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COMPULSORY EDUCATION: CHALLENGES AND OPPORTUNITIES¹

by
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Compulsory education is a deep taproot in the history of our country and is at the heart of our educational system. Since Thomas Jefferson's presentation of the "Bill for the General Diffusion of Knowledge" in 1775, we have made compulsory education a central focus of our society.

Initially, Jefferson's proposal called for mandatory education for all children for three years. In the 1700s, a year of schooling was not the same as a year of schooling in the 1900s. Jefferson's proposal required schooling in reading, writing, and ciphering so that an individual was capable of conducting daily business affairs.

Compulsory education is also linked to the development and conduct of democracy. Jefferson's bill was closely aligned with the need to have an educated citizenry so that democracy could flourish. Without reading and writing skills, individuals would not be able to vote knowledgeably on issues of importance to the society.

The Massachusetts School Attendance Act (1852) was the first general compulsory attendance statute in the U. S. The legislation that emerged from colonial Massachusetts became the national model for state legislation regarding education and training programs for children (Illinois State Board of Education, 1983). Eisenberg (1989) reports that 16 compulsory attendance laws were enacted in the 1870s, 22 in the 1880s, and 83 in the 1900s. Between 1910 and 1915, 45 laws were enacted.

Compulsory education is based on beliefs about societal good being achieved through compulsory attendance at school. There is a perceived linkage between an educated citizenry and democracy. The

connection is acknowledged in the work of Horace Mann (1830).

There is also a belief that illiteracy is linked to crime (Eisenberg, 1989). The basis for this belief is that individuals who are uneducated do not have access to lucrative jobs and thus become criminals. Therefore as a society, we must further the educational opportunities for all to stem the crime tide.

One of the historically most significant practices and beliefs in the United States has been the belief that education is the key to assimilating new ethnic groups into our society. As wave after wave of immigrants landed on our shores or, more recently, at our airports, public education has been the means of teaching a language and a culture to the new immigrant groups. Compulsory education has provided access to U.S. society to individuals of great diversity.

The transformation of the U.S. economy from one based on agriculture to one based on industry is reflected in policies related to compulsory education. In Jefferson's time, "three years," loosely defined, was an adequate education for the needs of business or democracy. During agricultural times, American youth were intimately involved in the family work of making a farm successful. However, as farms grew larger, or consolidated, many farming operations ceased to exist. This led to the movement towards cities and industrial jobs. As fathers went to work in factories, there was no longer a need for the children to be at home to help with a family business. In conjunction with the move toward industrialization, the length of the school year and the ages for mandatory attendance both increased.

¹ For an extensive policy analysis of this topic, please see: *Compulsory Education* (1994) by Grady, Uerling, and Gosmire available from the Nebraska Department of Education, Lincoln, Nebraska.

These changes in attendance laws were designed to keep young men from competing for jobs with heads of households, and to avoid the dangers of juvenile delinquency that might occur if young people were allowed to roam the streets of the cities. Compulsory education, thus, filled another societal need of occupying American youth while adults worked.

A more positive belief that has prevailed is that literacy is linked to a productive society. It is good for society if young people are in school. Compulsory schooling was seen as a means of developing competition and creating wealthy nations (Miller, 1989).

In the cities, we also saw the end of the era of child labor in factories. This cessation resulted in more children in school.

Opponents to compulsory education have cited compulsory attendance laws as an infringement on parental rights or an intrusion on individual freedoms (Eisenberg, 1989; Illinois State Department of Education, 1983; Miller, 1989). Challenges to compulsory attendance are typically from individuals who refuse to send their children to school or individuals who have placed their children in unauthorized educational programs. Unauthorized education is sometimes referred to as underground education and includes home schooling and unaccredited schools (Lines, 1983).

The prevailing beliefs concerning compulsory education are that: education promotes a democratic society; education is a tool for society, specifically for economic growth; and, there is a need to assimilate new groups into our society. Keeping children in school keeps them out of the labor market, thus making jobs available to adults. Keeping children in school reduces vandalism or daytime juvenile crime.

