

**ALASKA LEGISLATURE**

**2566**

**HOUSE and SENATE FINANCE COMMITTEE FILES, 2003-2004**

**Life Alaska**  
Tissue and Organ Donation  
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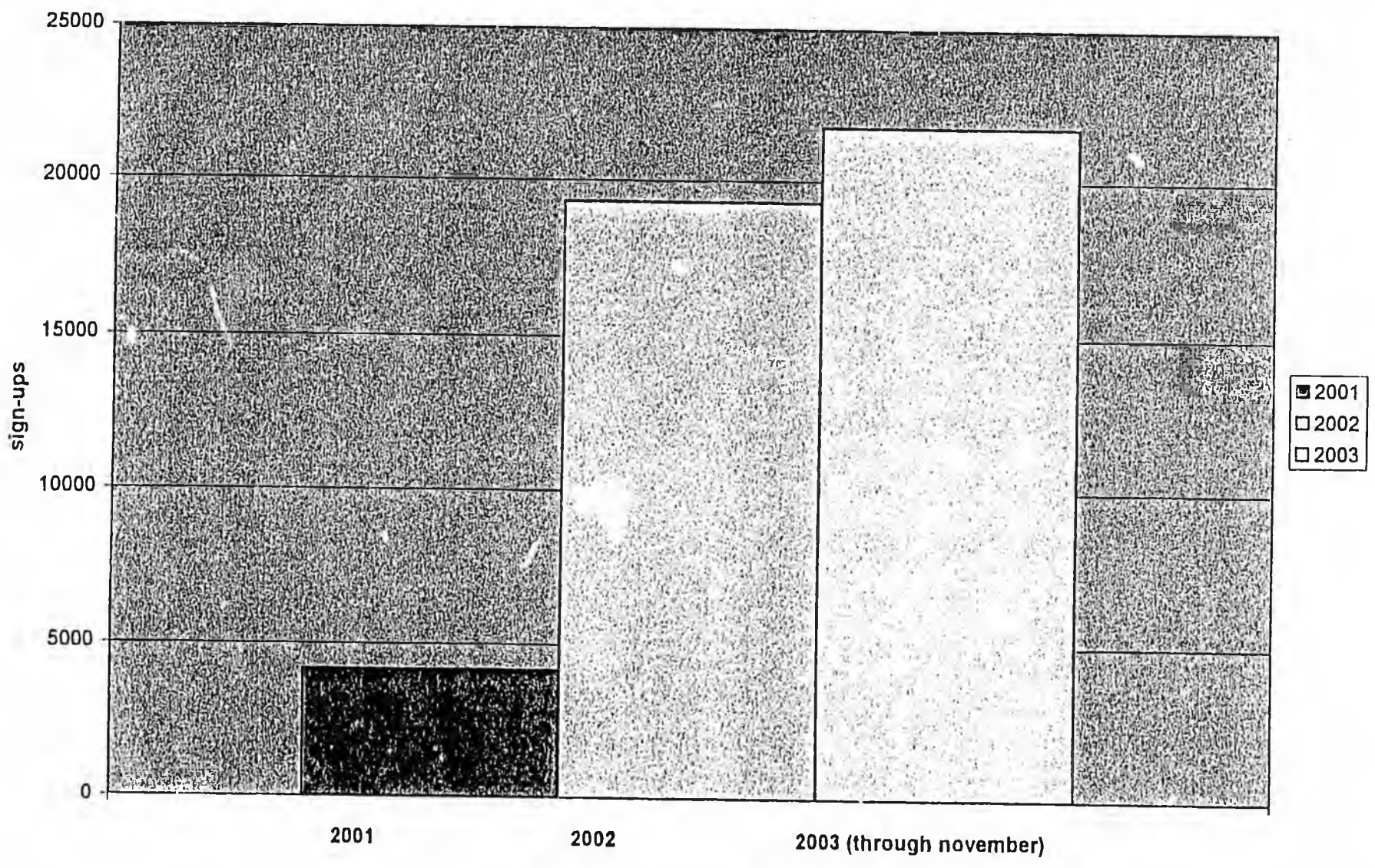
## **DMV Donor Gift Registry Statistics Graphs**

Registry sign-ups forwarded to Life Alaska Donor Services by various DMV offices across the state are tracked on a daily basis. Numbers of new Registrants, by DMV office location, are tallied and forwarded to the DMV Director on the last day of each month.

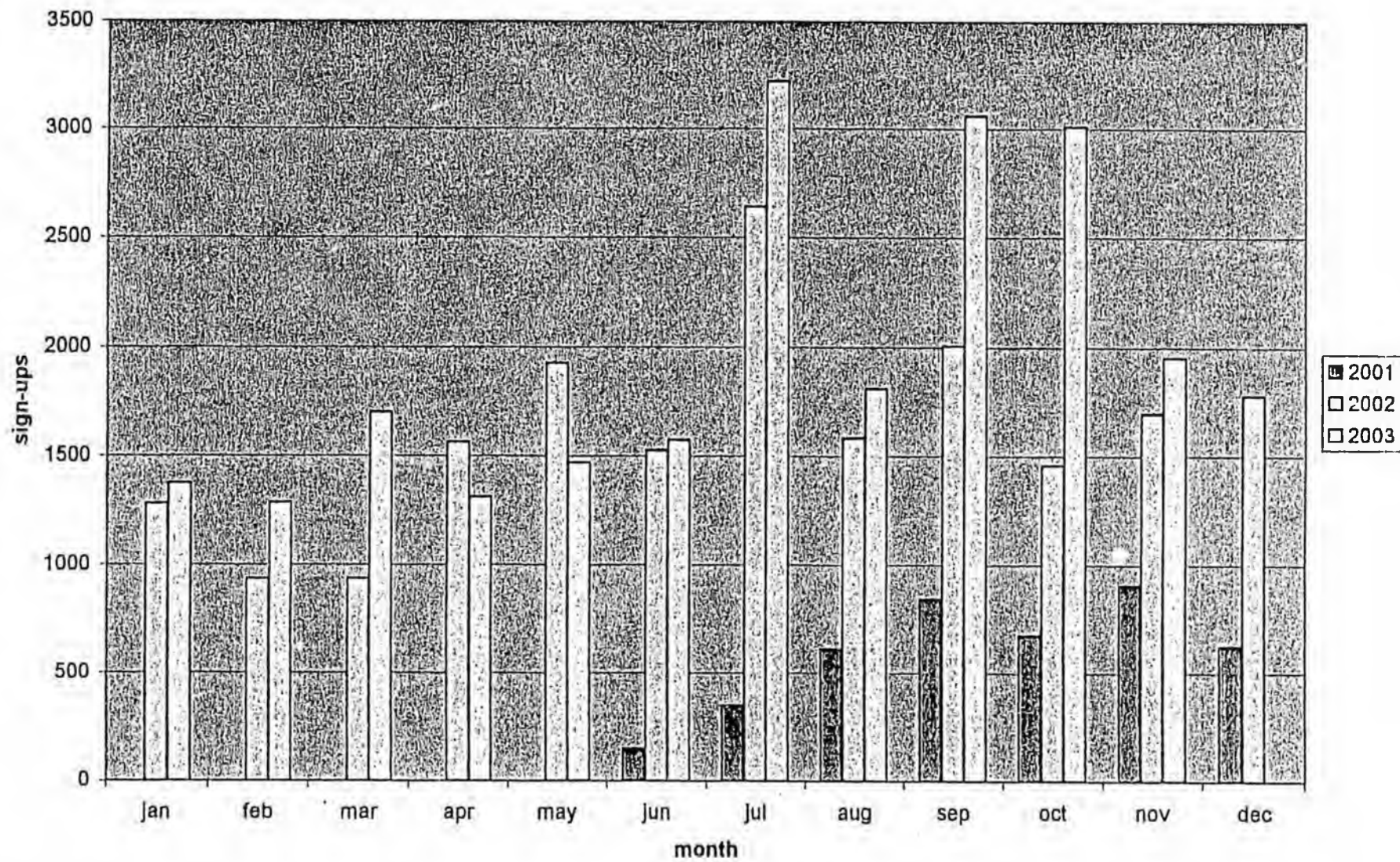
The Registry was created in August of 2001. For each subsequent year, the number of new Registrants has increased.

The DMV is a strong and valuable partner for Life Alaska; over 90% of the 50,000+ Registrants in the Donor Gift Registry came to Life Alaska via the DMV program.

registry sign-ups by year



sign-ups by month





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Get The Facts

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## Myths About Organ Donation

Some people have opted not to be an organ donor based on urban legends and other myths. We understand that you might have concerns about donation but want to be sure your decision about organ donation is based on the facts. Test yourself with the questions below – how well do you know the facts about organ donation?

- If I'm admitted into the hospital and the doctors know I want to be a donor, they won't try and save my life.
- I carry a donor card and it is in my will that I want to be a donor, so I don't have to tell my family about my wishes.
- I have heard about people who steal kidneys and sell them on the black market.
- Rich and famous people are moved to the top of the waiting list and regular people have to wait even longer.
- Donation will be costly to my family.
- My religion doesn't allow organ and tissue donation.
- I can't be a donor because I want an open casket funeral.
- No one will want my organs because of my medical history. Besides I'm too old to be a donor.
- They might take my organs before I am really dead.

