students. None of the legislation was enacted. All the proposals included a limitation that only students who had not yet graduated were eligible.

Year	Bill # (Sponsor)	Outcome	ANB increase; state cost*	Other
2015	<a href="#">HB 451 (Pope)</a>	Tabled in House Appropriations	38 ANB; \$180,000/year	Extended age to 21 (not yet 22 by September 10)
2017	<a href="#">HB 274 (Kelker)</a>	Tabled in House Ed	40 ANB; \$190,000/year	Extended age to 21; significant disability; IEP transition goals focused on living and working in community
2019	<a href="#">HB 298 (Pope)</a>	Tabled in Senate Ed	27 ANB; \$140,000/year	Extended age to 20; significant disability; IEP transition goals focused on living and working in community

\* Estimates from fiscal notes; state cost reflects estimated ongoing costs rounded.

The 2015-2016 School Funding Interim Commission looked at special education funding and requested a summary of HB 451; the [brief](#) includes a breakdown of the number of students with disabilities age 19-21 served from FY 09 to FY 15. Because much of the debate on these proposals has centered on questions regarding the estimates of ANB increases and state costs in the fiscal notes, staff has submitted an information request to the Education Commission of the States for the percentages of students aged 19 and above served in states where funding is provided.

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