Opponents to compulsory attendance have two basic premises: mandatory attendance is an infringement of parental rights and responsibilities; and mandatory attendance is an infringement of religious beliefs and convictions.

The Current Status of Compulsory Attendance Laws

Recent changes to compulsory attendance laws have focused on the adjustment of the age of entrance to five or six years old thus requiring mandatory kindergarten as well as the adjustment of the allowable exit age from 14 to 16 or 18 years of age. To determine the current status of the compulsory attendance laws throughout the United States, a

telephone survey of the 50 states was conducted in December 1993. The findings of this survey are outlined in Table 1.

The table illustrates a number of trends in compulsory education. First, children are going to school at younger ages. Thirteen states have children in school at age five. Seventeen states require students to be enrolled by age six. Second, there is a movement to change the exit age to 18 or a high school diploma.

Some states have developed unique compulsory attendance laws. Wisconsin recently changed the attendance requirement from the age of 16 to the age of 18. The legislation also called for a definition of habitual truant. This label was designed for the purposes of the juvenile courts. Wisconsin further called for each district to develop a truancy plan. Contributing to the truancy of a child has been identified as a crime. The Wisconsin legislation addresses the need for a juvenile court system that is effective and responsive in truancy (Henkel, 1988). The Wisconsin plan goes beyond the mere change of attendance ages and addresses the accompanying truancy issues that are of concern to educators who attempt to address mandatory attendance laws.

The state of California bases its state funding allocation system on average daily attendance (A.D.A.). A.D.A. excludes all excused absences. The focus in California is on how to combat truancy or unexcused absences. The California Department of Education (1980) requires each school district to develop an attendance plan that uses an attendance board, improves school attendance, and lowers campus crime, vandalism, and other effects of absenteeism. California is often cited as a model for the use of attendance boards.

The Illinois Department of Education (1983) studied the age at which students may leave school. They examined the rates of attendance across states and noticed that they are very similar. They further noted that there is a noticeable drop in rates of attendance in each of the states at the age at which attendance is no longer required. The state of Illinois enacted a change in the age of allowable exit from school from 16 to 18 years of age. This change was prompted by the belief that attendance rates will increase when the compulsory attendance age is increased.

Wisconsin, California, and Illinois are examples of states that have developed unique laws to deal with the compulsory attendance. Each state has separate

Table 1
U.S. Compulsory Attendance Laws*

Ages of Required Attendance		Changes in the last five years
Alabama	7-16	no
Alaska	7-16	no
Arizona	6-16	changed to 6 in 1991
Arkansas	5-17 parental wavier allowed	many changes focused on entrance age
California	6-18	no
Colorado	7-16	changed requirements for home schooling
Connecticut	7-16	no
Delaware	5-16	no
District of Columbia	5-18	changed to 18
Florida	5-16	no
Georgia	7-16	no
Hawaii	6-18	no
Idaho	7-16	no
Illinois	6-18	changed to 18
Indiana	—	—
Iowa	6-16	yes; changed from 7 to 6 and 14 to 16.
Kansas	7-16	no
Kentucky	6-16	no
Louisiana	5-17	changed the entrance age
Maine	7-16 or 9th grade completers	increased 14 to 16
Maryland	5-16	made kindergarten mandatory
Massachusetts	6-16	no
Michigan	6-16	changed home schooling requirements
Minnesota	7-16	changed from 16 to 18 (the year 2000 will be 7-18)
Mississippi	6-17	no
Missouri	—	—
Montana	6-18	mandatory kindergarten
Nebraska	7-16	no
Nevada	7-16	no
New Hampshire	7-17	no
New Jersey	6-16	no
New Mexico	5-18	changed entrance age
New York	6-16	changed entrance age
North Carolina	7-16	no
North Dakota	6-16	no
Ohio	—	—
Oklahoma	5-18	no
Oregon	7-18	no
Pennsylvania	8-17	proposing to go to 6-18
Rhode Island	5-16	changed entrance age
South Carolina	5-17	no
South Dakota	6-16	changed entrance and exit age
Tennessee	7-18	changed exit age
Texas	6-17	no
Utah	7-16	no
Vermont	7-16	no
Virginia	5-18	changed entrance and exit age
Washington	8-18	no
West Virginia	5-16	no
Wisconsin	6-18	changed exit age
Wyoming	6-16	no