**"If I'm admitted into the hospital and the doctors know I want to be a donor, they won't try and save my life."**

There is no conflict between saving lives and using organs for transplantation. Medical professionals will do everything they can to save your life. The doctors who work to save your life are not the same doctors involved with organ donation. It is only after every attempt has been made to save your life that donation will be considered.

**"I carry a donor card and it is in my will that I want to be a donor, so I don't have to tell my family about my wishes."**

Designating your wishes on your driver's license or signing a donor card ensures that you'll be considered as a donor. By the time your will is read, it will be too late to recover your organs. Telling your family now that you want to be an organ and tissue donor is the best way to ensure that your wishes are carried out.

**"I have heard about people who steal kidneys and sell them on the black market."**

There is no evidence of such activity ever occurring in the United States or any other industrialized country. While this tale may sound credible, it has no basis in the reality of organ transplantation. According to the Uniform Anatomical Gift Act of 1984, it is illegal to buy or sell human

organs. Violators are subject to fines and imprisonment. In addition, a national governing body reviews every organ donation and transplant. Strict regulations prevent any type of "black market" existence in the United States.

**"Rich and famous people are moved to the top of the waiting list and regular people have to wait even longer."**

The organ allocation and distribution system is blind to wealth or social status. The length of time it takes to receive a transplant is influenced by a variety of factors including location, severity of illness, physical characteristics (blood type, weight, genetic typing, and size) and length of time on the waiting list. Factors such as race, gender, age, income or celebrity status are never considered when determining who receives an organ.

**"Donation will be costly to my family."**

There is no cost to the donor's family for organ and tissue donation. Hospital expenses incurred before the donation of organs in attempts to save the donor's life and funeral expenses remain the responsibility of the donor's family. All costs related to donation are paid for by the organ procurement agency.

**"My religion doesn't allow organ and tissue donation."**

Most religions throughout the world support organ and tissue donation as a humanitarian act of giving. Transplantation is consistent with the life preserving traditions of these faiths. You are encouraged to discuss donation with your religious or spiritual leader.

**"I can't be a donor because I want an open casket funeral."**

The body is treated with a great deal of respect and dignity. The recovery of organs and tissues is conducted under standard, sterile conditions in an operating room by qualified surgeons. The process neither disfigures the body, nor changes the way it looks in a casket. No one, except the family members involved in the decision, will know about the donation.

**"No one will want my organs because of my medical history. Besides I'm too old to be a donor."**

At the time of death, the appropriate medical professionals will review your medical and social history to determine if you are a candidate for donation. Anyone, regardless of age, can be considered for organ donation. With recent advances in transplantation, more people than ever before can donate.

**"They might take my organs before I am really dead."**

Organ donation is only accepted following the declaration of death by a doctor not involved in transplantation. In order to donate organs, a patient must be declared brain dead. Brain death is the determination of legal death. It is the complete and irreversible loss of all brain function, including the brain stem. Using specific medical criteria, a physician can confirm brain death beyond any doubt.

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## Religious Beliefs About Organ Donation

Most major religions support organ donation as a humanitarian gift giving life. If you have questions about donation we encourage you to talk with the leader of your religious community.

- [AME & AME Zion](#)
- [Amish](#)
- [Assembly of God](#)
- [Baptist](#)
- [Brethren](#)
- [Buddhism](#)
- [Catholicism](#)
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- [Shinto](#)
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- [United Church of Christ](#)
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### AME & AME Zion

(African Methodist Episcopal) Organ and tissue donation is viewed as an act of neighborly love and charity by these denominations. They encourage all members to support donation as a way of helping others.

### Amish

The Amish will consent to transplantation if they believe it is for the well being of the transplant recipient. John Hostetler, world-renowned authority on Amish religion and professor of anthropology at Temple University in Philadelphia, says in his book, Amish Society, "The Amish believe that since God created the human body, it is God who heals. However, nothing in the Amish understanding of the Bible forbids them from using modern medical services, including surgery, hospitalization, dental work, anesthesia, blood transfusions or immunization."

### Assembly of God

The Church has no official policy regarding organ and tissue donation. The decision to donate is left up to the individual. Donation is highly supported by the denomination.

### **Baptist**

Organ and tissue donation is supported as an act of charity. The Baptist Church leaves the decision up to the individual. The nation's largest Protestant denomination, the Southern Baptist Convention, adopted a resolution in 1988 encouraging physicians to request organ donation in appropriate circumstances and to "...encourage voluntarism regarding organ donation in the spirit of stewardship, compassion for the needs of others and alleviating suffering."

### **Brethren**

While no official position has been taken by the Brethren denominations, according to Pastor Mike Smith, there is a consensus among the National Fellowship of Grace Brethren that organ and tissue donation is a charitable act so long as it does not impede the life or hasten the death of the donor or does not come from an unborn child.

### **Buddhism**

Buddhists believe organ and tissue donation is a matter of individual conscience and place a high value on acts of compassion. Reverend Gyomay Masao, president and founder of the Buddhist Temple of Chicago says, "We honor those people who donate their bodies and organs to the advancement of medical science and to saving lives." The importance of letting loved ones know your wishes is stressed.

### **Catholicism**

Catholics view organ and tissue donation as an act of charity and love. Transplants are morally and ethically acceptable to the Vatican. According to Father Leroy Wickowski, Director of the Office of Health Affairs of the Archdiocese of Chicago, "We encourage donation as an act of charity. It is something good that can result from tragedy and a way for families to find comfort by helping others." Pope John Paul II has stated, "The Catholic Church would promote the fact that there is a need for organ donors and Christians should accept this as a "challenge to their generosity and fraternal love" so long as ethical principles are followed."

### **Christian Church (Disciples of Christ)**

The Christian Church encourages organ and tissue donation, stating that we were created for God's glory and for sharing God's love. A 1985 resolution, adopted by the General Assembly, encourages, "... members of the Christian Church (Disciples of Christ) to enroll as organ donors and prayerfully support those who have received an organ transplant."

### **Christian Science**

The Church of Christian Science does not have a specific position regarding organ donation. According to the First Church of Christ Scientist in Boston, Christian Scientists normally rely on spiritual instead of medical means of healing. They are free, however, to choose whatever form of medical treatment they desire - including a transplant. The question of organ and tissue donation is an individual decision.

### **The Church of the Nazarene**

The Church of the Nazarene encourages its members who do not object personally to support donor/recipient anatomical organs through living wills and trusts. Further, they appeal for a morally and ethically fair

distribution of organs to those qualified to receive them (Manual, Church of the Nazarene 1997 - 2001 paragraph 904.2).

#### **Episcopal**

The Episcopal Church passed a resolution in 1982 that recognizes the life-giving benefits of organ, blood and tissue donation. All Christians are encouraged to become organ, blood and tissue donors "...as part of their ministry to others in the name of Christ, who gave His life, that we may have life in its fullness."

#### **Greek Orthodox**

According to Reverend Dr. Milton Efthimiou, Director of the Department of Church and Society for the Greek Orthodox Church of North and South America, the Greek Orthodox Church is not opposed to organ donation as long as the organs and tissue in question are used to better human life, i.e., for transplantation or for research that will lead to improvements in the treatment and prevention of disease.

#### **Gypsies**

Gypsies are a people of different ethnic groups without a formalized religion. They share common folk beliefs and tend to oppose organ donation. Their opposition is connected with their beliefs about the afterlife. Traditional belief contends that for one year after death the soul retraces its steps. Thus, the body must remain intact because the soul maintains its physical shape.

#### **Hinduism**

According to the Hindu Temple Society of North America, religious law does not prohibit Hindus from donating their organs. This act is an individual's decision. H.L. Trivedi, in Transplantation Proceedings, stated that, "Hindu mythology has stories in which the parts of the human body are used for the benefit of other humans and society. There is nothing in the Hindu religion indicating that parts of humans, dead or alive, cannot be used to alleviate the suffering of other humans."

#### **Independent Conservative Evangelical**

Generally, Evangelicals have no opposition to organ and tissue donation. Each church is autonomous and leaves the decision to donate up to the individual.

#### **Islam**

The religion of Islam strongly believes in the principle of saving human lives. According to A. Sachedina in his Transplantation Proceedings (1990) article, Islamic Views on Organ Transplantation, "...the majority of the Muslim scholars belonging to various schools of Islamic law have invoked the principle of the priority of saving human life and have permitted the organ transplant as a necessity to procure that noble end."

#### **Jehovah's Witness**

According to the Watch Tower Society, Jehovah's Witnesses believe donation is a matter of individual decision. Jehovah's Witnesses are often assumed to be against donation because of their opposition to blood transfusions. However, this merely means that all blood must be removed from the organs and tissue before being transplanted

#### **Judaism**

All four branches of Judaism (Orthodox, Conservative, Reform and Reconstructionist) support and encourage donation. According to Orthodox Rabbi Moses Tendler, Chairman of the Biology Department of Yeshiva University in New York City and Chairman of the Bioethics Commission of the Rabbinical Council of America, "If one is in the position to donate an organ to save another's life, it's obligatory to do so, even if the donor never knows who the beneficiary will be. The basic principle of Jewish ethics, 'the infinite worth of the human being,' also includes donation of corneas, since eyesight restoration is considered a lifesaving operation." In 1991, the Rabbinical Council of America (Orthodox) approved organ donation as permissible, and even required, from brain-dead patients. The Reform movement looks upon the transplant program favorably, and Rabbi Richard Address, Director of the Union of America Hebrew Congregation Bio-Ethics Committee and Committee on Older Adults, states that "Judaic Responsa materials provide a positive approach, and by and large the North American Reform Jewish community approves of transplantation."

#### **The Lutheran Church of America**

Lutherans passed a resolution in 1984 stating that donation contributes to the well being of humanity and can be "an expression of sacrificial love for a neighbor in need." They call on "members to consider donating... and to make any necessary family and legal arrangements, including the use of a signed donor card."

#### **Mennonite**

Mennonites have no formal position on donation, but are not opposed to it. They believe the decision to donate is up to the individual and/or his or her family.

#### **Moravian**

The Moravian Church has made no statement addressing organ and tissue donation or transplantation. Robert E. Sawyer, President, Provincial Elders Conference, Moravian Church of America, Southern Province, states, "There is nothing in our doctrine or policy that would prevent a Moravian pastor from assisting a family in making a decision to donate or not to donate an organ." It is, therefore, a matter of individual choice.

#### **Mormon (Church of Jesus Christ of Latter-Day Saints)**

The Church of Jesus Christ of Latter-Day Saints believes the decision to donate is an individual one made in conjunction with family, medical personnel and prayer. Jerry Cahill, Director of Public Affairs for the Mormon Church, says, "Mormons must individually weigh the advantages and disadvantages of transplantation and choose the one that will bring them peace and comfort. The Church does not interpose any objection to an individual decision in favor of organ and tissue donation."

#### **Pentecostal**

Pentecostals believe that the decision to donate should be left up to the individual.

#### **Presbyterian**

Presbyterians encourage and support donation. They respect a person's right to make decisions regarding his or her own body.

#### **Protestant**

Protestants encourage and endorse organ donation. The Protestant faiths respect an individual's conscience and a person's right to make decisions regarding his or her own body. Reverend James W. Rassbach, Lutheran Board of Communication Services, Missouri-Synod, says "We accept and believe that our Lord Jesus Christ came to give life and give it in abundance. Organ donations enable more abundant life, alleviate pain and suffering and are an expression of love in times of tragedy."

#### **Seventh-Day Adventist**

Donation and transplantation are strongly encouraged. They have many transplant hospitals, including Loma Linda in California, which specializes in pediatric heart transplants.

#### **Shinto**

In Shinto, the dead body is considered to be impure and dangerous, and thus quite powerful. "In old belief context, injuring a dead body is a serious crime..." according to E. Namihira in his article, Shinto Concept Concerning the Dead Human Body. "To this day it is difficult to obtain consent from bereaved families for organ donation or dissection for medical education or pathological anatomy... the Japanese regard them all in the sense of injuring a dead body." Families are often concerned that they not injure the itai, the relationship between the dead person and the bereaved people.

#### **Society of Friends (Quakers)**

Organ and tissue donation is widely believed to be an individual decision. The Society of Friends does not have an official position on donation.

#### **Unitarian Universalist**

Organ and tissue donation is widely supported by Unitarian Universalists. They view it as an act of love and selfless giving.

#### **United Church of Christ**

Reverend Jay Lintner, Director, Washington Office of the United Church of Christ Office for Church in Society, states, "United Church of Christ people, churches and agencies are extremely and overwhelmingly supportive of organ sharing. The General Synod has never spoken to this issue because, in general, the Synod speaks on more controversial issues, and there is no controversy about organ sharing, just as there is no controversy about blood donation in the denomination. Any organized effort to get the General Synod delegates or individual churches to sign organ donation cards would meet with generally positive responses."

#### **United Methodist**

The United Methodist Church issued a policy statement regarding organ and tissue donation. In it they state, "The United Methodist Church recognizes the life-giving benefits of organ and tissue donation, and thereby encourages all Christians to become organ and tissue donors by signing and carrying donor cards or a driver's license, attesting to their commitment of such organs upon their death to those in need, as

a part of their ministry to others in the name of Christ, who gave His life that we might have life in its fullness." A 1992 resolution states, "Donation is to be encouraged, assuming appropriate safeguards against hastening death and determination of death by reliable criteria." The resolution further states, "Pastoral-care persons should be willing to explore these options as a normal part of conversation with patients and their families."

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**ORGAN DONOR NETWORK**

**HB**

**337**

**SFIN**

**FILE**

REPORTED OUT  
MAY 03 2004  
SENATE FINANCE  
COMMITTEE

**SENATE FINANCE COMMITTEE REPORT**

DATE: 3/26/04

FURTHER:

DATE TURNED IN TO OFFICE: 3 May 2004

Finance Committee considered CS FOR HOUSE BILL NO. 337(FIN)

**HB 337 ANATOMICAL GIFTS REGISTRY**

"An Act relating to anatomical donor registries, to an anatomical gift awareness fund, to an anatomical gift awareness program, to motor vehicle licenses and registrations, and to state identification cards."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

<b>Senate Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<b>House Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero.	FN#

Department	Date	Fiscal	Indet.	Zero	FN#
H&SS	1/20/04			✓	#1
Admin	2/13/04	7.0			#2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Paul Pappas</i>	✓			
<i>Ben Stearns</i>			✓	
<i>Ben Stearns</i>	✓			
<i>Ben Stearns</i>	✓			
<i>Ben Stearns</i>	✗			
COCHAIR: <i>Syde Green</i>	✓			
COCHAIR: <i>Conny Weber</i>	✓			

# FISCAL NOTE

REPORTED OUT  
MAY 03 2004  
SENATE FINANCE  
COMMITTEE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: 2  
 Bill Version: CSHB 337(FIN)  
 (H) Publish Date: 2/19/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Administration  
 Title "An act relating to anatomical donor registries..." RDU Division of Motor Vehicles  
 Component Motor Vehicles  
 Sponsor Rep. McGuire  
 Requester (H) State Affairs Component No. 2348

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual	7.0					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>7.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
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CHANGE 'N REVENUES ( )						
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**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1108 Statutory Designated Prog. Rec	7.0					
<b>TOTAL</b>	<b>7.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

HB 337 will streamline the process in which DMV transfers information relating to organ donors. The bill incorporates our new digital driver's license design by adding the universal symbol of organ donor onto the license. Donor information will be transferred to Life Alaska in a fashion similar to information sent to Division of Elections.

Prepared by: Duane Bannock Phone 269 5008  
 Division: Motor Vehicles Date/Time 2/13/04 1:16 PM  
 Approved by: Mike Miller, Commissioner Date 2/13/2004  
 Agency: Dept. of Administration

# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

REPORTED OUT

MAY 03 2004

Fiscal Note Number: 1  
 Bill Version: CSHB 337(STA)  
 (H) Publish Date: 1/28/04  
 Dept. Affected: Health & Social Services  
 RDU: Public Health  
 Component: Community Health/EMS Services

Revision Date/Time (Note if correction):  
 Title: ANATOMICAL GIFT ACT

Sponsor: MCGUIRE  
 Requester: STATE AFFAIRS COMM

Component No. 2078

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
CHANGE IN REVENUES (0)						

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: \_\_\_\_\_  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

HB 337 establishes a Donor Registry Program. It is unclear whether the legislation requires the registry program to be established within the Department of Health and Social Services. If DHSS is the responsible agency for the Donor Registry program a revised fiscal note will have to be submitted.

Prepared by: Janet Clarke  
 Division: Administrative Services  
 Approved by: Joel S. Gilbertson, Commissioner  
 Agency: Department of Health and Social Services

Phone 465-1630  
 Date/Time 01/19/2004  
 Date 01/20/2004

# Alaska State Legislature

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## Representative Lesil McGuire

Chair, Judiciary Committee

### HB 337

*"An Act relating to anatomical donor registries, to an anatomical gift awareness fund, to an anatomical gift awareness program, and to motor vehicle licenses and registrations."*

#### SPONSOR STATEMENT

Currently there are nearly 84,000 men, women and children waiting for organ transplants nationwide, of which 85 are Alaskans. In addition, many more of your fellow Alaskans are currently waiting for tissue (bone, tendon, skin, heart valve, cornea) donations. While 66 people receive organ transplants in the U.S. every day, another 17 people on the waiting list will die because not enough organs are available.

Alaskans have always been known for their generosity and caring for their neighbors and the Uniform Anatomical Gift Act continues this long tradition. This legislation creates a donor registry program in which a donor's License/ID information can be transferred to Life Alaska Donor Services, the state's organ & tissue donor program. Should the donor not want to have their information transferred to the donation program, the donor can choose not to participate. Also the donor can opt out of the program at any time and their information will be removed from the registry.