*Data based on telephone survey conducted December 1993.

issues and needs. Compulsory attendance laws reflect the needs and desires of the state.

Causes and Effects of Absenteeism

Truancy, dropouts, and at-risk students are the major issues that emerge in a literature search on the topic of compulsory education. These are persistent and perplexing issues that trouble educators.

The literature on compulsory attendance reflects the question of why students choose not to come to school. Do the schools lack relevance for a significant population of American youth? Does entitlement make schooling less desirable? What causes students to be truant?

Students who are truant are generally considered "at-risk" (Elliot, 1987). The at-risk designation encompasses a wide range of meanings from dropping out to not obtaining meaningful employment throughout life. Being at-risk and truant are often synonymous.

Personnel in the Chicago Public School System and in the Omaha Public School System suggest that the "at-risk" population often disproportionately includes students who are minorities, usually male, and in the junior high age group. Leaders in these urban school systems realize that these students often get lost from the school system and do not report to school. Even though these students are technically truant, no one can find them or has identified them to label them truant (Kolasa, 1989; Kyle, 1989). There simply are not enough resources available to handle this situation.

Where do these kids go and why don't they come to school? Rood (1989) reported the following information from different attendance studies:

- Each school day, 2,500,000 students are absent from school.
- On an average Monday, many urban high schools have an absence rate of more than 30%.
- It is common for many secondary students to miss 20 to 90 days of school in an academic year.

Studies indicate that nonattenders are usually older than their middle/junior high school classmates or are in high school. Absenteeism increases as students progress through high school. Girls have higher rates of absenteeism than boys in the first three years of high school. Minority students are more likely to be absent. Students with higher grades and/or IQs have better attendance. Students from one-parent families have poorer attendance than

students from two-parent families. Those who participate in co-curricular activities will generally attend school more often than will nonparticipants (Rood, 1989).

There are four basic reasons why a student may not be in school on any given day: weather and transportation, poor health, family choice, and personal choice. The personal reasons why students choose not to come to school range from an inability to maintain social relationships with peers to an attitude by the school staff of "good riddance." Other reasons cited by students for leaving are: lack of home stability, permissive attendance policy, difficulty with classwork, lack of electives or choice in school work, and lack of ownership (Mervilde, 1981; Rood, 1989; Thomas, 1986).

Little and Thompson (1983) suggested that both parents and teachers may be contributing to truant children's unwillingness or inability to consistently attend school. The overvaluing parent (overindulgent and overprotective) was described in recent studies as one who fosters dependence, protects children from the consequences of their behaviors, and allows children to dominate the household with few pressures to conform to parental standards. Truant children may have learned from overprotective parents that they need to make themselves ill to receive parental attention. Teachers of these children reportedly value them less than they value the nontruant children. The child gets the message that not going to school is better than going to school.

Tyler (1988), calling for educational reform, stated that the American compulsion for education is the problem. He notes that compulsory attendance gives no guarantee that all teenagers are capable of mastering a secondary school curriculum. He further argues that compulsory school attendance laws give a disagreeable message that schools are something to be endured until one's 16th or 18th birthday. Thus, school does not stimulate effort.

School absenteeism has been consistently identified by educators as a major concern. Truancy and excessive absenteeism influence an entire spectrum, from pupils whose education is affected, to teachers whose instruction is disrupted, to principals who must account for empty desks, to superintendents who must rely on attendance for state aid, to attendance officers, home school counselors, and law enforcement officials who must contact parents and locate absent students, to judges who occasionally rule on truancy cases, and to merchants who

complain of daytime crime due to truancy (Mervilde, 1981).