Currently, the licensee's donor status is only located as a printed statement on the physical ID and not within the DMV database. This lack of a registry creates a problem for donation in a timely fashion. The DMV currently keeps no records of the Licensee's status; therefore the donation program may not realize the donor's wishes or may realize the donor's wishes too late for the donation to be medically acceptable.

With this legislation, the donor's status and other information will be available to Life Alaska Donor Services so that the donor's gift may be realized with or without the donor having their License/State ID card at the time of death. This will also allow Life Alaska to quickly ascertain the donor status of the Licensee and match the donor's gift with a suitable recipient.

In addition to the creation of the registry, HB 337 will create a monetary donation program in which a motor vehicle applicant may donate \$1 or more to the Organ & Tissue Donation Awareness Fund. The purpose of the fund is to promote organ & tissue donation and to administer the Organ & Tissue Donation Awareness Fund. Although the donation is voluntary the Department of Motor Vehicles will make information on the importance of organ donation available to all applicants.

Similar bills have already been passed in Washington and Montana in 2003 with great success. Please support this bill, so that Life Alaska Donor Services will have quick and efficient access to information that will ultimately save the life of you or a loved one.

# Alaska State Legislature

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Representative Lesil McGuire  
Chair, Judiciary Committee

## EXPLANATION OF CHANGES IN CSHB 337(FIN)

The House Finance Committee added the following language to further clarify notice of cancellation of an organ or tissue gift under AS 13.50.050 (Page 3, Lines 6-10):

*(a) A donor whose motor vehicle or identification document information is on a registry shall notify a procurement organization or the department of the destruction or mutilation of the motor vehicle or identification document or revocation of the gift under AS 13.50.050 in order to remove the donor's name from a registry.*

This change allows a organ/tissue donor to provide notice of cancellation to the organ donation organization or the Department of Motor Vehicles. The original version only provided for notice of cancellation to the organ donation organization.

# Alaska State Legislature

Session:  
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## Representative Lesil McGuire

Chair, Judiciary Committee

### CSHB 337 (FIN)

*"An Act relating to anatomical donor registries, to an anatomical gift awareness fund, to an anatomical gift awareness program, to motor vehicle licenses and registrations, and to state identification cards."*

### SUMMARY SECTIONAL ANALYSIS

**Sec. 1** – Clarifies that the anatomical donations and the donation process referred to throughout the bill comports with existing statute which covers elements of who may make an anatomical donation, requests by hospitals for anatomical gifts, amendment or revocation of the gift, etc.

**Sec. 2** – Amends AS 13.50.090 by clarifying the short title of the referenced sections of statute as the Uniform Anatomical Gift Act.

**Sec. 3** (Pages 1-5) –

- 1) Authorizes transfer of information obtained by Motor Vehicles to the organ procurement organization;
- 2) Defines and limit how the transferred information may be used, including the specification that the information may not be used for fundraising purposes;
- 3) Allows the procurement organization to obtain relevant information from sources other than Motor Vehicles;
- 4) Stipulates that the procurement organization who has requested the registry information shall pay reasonable costs associated with the creation of the registry;
- 5) Establishes procedures for cancellation and notification of cancellation of anatomical gifts;
- 6) Creates a monetary (donate-a-dollar) donation program for the anatomical gift awareness fund;
- 7) Creates the anatomical gift awareness fund which will be used for the creation of materials to promote anatomical gifts and the administration of the donor registry;
- 8) Establishes a penalty of a class B misdemeanor who knowingly violate the provisions of the section; and
- 9) Provides for definitions appropriate to the section.

# Alaska State Legislature

*Session:*  
State Capitol  
Juneau, AK 99801  
Phone: (907) 465-2995  
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## Representative Lesil McGuire

Chair, Judiciary Committee

**Sec. 4** – Amends AS 18.65.311 by changing language associated with the current organ donor process as overseen and implemented by Motor Vehicles. This section removes the specific reference of the existing organ donor card and provides that the department now shall provide a non-descript “method”. This change is at the request of Motor Vehicles in anticipation of the new digital driver’s licenses. The section refers specifically to identification cards.

**Sec. 5** – Amends AS 28.10.021(c) to include new language establishing procedures for Motor Vehicles to execute an organ donation during vehicle registration.

**Sec. 6** – Amends AS 28.15.061(d) to include new language establishing procedures for Motor Vehicles to execute an organ donation during driver’s license application or renewal.

**Sec. 7** – Amends AS 18.65.111 by changing language associated with the current organ donor process as overseen and implemented by Motor Vehicles. This section removes the specific reference of the existing organ donor card and provides that the department now shall provide a non-descript “method”. This change is at the request of Motor Vehicles in anticipation of the new digital driver’s licenses. The sections refer specifically to driver’s/operator’s licenses.


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## Myths About Organ Donation

Some people have opted not to be an organ donor based on urban legends and other myths. We understand that you might have concerns about donation but want to be sure your decision about organ donation is based on the facts. Test yourself with the questions below – how well do you know the facts about organ donation?

- If I'm admitted into the hospital and the doctors know I want to be a donor, they won't try and save my life.
- I carry a donor card and it is in my will that I want to be a donor, so I don't have to tell my family about my wishes.
- I have heard about people who steal kidneys and sell them on the black market.
- Rich and famous people are moved to the top of the waiting list and regular people have to wait even longer.
- Donation will be costly to my family.
- My religion doesn't allow organ and tissue donation.
- I can't be a donor because I want an open casket funeral.
- No one will want my organs because of my medical history. Besides I'm too old to be a donor.
- They might take my organs before I am really dead.

### **"If I'm admitted into the hospital and the doctors know I want to be a donor, they won't try and save my life."**

There is no conflict between saving lives and using organs for transplantation. Medical professionals will do everything they can to save your life. The doctors who work to save your life are not the same doctors involved with organ donation. It is only after every attempt has been made to save your life that donation will be considered.

### **"I carry a donor card and it is in my will that I want to be a donor, so I don't have to tell my family about my wishes."**

Designating your wishes on your driver's license or signing a donor card ensures that you'll be considered as a donor. By the time your will is read, it will be too late to recover your organs. Telling your family now that you want to be an organ and tissue donor is the best way to ensure that your wishes are carried out.

### **"I have heard about people who steal kidneys and sell them on the black market."**

There is no evidence of such activity ever occurring in the United States or any other industrialized country. While this tale may sound credible, it has no basis in the reality of organ transplantation. According to the Uniform Anatomical Gift Act of 1984, it is illegal to buy or sell human

organs. Violators are subject to fines and imprisonment. In addition, a national governing body reviews every organ donation and transplant. Strict regulations prevent any type of "black market" existence in the United States.

**"Rich and famous people are moved to the top of the waiting list and regular people have to wait even longer."**

The organ allocation and distribution system is blind to wealth or social status. The length of time it takes to receive a transplant is influenced by a variety of factors including location, severity of illness, physical characteristics (blood type, weight, genetic typing, and size) and length of time on the waiting list. Factors such as race, gender, age, income or celebrity status are never considered when determining who receives an organ.

**"Donation will be costly to my family."**

There is no cost to the donor's family for organ and tissue donation. Hospital expenses incurred before the donation of organs in attempts to save the donor's life and funeral expenses remain the responsibility of the donor's family. All costs related to donation are paid for by the organ procurement agency.

**"My religion doesn't allow organ and tissue donation."**

Most religions throughout the world support organ and tissue donation as a humanitarian act of giving. Transplantation is consistent with the life preserving traditions of these faiths. You are encouraged to discuss donation with your religious or spiritual leader.

**"I can't be a donor because I want an open casket funeral."**

The body is treated with a great deal of respect and dignity. The recovery of organs and tissues is conducted under standard, sterile conditions in an operating room by qualified surgeons. The process neither disfigures the body, nor changes the way it looks in a casket. No one, except the family members involved in the decision, will know about the donation.

**"No one will want my organs because of my medical history. Besides I'm too old to be a donor."**

At the time of death, the appropriate medical professionals will review your medical and social history to determine if you are a candidate for donation. Anyone, regardless of age, can be considered for organ donation. With recent advances in transplantation, more people than ever before can donate.

**"They might take my organs before I am really dead."**

Organ donation is only accepted following the declaration of death by a doctor not involved in transplantation. In order to donate organs, a patient must be declared brain dead. Brain death is the determination of legal death. It is the complete and irreversible loss of all brain function, including the brain stem. Using specific medical criteria, a physician can confirm brain death beyond any doubt.

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## Religious Beliefs About Organ Donation

Most major religions support organ donation as a humanitarian gift giving life. If you have questions about donation we encourage you to talk with the leader of your religious community.

- [AME & AME Zion](#)
- [Amish](#)
- [Assembly of God](#)
- [Baptist](#)
- [Brethren](#)
- [Buddhism](#)
- [Catholicism](#)
- [Christian Church \(Disciples of Christ\)](#)
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- [Gypsies](#)
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- [Independent Conservative Evangelical](#)
- [Islam](#)
- [Jehovah's Witness](#)
- [Judaism](#)
- [Lutheran Church of America](#)
- [Mennonite](#)
- [Moravian](#)
- [Mormon \(Church of Jesus Christ of Latter-Day Saints\)](#)
- [Pentecostal](#)
- [Presbyterian](#)
- [Protestant](#)
- [Seventh-Day Adventist](#)
- [Shinto](#)
- [Society of Friends \(Quakers\)](#)
- [Unitarian Universalist](#)
- [United Church of Christ](#)
- [United Methodist](#)

### AME & AME Zion

(African Methodist Episcopal) Organ and tissue donation is viewed as an act of neighborly love and charity by these denominations. They encourage all members to support donation as a way of helping others.

### Amish

The Amish will consent to transplantation if they believe it is for the well being of the transplant recipient. John Hostetler, world-renowned authority on Amish religion and professor of anthropology at Temple University in Philadelphia, says in his book, *Amish Society*, "The Amish believe that since God created the human body, it is God who heals. However, nothing in the Amish understanding of the Bible forbids them from using modern medical services, including surgery, hospitalization, dental work, anesthesia, blood transfusions or immunization."

### Assembly of God

The Church has no official policy regarding organ and tissue donation. The decision to donate is left up to the individual. Donation is highly supported by the denomination.

**Baptist**

Organ and tissue donation is supported as an act of charity. The Baptist Church leaves the decision up to the individual. The nation's largest Protestant denomination, the Southern Baptist Convention, adopted a resolution in 1988 encouraging physicians to request organ donation in appropriate circumstances and to "...encourage voluntarism regarding organ donation in the spirit of stewardship, compassion for the needs of others and alleviating suffering."

**Brethren**

While no official position has been taken by the Brethren denominations, according to Pastor Mike Smith, there is a consensus among the National Fellowship of Grace Brethren that organ and tissue donation is a charitable act so long as it does not impede the life or hasten the death of the donor or does not come from an unborn child.

**Buddhism**

Buddhists believe organ and tissue donation is a matter of individual conscience and place a high value on acts of compassion. Reverend Gyomay Masao, president and founder of the Buddhist Temple of Chicago says, "We honor those people who donate their bodies and organs to the advancement of medical science and to saving lives." The importance of letting loved ones know your wishes is stressed.

**Catholicism**

Catholics view organ and tissue donation as an act of charity and love. Transplants are morally and ethically acceptable to the Vatican. According to Father Leroy Wickowski, Director of the Office of Health Affairs of the Archdiocese of Chicago, "We encourage donation as an act of charity. It is something good that can result from tragedy and a way for families to find comfort by helping others." Pope John Paul II has stated, "The Catholic Church would promote the fact that there is a need for organ donors and Christians should accept this as a "challenge to their generosity and fraternal love" so long as ethical principles are followed."

**Christian Church (Disciples of Christ)**

The Christian Church encourages organ and tissue donation, stating that we were created for God's glory and for sharing God's love. A 1985 resolution, adopted by the General Assembly, encourages, "... members of the Christian Church (Disciples of Christ) to enroll as organ donors and prayerfully support those who have received an organ transplant."

**Christian Science**

The Church of Christian Science does not have a specific position regarding organ donation. According to the First Church of Christ Scientist in Boston, Christian Scientists normally rely on spiritual instead of medical means of healing. They are free, however, to choose whatever form of medical treatment they desire - including a transplant. The question of organ and tissue donation is an individual decision.

**The Church of the Nazarene**

The Church of the Nazarene encourages its members who do not object personally to support donor/recipient anatomical organs through living wills and trusts. Further, they appeal for a morally and ethically fair

distribution of organs to those qualified to receive them (Manual, Church of the Nazarene 1997 - 2001 paragraph 904.2).

#### **Episcopal**

The Episcopal Church passed a resolution in 1982 that recognizes the life-giving benefits of organ, blood and tissue donation. All Christians are encouraged to become organ, blood and tissue donors "...as part of their ministry to others in the name of Christ, who gave His life, that we may have life in its fullness."

#### **Greek Orthodox**

According to Reverend Dr. Milton Efthimiou, Director of the Department of Church and Society for the Greek Orthodox Church of North and South America, the Greek Orthodox Church is not opposed to organ donation as long as the organs and tissue in question are used to better human life, i.e., for transplantation or for research that will lead to improvements in the treatment and prevention of disease.

#### **Gypsies**

Gypsies are a people of different ethnic groups without a formalized religion. They share common folk beliefs and tend to oppose organ donation. Their opposition is connected with their beliefs about the afterlife. Traditional belief contends that for one year after death the soul retraces its steps. Thus, the body must remain intact because the soul maintains its physical shape.

#### **Hinduism**

According to the Hindu Temple Society of North America, religious law does not prohibit Hindus from donating their organs. This act is an individual's decision. H.L. Trivedi, in *Transplantation Proceedings*, stated that, "Hindu mythology has stories in which the parts of the human body are used for the benefit of other humans and society. There is nothing in the Hindu religion indicating that parts of humans, dead or alive, cannot be used to alleviate the suffering of other humans."

#### **Independent Conservative Evangelical**

Generally, Evangelicals have no opposition to organ and tissue donation. Each church is autonomous and leaves the decision to donate up to the individual.

#### **Islam**

The religion of Islam strongly believes in the principle of saving human lives. According to A. Sachedina in his *Transplantation Proceedings* (1990) article, *Islamic Views on Organ Transplantation*, "...the majority of the Muslim scholars belonging to various schools of Islamic law have invoked the principle of the priority of saving human life and have permitted the organ transplant as a necessity to procure that noble end."

#### **Jehovah's Witness**

According to the Watch Tower Society, Jehovah's Witnesses believe donation is a matter of individual decision. Jehovah's Witnesses are often assumed to be against donation because of their opposition to blood transfusions. However, this merely means that all blood must be removed from the organs and tissue before being transplanted

**Judaism**

All four branches of Judaism (Orthodox, Conservative, Reform and Reconstructionist) support and encourage donation. According to Orthodox Rabbi Moses Tendler, Chairman of the Biology Department of Yeshiva University in New York City and Chairman of the Bioethics Commission of the Rabbinical Council of America, "If one is in the position to donate an organ to save another's life, it's obligatory to do so, even if the donor never knows who the beneficiary will be. The basic principle of Jewish ethics, 'the infinite worth of the human being,' also includes donation of corneas, since eyesight restoration is considered a lifesaving operation." In 1991, the Rabbinical Council of America (Orthodox) approved organ donation as permissible, and even required, from brain-dead patients. The Reform movement looks upon the transplant program favorably, and Rabbi Richard Address, Director of the Union of America Hebrew Congregation Bio-Ethics Committee and Committee on Older Adults, states that "Judaic Responsa materials provide a positive approach, and by and large the North American Reform Jewish community approves of transplantation."

**The Lutheran Church of America**

Lutherans passed a resolution in 1984 stating that donation contributes to the well being of humanity and can be "an expression of sacrificial love for a neighbor in need." They call on "members to consider donating... and to make any necessary family and legal arrangements, including the use of a signed donor card."

**Mennonite**

Mennonites have no formal position on donation, but are not opposed to it. They believe the decision to donate is up to the individual... and/or his or her family.

**Moravian**

The Moravian Church has made no statement addressing organ and tissue donation or transplantation. Robert E. Sawyer, President, Provincial Elders Conference, Moravian Church of America, Southern Province, states, "There is nothing in our doctrine or policy that would prevent a Moravian pastor from assisting a family in making a decision to donate or not to donate an organ." It is, therefore, a matter of individual choice.

**Mormon (Church of Jesus Christ of Latter-Day Saints)**

The Church of Jesus Christ of Latter-Day Saints believes the decision to donate is an individual one made in conjunction with family, medical personnel and prayer. Jerry Cahill, Director of Public Affairs for the Mormon Church, says, "Mormons must individually weigh the advantages and disadvantages of transplantation and choose the one that will bring them peace and comfort. The Church does not interpose any objection to an individual decision in favor of organ and tissue donation."

**Pentecostal**

Pentecostals believe that the decision to donate should be left up to the individual.

**Presbyterian**

Presbyterians encourage and support donation. They respect a person's right to make decisions regarding his or her own body.

**Protestant**

Protestants encourage and endorse organ donation. The Protestant faiths respect an individual's conscience and a person's right to make decisions regarding his or her own body. Reverend James W. Rassbach, Lutheran Board of Communication Services, Missouri-Synod, says "We accept and believe that our Lord Jesus Christ came to give life and give it in abundance. Organ donations enable more abundant life, alleviate pain and suffering and are an expression of love in times of tragedy."

**Seventh-Day Adventist**

Donation and transplantation are strongly encouraged. They have many transplant hospitals, including Loma Linda in California, which specializes in pediatric heart transplants.

**Shinto**

In Shinto, the dead body is considered to be impure and dangerous, and thus quite powerful. "In old belief context, injuring a dead body is a serious crime..." according to E. Namihira in his article, Shinto Concept Concerning the Dead Human Body. "To this day it is difficult to obtain consent from bereaved families for organ donation or dissection for medical education or pathological anatomy... the Japanese regard them all in the sense of injuring a dead body." Families are often concerned that they not injure the itai, the relationship between the dead person and the bereaved people.

**Society of Friends (Quakers)**

Organ and tissue donation is widely believed to be an individual decision. The Society of Friends does not have an official position on donation.