Absenteeism is expensive in terms of academic achievement, economic loss to school districts, and teacher efficiency. Most importantly however, truancy is expensive because it is a lost opportunity for a large number of distressed youth. Englander (1986) studied one of the most devastating effects of truancy — loss of self-esteem. Data from his study clearly demonstrate that truants feel less worthy than nontruants. Furthermore, current punitive and coercive measures used in most schools and states simply exacerbate the conditions.

The Safe Schools Overview Resource Paper (1986) identified a relationship in various communities between truancy and daytime delinquency. Short-term studies indicated that decreasing truancy decreases community crime.

Bancky (1985) reported on a pilot program in the Minneapolis area dealing with habitual truants. The program unites social services, school districts, and the court system using a team approach. This approach was found to be effective in eliminating the effects of criminal behavior, and the breakdown of family communication.

The Sweetwater Union High School District in Chula Vista, California sees unauthorized absences as a monetary expense. For each student day of unauthorized student absence, the district loses \$11.95. For instance, in one year there were 95,818 days of unauthorized absence for which the district did not receive any money from the state, representing a loss of \$1,145,125.

The effects of truancy are vast. They include personal, societal, and monetary losses. Possible causes of truancy include the compulsory attendance laws, student choice, and parental and teacher attitudes.

Efforts to Increase School Attendance

There have been many efforts made to increase school attendance. The efforts can be grouped into three categories: regulations by state governments, school attendance programs and initiatives, and development of alternative programming for students who drop out or are identified as at-risk.

Regulation by State Governments. There is a national trend to increase the age at which students are allowed to leave school. Leaders in many states are considering increasing the age from 16 to 18 years. This increase is based on the assumption

that students will stay in school and not be truant. The Illinois (1983) study provided evidence that when the compulsory attendance age increases, attendance rates increase. Further efforts are being made in states like California and Wisconsin to require districts to have plans for dealing with truancy and for improving attendance rates.

School Attendance Programs and Initiatives. There have been several efforts by local school districts to increase attendance and decrease truancy. Santa Maria Joint Union High School District (1983) developed a system for "truancy sweeps." On the day of the sweep, assistant principals from each school are on duty at law enforcement agencies. Students are identified, their parents are telephoned and told to come and get their sons or daughters and return them to school. The law enforcement agencies make a concentrated effort to find students who are truant on these days. The school districts see a decrease in the number of students who are picked up on these sweeps as time goes on.

Dean (1990) described the use of an attendance board in various locations in Canada as an alternative to sending students to court for truancy. The attendance board provides a team approach to developing a plan for improvement for students. Due to the dissatisfaction with the courts as a vehicle for dealing with truancy, a number of states — including California, Florida, Illinois, Maine, Maryland, Minnesota, and Wisconsin — have legislated alternatives similar to the attendance board.

Ethridge and Percy (1993) examined Learnfare, a Wisconsin program in which welfare benefits are reduced when children in families receiving aid to families with dependent children (AFDC) have poor school attendance. They reported that the findings of various education studies cast doubt on the effectiveness of Learnfare in triggering improved school attendance by teenagers in AFDC families. Ethridge and Percy (1993) project that the causal theory of learnfare has been lost in the implementation of the policy.

Hassler (1993) studied the use of grade reduction or loss of credit for unexcused absences. In her study of various attendance policies of school districts, Hassler (1993) found that a policy which removed credit for excessive absenteeism provided an incentive for excellent attendance and increased parental contact.

A typical measure that's often taken by school district personnel for students who are truant is suspension. Stine (1989) argued that suspension

may seem absurd because the student is being dismissed from class for missing class. However, he pointed out several benefits to suspension. Suspension usually sets up a parent conference and opens up some lines of communication. Parents may feel that the suspension is a punishment and embarrassment for them which consequently helps ensure the student's attendance.