**Unitarian Universalist**

Organ and tissue donation is widely supported by Unitarian Universalists. They view it as an act of love and selfless giving.

**United Church of Christ**

Reverend Jay Lintner, Director, Washington Office of the United Church of Christ Office for Church in Society, states, "United Church of Christ people, churches and agencies are extremely and overwhelmingly supportive of organ sharing. The General Synod has never spoken to this issue because, in general, the Synod speaks on more controversial issues, and there is no controversy about organ sharing, just as there is no controversy about blood donation in the denomination. Any organized effort to get the General Synod delegates or individual churches to sign organ donation cards would meet with generally positive responses."

**United Methodist**

The United Methodist Church issued a policy statement regarding organ and tissue donation. In it they state, "The United Methodist Church recognizes the life-giving benefits of organ and tissue donation, and thereby encourages all Christians to become organ and tissue donors by signing and carrying donor cards or a driver's license, attesting to their commitment of such organs upon their death to those in need, as

a part of their ministry to others in the name of Christ, who gave His life that we might have life in its fullness." A 1992 resolution states, "Donation is to be encouraged, assuming appropriate safeguards against hastening death and determination of death by reliable criteria." The resolution further states, "Pastoral-care persons should be willing to explore these options as a normal part of conversation with patients and their families."

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A dark, textured rectangular banner with the words "ORGAN DONOR NETWORK" in white, all-caps, sans-serif font centered within it.

ORGAN DONOR NETWORK



- Get The Facts**
- Real Life Stories**
- Freq. Asked Questions**
- Types Of Donations**
- Common Myths**
- Religious Beliefs**
- Facts & Statistics**
- Resources & Links**

## Organ Donation Facts & Statistics

The national transplant waiting list is growing five times faster than the rate of donation. Unless the number of people who make the decision to donate life increases, patients will continue to die while waiting for life-saving transplants. For more statistical information about organ donation visit the [United Network for Organ Sharing](#).

### Organs Needed vs. Donations Received

Organ	National		Regional	
	# Needed	# Donors	# Needed	# Donors
Kidney	54,733	8,859	830	218
Liver	17,154	5,177	119	98
Pancreas	1,419	468	16	33
Pancreas Islet	326	--	13	--
Kidney-Pancreas	2,389	--	48	--
Heart	3,747	2,202	68	48
Heart-Lung	195	27	0	1
Lung	3,848	1054	17	44
Intestines	179	112	--	0
<b>Total</b>	<b>81,404</b>	<b>18,783</b>	<b>1,064</b>	<b>444</b>

(Based on UNOS data as of 5/30/2003)

### Important Facts:

- More than 81,000 people are currently on the national waiting list for organ life-saving transplants. 1,000 of the people waiting for transplants live in our community!
- Half of the people listed for an organ transplant will not receive one due to the shortage of donated organs. 17 people die each day waiting for life-saving organ transplants.
- A new name is added to the National Transplant Patient Waiting List every 13 minutes.
- One organ donor can save the lives of up to eight people, a tissue donor may enhance the lives of more than 50 individuals.
- Organ donation saves lives!

# SENATE COMMITTEE REPORT

DATE: 2/25/04

FURTHER: Finance

DATE TURNED IN TO OFFICE: 3/26/04

State Affairs Committee considered CS FOR HOUSE BILL NO. 337(FIN)

## HB 337 ANATOMICAL GIFTS REGISTRY

"An Act relating to anatomical donor registries, to an anatomical gift awareness fund, to an anatomical gift awareness program, to motor vehicle licenses and registrations, and to state identification cards."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- Same Title
- New Title

**House Bill:**

- Same Title
- Technical Title Change
- New Title w/ SCR # \_\_\_\_\_

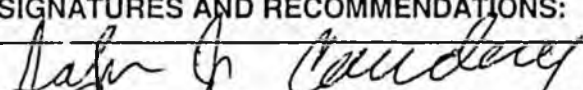

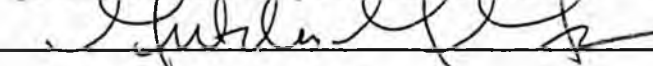
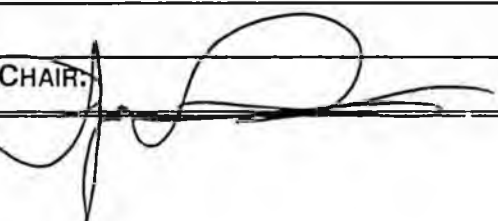
**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	Indet.	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	Indet.	FN#
DH+SS	1/2/04		✓		1
ADM	1/13/04	✓			2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
<i>Cowdery</i> 	✓			
<i>Skedman</i> 	✓			
<i>Guess</i> 				✓
<i>G. Skens</i> <b>CHAIR:</b> 	X			



**HB**

**338**

**HFIN**

**FILE**



# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1 \*\*CORRECTED\*\*  
 Bill Version: CSHB 338(EDU)  
 (H) Publish Date: 2/24/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Education & Early Development  
 Title "An Act relating to attendance at public school; and providing for an effective date." RDU K-12 Support  
 Component Foundation Program  
 Sponsor Representative McGuire  
 Requester \_\_\_\_\_ Component No. 141

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	*	*	*	*	*	*
Miscellaneous						
<b>TOTAL OPERATING</b>	*	*	*	*	*	*

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	*	*	*	*	*	*
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	*	*	*	*	*	*

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** *(Attach a separate page if necessary)*

\*Section 2 of the bill will have some cost due to the proposed change to the cut off date for enrolling 5-year-olds.

The department is unable to estimate these costs.

Prepared by: Eddy Jeans, School Finance Manager Phone 465-8679  
 Division Education and Support Services Date/Time 2/17/04 9:19 AM  
 Approved by: \_\_\_\_\_ Date 2/17/2004  
 Agency Education & Early Development

# FISCAL NOTE

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Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	*	*	*	*	*	*
Miscellaneous						
<b>TOTAL OPERATING</b>	*	*	*	*	*	*

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	*	*	*	*	*	*
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	*	*	*	*	*	*

Estimate of any current year (FY2004) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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The department is unable to estimate these costs.

Prepared by: Eddy Jeans, School Finance Manager Phone 465-8679  
 Division Education and Support Services Date/Time 2/17/04 9:19 AM  
 Approved by: \_\_\_\_\_ Date 2/17/2004  
 Agency Education & Early Development

HB 338 : re <sup>early entry</sup> public school attendance

CS HB 338(HES)

(Rep. Lesil McGuire)

Corrected  
FN # 1

Indeterminate

EED

141

2.17.04

# Alaska State Legislature

Session:  
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## Representative Lesil McGuire

Chair, Judiciary Committee

### HB 338

*"An Act relating to attendance at public school; and providing for an effective date."*

#### SPONSOR STATEMENT

HB 338 accomplishes two simple, but necessary, statutory changes that govern the entry age for attendance into public school and the process by which local school districts may allow early entry applicants to be accepted.

Currently, AS 14.03.080(c) stipulates that a child under school age may be admitted only if the child can demonstrate "minimum standards prescribed by the board evidencing that the child has the mental, physical, and emotional capacity. . ." Under the current statute, this language requires a full board vote in order to approve such early entry applications. The new language included in HB 338 would allow local school boards to delegate this authority to their chief school administrator, thus relieving the boards from this minor administrative burden more appropriately left to career education professionals.

Further, HB 338 adjusts the date certain, from August 15<sup>th</sup> to September 1<sup>st</sup>, by which a child must have attained the age of five for standard entry in kindergarten. Alaska is one of only three states that have an entrance cut-off date on or before August 15<sup>th</sup>. 35 states have kindergarten entrance cut-off dates between August 31 and October 16<sup>th</sup> with September 1 being shared by 19 states. Because of the large number of new residents arriving from other states with their respective cut-off dates and varying school start dates among Alaska's school districts, we believe this change will create a less confusing standard that will allow the greatest number of Alaskan students to begin school each year without having a disruptive impact on a classroom environment. It is for these reasons that this change is supported by a number of Alaska school districts and the Alaska Department of Education and Early Development.

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### Compulsory School Attendance

Only eight states have a compulsory school age of 5 that effectively, if not explicitly, mandates kindergarten attendance for all children. Compulsory attendance ages in the other states range from age 6-8. These laws allow parents and schools to delay a child's entrance into kindergarten for a year. The reasons for delaying entry into kindergarten include beliefs that some children are not yet developmentally ready to succeed and beliefs that older children are more able to adapt to the intellectual, social-emotional and academic demands of kindergarten.

### Permissive Kindergarten Attendance, Skipping Kindergarten and Kindergarten Exemption

Thirteen states require students attend kindergarten. Of those states, only Tennessee does not allow exemptions from kindergarten attendance. Delaying entrance to kindergarten and skipping kindergarten altogether – whether because the state does not mandate kindergarten attendance, because a student enters early into 1st grade or because a student exempts out of school until compulsory school age – raise equity issues because both the causes and the effects of such practices vary. For instance, access to high-quality early childhood education programs and/or enriched educational environments at home are likely effective replacements for kindergarten at age 5. Children from better-educated and wealthier families, however, are more likely to have access to such experiences than poorer children from less-educated homes.

State	Compulsory School Age	Kindergarten Entrance Age (Child must be 5 on or before this date)	Early Entrance to Kindergarten Allowed?	Student Attendance in Kindergarten	Skipping Kindergarten Allowed (Enter 1st grade at age 5)?	Kindergarten Exemption Allowed?
Alabama	7	September 1	Transfer	Permissive	Transfer	NA
Alaska	7	August 15	Transfer	Permissive	Not specified	NA
Arizona	6	September 1	Decision – parent, child, teacher and principal	Permissive	Decision – parent, child, teacher and principal	NA
Arkansas	5	September 15	Transfer	Mandatory	Not specified	Readiness and Parent request
California	6	December 2	Decision – school district and parent	Permissive	Decision – school district and parent	NA
Colorado	7	LEA option	Not specified	Permissive	Not specified	NA

State	Compulsory School Age	Kindergarten Entrance Age (Child must be 5 on or before this date)	Early Entrance to Kindergarten Allowed?	Student Attendance in Kindergarten	Skipping Kindergarten Allowed (Enter 1st grade at age 5)?	Kindergarten Exemption Allowed?
Connecticut	5	January 1	Decision – local school board	Mandatory	Not specified	Parent request
Delaware	5	August 31	Decision – local school authorities	Mandatory	Not specified	Parent request
Florida	6	September 1	Not specified	Permissive	Not specified	NA
Georgia	7	September 1	Transfer	Permissive	Transfer	NA
Hawaii	6	December 31	Not specified	Permissive	Not specified	NA
Idaho	7	September 1	Not specified	Permissive	Transfer	NA
Illinois	7	September 1	Decision – school district	Permissive	Not specified	NA
Indiana	7	July 1	Decision – parent and superintendent	Permissive	Not specified	NA
Iowa	6	September 15	Not specified	Permissive	Readiness	NA
Kansas	7	August 31	Transfer	Permissive	Transfer	NA
Kentucky	6	October 1	Not specified	Permissive	Not specified	NA
Louisiana	7	September 30	Gifted	Mandatory	Readiness	Readiness
Maine	7	October 15	Transfer	Permissive	Not specified	NA
Maryland	5	September 1	Not specified	Mandatory	Not specified	Parent request or Readiness
Massachusetts	6	LEA option	Not specified	Permissive	Not specified	NA

State	Compulsory School Age	Kindergarten Entrance Age (Child must be 5 on or before this date)	Early Entrance to Kindergarten Allowed?	Student Attendance in Kindergarten	Skipping Kindergarten Allowed (Enter 1st grade at age 5)?	Kindergarten Exemption Allowed?
Michigan	6	December 1	Not specified	Permissive	If district does not offer kindergarten	NA
Minnesota	7	September 1	Not specified	Permissive	Policy – local school board	NA
Mississippi	6	September 1	Not specified	Permissive	Not specified	NA
Missouri	7	August 1	Not specified	Permissive	Not specified	NA
Montana	7	September 10	Decision – board of trustees	Permissive	Not specified	NA
Nebraska	7	October 15	Transfer or Readiness	Permissive	Not specified	NA
Nevada	7	September 30	Not permitted	Permissive	Not permitted	Parent request
New Hampshire	6	LEA option	Not specified	Permissive	Not specified	NA
New Jersey	6	LEA option	Decision – local school board	Permissive	Not specified	NA
New Mexico	5	September 1	Not specified	Mandatory	Not specified	Parent request
New York	6	LEA option	Not specified	Permissive	Not specified	NA
North Carolina	7	October 16	Transfer or Gifted	Permissive	Decision – principal	NA
North Dakota	7	September 1	Transfer or Readiness	Permissive	Transfer or Gifted	NA

State	Compulsory School Age	Kindergarten Entrance Age (Child must be 5 on or before this date)	Early Entrance to Kindergarten Allowed?	Student Attendance in Kindergarten	Skipping Kindergarten Allowed (Enter 1st grade at age 5)?	Kindergarten Exemption Allowed?
Ohio	6	September 1 or First day of school	Policy – school district	Mandatory	Not specified	Parent request and Readiness
Oklahoma	5	September 1	Not specified	Mandatory	Not specified	Parent request
Oregon	7	September 1	Policy – local school board	Permissive	Policy – local school board	NA
Pennsylvania	8	LEA option	Not specified	Permissive	Policy – state board of education	NA
Rhode Island	6	December 31 (until 1/1/04) September 1 (after 1/1/04)	Not specified	Mandatory	Not permitted	Not specified
South Carolina	5	September 1	Transfer or Decision – school district	Mandatory	Decision – school district	Parent request
South Dakota	6	September 1	Transfer	Permissive	Transfer	NA
Tennessee	6	September 30	Not specified	Mandatory	Not permitted	Not permitted
Texas	6	September 1	Readiness and Policy – school district	Permissive	Transfer	NA
Utah	6	September 2	Not specified	Permissive	Not specified	NA

State	Compulsory School Age	Kindergarten Entrance Age (Child must be 5 on or before this date)	Early Entrance to Kindergarten Allowed?	Student Attendance in Kindergarten	Skipping Kindergarten Allowed (Enter 1st grade at age 5)?	Kindergarten Exemption Allowed?
Vermont	6	January 1 or LEA option	Not specified	Permissive	Not specified	NA
Virginia	<del>7</del> 5	September 30	Readiness	Mandatory	Not specified	Parent request
Washington	8	August 31	Decision – LEA	Permissive	Decision – LEA	NA
West Virginia	6	September 1	Decision – county board	Mandatory	Decision – county board	Readiness
Wisconsin	6	September 1	Policy – school district	Permissive	Policy – school district	NA
Wyoming	7	September 15	Not specified	Permissive	Not specified	NA

## Key:

### *Decision – (parties listed)*

A decision to allow early admittance to individual children on a case-by-case basis may be made by the parties listed.

### *Policy – (authorities listed)*

The authorities listed may adopt a policy to allow early admittance; this policy must be applied equally to every student seeking early admittance.

### *Gifted*

A child may be allowed early admittance if he is determined to be gifted.

### *LEA*

Local education agency

From: McRae\_Patricia  
Sent: Monday, February 16, 2004 12:45 PM  
To: 'ryan\_macinster@legis.state.ak.us'  
Cc: Ginder\_Julie; Long\_Eunice  
Subject: change of entry date for kindergarten students

I am writing to support the proposed change of entry date for Alaskan children into kindergarten from August 15th to September 1st. This change will allow children who turn 5 years of age by September 1st to begin kindergarten in that school year.

As the Executive Director for Elementary Education, I have worked with many, many families whose child turns 5 years of age between August 15th and the first day of school (the day after Labor Day in Anchorage). These parents want their child to begin school with their like-age peers. Because of the August 15th deadline, we must turn these families away, when their children would have turned 5 years of age by the first day of school. This is difficult for many families to understand. It is also my understanding that the entry date for kindergarten in most states across the U.S. is September 1st, and because of the large military populations we deal with in Alaska, the consistency provided in such a change will additionally benefit the children of military families.

My colleagues, Elementary Supervisors Julie Ginder and Eunice Long, concur with the proposed change to September 1st as well. We believe this will allow us to better serve these children and that coming in line with the majority of other states across the union will provide consistency for families who are moving to Alaska.

Thank you,  
Patricia McRae

Patricia McRae, Executive Director  
Elementary Education  
742-4254

"Prosperity is a great teacher; adversity a greater."  
-William Hazlitt

Re: Early entry

Subject: Re: Early entry

Date: Tue, 17 Feb 2004 10:18:17 -0900

From: "Wiget\_Larry" <Wiget\_Larry@asdk12.org>

To: "Ryan Makinster" <Ryan\_Makinster@Legis.state.ak.us>

Early Entry Students - ASD Legislative Priority 2003

The Anchorage School Board urges the Alaska Legislature to amend Alaska Statute 14.03.080 to afford the governing body of a school district the discretion to delegate to, the superintendent or his/her designee the authority to approve early entry of a student on an individual basis. Approval for early entry will be based on minimum standards prescribed by the board for identifying whether the child has the mental, physical, and emotional capacity to perform satisfactorily in the educational program being offered.

Rationale. Under AS 14.03.080(c), a child under school age may be admitted to the public school in the school district of which the child is a resident at the discretion of the governing body of the school district if the child meets minimum standards prescribed by the board evidencing that the child has the mental, physical, and emotional capacity to perform satisfactorily for the educational program being offered.

Regulations established by DEED and effective July 1, 2002, have interpreted this statute to mean, "the governing body of the school district must approve early entry of a student on an individual basis."

The Anchorage School Board believes that once it has adopted appropriate policy standards, it should have the discretion to delegate this responsibility for implementation to the district administration.

AASB approved a similiar resolution....

1.11 Discretion to Approve Early Entry - AASB 2004 Resolution

The AASB supports an amendment to state statutes or regulations to afford the governing body of a school district the discretion to delegate to, the superintendent or his/her designee the authority to approve early entry of a student on an individual basis. Approval for early entry will be based on minimum standards prescribed by the board for identifying whether the child has the mental, physical, and emotional capacity to perform satisfactorily in the educational program being offered.