Several educators and organizations advocate more comprehensive approaches to improving school attendance (Stine 1990, Duckworth, 1988, Eastwold, 1989). The comprehensive approaches involve personnel, technology, and policy. Most all comprehensive approaches to increasing student attendance call for administrators and support staff to focus on reporting and following up on student absences.

The use of technology helps school personnel. Many school districts have computer software programs that monitor school attendance each period. Some districts use automatic dial machines. These machines call parents and notify them immediately if their child is missing from school. All comprehensive plans involve defined policy as it relates to attendance. Some policies outline incentives as well as disincentives. A comprehensive approach appears to be the most popular and effective among school districts.

Alternative Programming. Several programs that are considered alternative have been developed as a result of emphasis on increased school attendance age. One such program is Project Return in Portland, Oregon. According to Grice (1986), the primary objective of Project Return is to identify, contact, and counsel students who have left school or are failing to attend regularly.

Zafirau (1987) outlined four programs aimed at students who are returning to school.

1. Project DEEP in Wichita, Kansas — Diversified Educational Experiences Program — gives students a chance to complete a project of their own design in a nontraditional setting and receive academic credit for it.
2. Project Focus operates in two 1,600 student high schools in Independent School District #623 Roseville, Minnesota. This NDN-funded project provides an alternative program in a "family group" setting. The idea is to encourage "positive youth development" by using peer pressure within a group structure.
3. Project HOLD originated by the Pajoaro Valley Unified School District has target students

assigned to a teacher advocate and a "community counselor."

4. Higher Horizons provides groups of 100 underachieving secondary school students in Hartford, Connecticut with an integrated program of academic, cultural, and counseling services designed to develop and improve their basic skills in language and mathematics, self-concept, and adjustment to school.

Desnoyers and Pauder (1988) conducted a survey of methods and programs used to increase school attendance in Canada and the United States. They found that when students could return to alternative programming there was more incentive to go to school and remain in school. Alternative programming is a key to successful return of students to school.

The Educators' Perceptions

In 1990, South Dakota enacted legislation that raised the allowable exit age for students from 14 or completion of the eighth grade to 16. To understand the impact of changes in compulsory attendance laws, interviews were conducted with personnel from three different school districts — a principal of a high school with a population of less than 150; an assistant principal of a high school with a population of 1000; and a social worker for a school district with a population of 17,000.

The interviews focused on three topic areas — the differences that they have observed since the implementation of the new compulsory attendance age, the effects that have resulted since the implementation of the law, and how they felt about the law and any changes that they would make.

The primary difference that has been observed since the change in the compulsory attendance law is a change in climate. "There are more kids who just come to school with no intention of learning," was one description of how school climate has changed. Another difference was the anxiety expressed by teaching staff members regarding training and resources available to meet the needs of the "kids who don't want to be here."

Positive effects that have been observed since the passage of the new compulsory attendance law include high schools that have become more accommodating. There appear to be fewer kids on the streets. Comments included: "What did we do with these kids before? At least we have some kind of trace of where they are and what they are doing, even if they are failing." Another positive outcome

was the realization by teaching staff that all students do not learn in the same way. There were several suggestions for changes or support. There was an overwhelming call for alternative educational programs. "Give us some resources, some flexibility so we can develop programs to meet kids' needs." There was also a plea for a change of focus. "We shouldn't concern ourselves with how long a child is in school. We need to know what they can do. Who cares when they are in school as long as they master key skills?" Children need support systems to help them cope with the many pressures in today's society. Schools can serve as that support structure.

The themes that emerged during the interviews indicate that the change in the compulsory attendance law in South Dakota has provided a challenge to improve education for all students. The effects of the change have highlighted the need for schools to seek alternative programming and to develop support systems and resources. The state leaders, thus far, have not been able to meet the districts' needs.

Issues in Compulsory Education

The trend to increase the years of compulsory attendance has drawn attention to some issues. Home schooling and alternative education will be affected by changes in compulsory attendance laws. Homeless or lost kids continue to be overlooked. Resources for school reform and alternative instructional programs need to be identified.

Challenges to the compulsory attendance laws often emanate from disputes between parents and school officials over home instruction. Whenever a compulsory attendance law changes, there is a concern about the impact on home schooling practices (McGee, 1988).

There have been several legislative changes related to home schooling that focus on: legalizing home instruction, permitting home schooling under administrative rules, requiring state and local approval, and developing notification requirements and teacher qualifications (Gordon, 1991). There is a trend among state legislatures to modify compulsory attendance laws to provide parents with greater control over where they may educate their children.

Education leaders in every state must develop a plan for the homeless and the education of the homeless under the McKinney Act. Currently, there is little evidence that effective educational programs exist for homeless students (Department of Education, 1990).

One unique program is that conducted by Sandy McBrayer who teaches approximately 50 homeless kids a day in San Diego, California. McBrayer created a storefront school for the homeless six years ago. The school is funded by San Diego and a U.S. State Department grant. McBrayer was named 1994 Teacher of the Year for her efforts (NEA, 1994).

There is a cry for educational reform in the United States. One trend in school reform is to focus on increased time spent in school, which often translates into an increase in the compulsory age of attendance. However, the increase in the compulsory age of attendance has not signalled an increase in the resources for schools.

Policy Considerations

Questions persist about our national compulsion towards compulsory education. Certainly the question "Should the length of compulsory attendance be extended?" must be addressed. As a nation, we still hold many of the same beliefs that we did in the earliest years of the 20th century. We still see the relationship between a democracy and a literate populace. We still acknowledge the role of public education in assimilating new ethnic groups. We do not want young people to take the jobs of adults. We do not want young people wandering in communities during the daytime. We are opposed to juvenile crime. We continue to see an educated populace as linked to a strong, competitive economy. We continue to perceive education as being linked to prosperity.

Philosophically we would lobby for extending the years of mandatory school attendance. Particularly, we suggest that having children in school at age five is a social good. The national goals for education indicate readiness to learn is a national priority, and having children in school at age five will help to achieve that goal. Keeping children in school until a high school diploma is earned is also a social good. Individuals who do not complete high school are at a disadvantage in our society. Their earning capacities and job opportunities are limited.

Our philosophical beliefs, however, are *very* expensive. To extend the length of attendance means that schools will need more resources. More personnel will be required to staff classes. New building space will be needed to house students. Alternative programs will be needed, since the individuals who are not currently in attendance may require alternative programming to keep them in school. More enforcement personnel will be needed to halt the

truancy problem. The juvenile court system will also need to make adjustments to support compulsory attendance as well as to address the rising incidence of criminal actions by youth. More than 80% of the one million prisoners in the United States are high school dropouts whose care costs the taxpayer over \$20,000 for each individual. (Hodgkinson, 1991).

The skills our youth will need for work in the future are changing (Daggett, 1991). Our schools may need to be structured in vocational and college-bound tracks in the way that they were in the major eastern U.S. cities during the early part of the 20th century. Our economy requires a skilled labor pool that our industries cannot find in the United States. It will be a costly dilemma if our youth are unemployed.

Ultimately, the choices are about money and education for whom. As the chasm between the haves and have-nots becomes greater in cities such as Chicago, Los Angeles, New York, Miami, and Kansas City, the threat to the stability of our society becomes greater. In other countries, the class conflicts between the bourgeoisie and the proletariat have led to revolution and an overthrow of the bourgeoisie.

As a country, the key tool to reduce this chasm is schooling. Giving each individual access to jobs and income begins with an education that will prepare the individual for participation in the economic life of a community. Looking back to Jefferson's proposal, providing an education that prepared individuals to conduct daily business affairs was a priority. Two hundred years later, we still seek to achieve this objective.

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