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**HB**

**338**

SFIN

FILE

# SENATE FINANCE COMMITTEE REPORT

REPORTED OUT

MAY 10 2004

SENATE FINANCE  
COMMITTEE

DATE: 5/8/04

FURTHER:

DATE TURNED  
IN TO OFFICE: 10 May 2004

Finance Committee considered CS FOR HOUSE BILL NO. 338(HES)

HB 338 ATTENDANCE AT PUBLIC SCHOOL

"An Act relating to attendance at public school; and providing for an effective date."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- Same Title
- New Title

**House Bill:**

- Same Title
- Technical Title Change
- New Title w/ SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero.	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
Education	2/17/04		*		#1 - correct

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>	X	✓		
COCHAIR: <i>[Signature]</i>			✓	
COCHAIR: <i>[Signature]</i>			✓	

# FISCAL NOTE

REPORTED OUT

MAY 10 2004

SENATE FINANCE

COMMITTEE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1 \*\*CORRECTED  
 Bill Version: CSHB 338(EDU)  
 (H) Publish Date: 2/24/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Education & Early Development  
 Title "An Act relating to attendance at public school; and providing for an effective date." RDU K-12 Support  
 Component Foundation Program  
 Sponsor Representative McGuire  
 Requester \_\_\_\_\_ Component No. 141

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	*	*	*	*	*	*
Miscellaneous						
<b>TOTAL OPERATING</b>	*	*	*	*	*	*

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	*	*	*	*	*	*
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	*	*	*	*	*	*

Estimate of any current year (FY2004) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

\*Section 2 of the bill will have some cost due to the proposed change to the cut off date for enrolling 5-year-olds.

The department is unable to estimate these costs.

Prepared by: Eddy Jeans, School Finance Manager Phone 465-8679  
 Division Education and Support Services Date/Time 2/17/04 9:19 AM  
 Approved by: \_\_\_\_\_ Date 2/17/2004  
 Agency Education & Early Development

COMMITTEE COPY

SENATE FINANCE COMMITTEE  
5 / 10 / 2004 COMMITTEE ACTION

<b>Bill Number</b>	HB 338		
<b>Amendment</b>			
<b>Motion</b>	to Report		
<b><u>Motion by</u></b>	Dyson		
<b><u>Objection by</u></b>	Bunde		
<b><u>Removed</u></b>			
<b><u>Second Objection by</u></b>			
<b><u>Committee Member</u></b>	<b>Y</b>	<b>Vote</b>	<b>N</b>
Senator Stevens	✓		
Senator Bunde			✓
Senator Dyson	✓		
Senator Hoffman	-		
Senator Olson	✓		
Co-Chair Green	✓		
Co-Chair Wilken	✓		
<b><u>Tally</u></b>			
Yea	5		
Nay	1		
Absent			
<b><u>MOTION</u></b>	PASSED		

# Alaska State Legislature

Session:  
State Capitol  
Juneau, AK 99801  
Phone: (907) 465-2995  
Fax: (907) 465-6592



Interim:  
716 W 4<sup>th</sup> Avenue, Suite 430  
Anchorage, AK 99501-2133  
Phone: (907) 269-0250  
Fax: (907) 269-0249

Representative Lesil McGuire  
Chair, Judiciary Committee

## HB 338

*"An Act relating to attendance at public school; and providing for an effective date."*

### SPONSOR STATEMENT

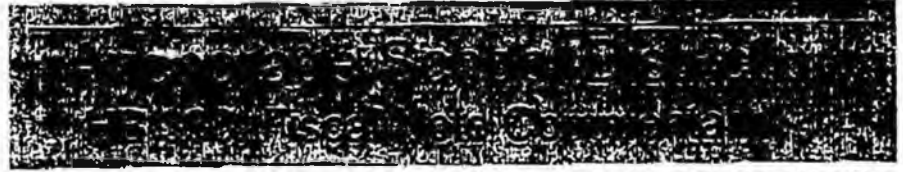
HB 338 accomplishes two simple, but necessary, statutory changes that govern the entry age for attendance into public school and the process by which local school districts may allow early entry applicants to be accepted.

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May 6, 2004



W) 907-742-4322 (F) 907-742-4175

**TO:** Representative Lesli McGuire  
**FROM:** Larry Wiget, Executive Director, Public Affairs  
**Subject:** HB 338 fiscal Note

**It is my understanding that there is an indeterminate fiscal note attached to HB 338, An Act relating to attendance at public schools.**

**From our perspective, there is no increased cost associated with the passage of this bill:**

- 1. The ability of a governing body to delegate the authority granted under AS 14/03.080(c) to the chief school administrator of the school will not result in additional administrative costs to the school district. (In fact, it may decrease some costs, as school boards will not be required to meet to act on the exemption requests as they do under existing law.)**
- 2. Regardless of whether the date a child is considered of school age is August 15 or September 1, the child is still eligible for a full K-12 education under Alaska State law.**

**The only increased costs we have identified are associated with a parent of a child who under current law turns six between August 16 and September 1. They must pay several hundred dollars to have their child tested for consideration by the Anchorage School District for early entry.**

Re: Early entry

**Subject: Re: Early entry**

**Date: Tue, 17 Feb 2004 10:18:17 -0900**

**From: "Wiget\_Larry" <Wiget\_Larry@asdk12.org>**

**To: "Ryan Makinster" <Ryan\_Makinster@Legis.state.ak.us>**

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Patricia McRae, Executive Director  
Elementary Education  
742-4254

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# Social Policy Report

*Giving Child and Youth Development Knowledge Away*

Volume XVI, Number 2

2002

## At What Age Should Children Enter Kindergarten?

### A Question for Policy Makers and Parents

Deborah Stipek

#### *Summary*

Research that bears on the issue of school entry policies is summarized in this report. The focus is on the age children should be to enter kindergarten and the potential benefits of delaying school entry for all or some children. The research reviewed uses three methodologies:

- (1) comparing outcomes for children who have delayed entry by a year with children who entered school when they were eligible;
- (2) comparing children in the same grade who have different birth dates; and
- (3) comparing children who are the same age but in different grades, as well as children who are a year apart in age but in the same grade.

Findings suggest that studies using the first method are inconclusive because accommodations are not made for the selection factors associated with the decision to hold a child out of school. Findings from the other two methods suggest that relatively older children have a modest academic advantage over younger children in the first few grades of school, but that advantage typically disappears. There was no evidence suggesting that younger children gained less than older children from early school experience, and some evidence suggested that school experience produced greater gains on most cognitive dimensions. Generally, the findings reviewed provide more support for early educational experience to promote academic competencies than for waiting for children to be older when they enter school. The author suggests that the focus should be more on making schools ready for children than on making children ready for school.

# Social Policy Report

## Editor

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# From the Editor

One purpose of *SPR* is to promote developmental approaches to policy issues. Too frequently policies ignore the developmental needs of the child. This has been especially true for the growth of mass public schooling in this country. The development of our educational system for children has been based on the agrarian calendar (which, e.g., is why we have a nine month schedule), on increases in the size of the population, and on labor needs, not on the developmental nature and needs of children. The Carnegie Corporation report *Turning Points* published in 1989, for example, documents how middle schools, which arose mainly due to growth in absolute school size, conflict with the developmental nature of the child. The child has to change school at a time when he/she is experiencing the biological, social, and emotional changes of puberty. The cumulative number of changes associated with a school transition at the same time can overwhelm the child. This is a singular example of the type of problem that can arise when the development of the child is not considered when we implement policies or change institutions involving children and youth.

The current issue of *SPR* addresses children's age of entry into school. Increasing numbers of children are entering school at younger ages. Many parents become concerned that their child is disadvantaged if he/she does not enter school as early as possible. The current article, however, finds that age of school entry does not much matter for children's later development. This finding must be partially qualified by the difficulties of such research. Because children are not randomly assigned to age of entry, experiments cannot be done, so causal arguments are challenging. Samples in some studies are small. Nonetheless, this article brings empirical research and careful scholarly thought to an issue much on the minds of parents, philanthropy, and educators. It shows how the developmental needs of young child should be the main factor driving changes in the early education of children.

Lonnie Sherrod, Ph.D., Editor  
Fordham University

**At What Age Should Children Enter Kindergarten?  
A Question for Policy Makers and Parents**

Deborah Stipek  
Stanford University

At what age should children begin school? Just a few decades ago the question was relevant to debates about compulsory education laws. But over time, compulsory education laws for school entry have become more symbolic than coercive. Today, even though school is not usually compulsory until the age of six (20 states) or seven (22 states), most children enter school when they are five years old.

Now the common question for policy makers concerns the specific age at which children should be *allowed* to enter kindergarten. Since compulsory education laws do not apply until at least a year after the age of eligibility, the dilemma for parents is whether to send their children to kindergarten as soon as they are eligible. The focus for both policy makers and parents is on determining when children are ready for school. Not discussed in this report, although perhaps a better question, is how do we make schools ready for children.

**Current School Entry Policies & Practices**

**State Policies**

The cutoff birth date for kindergarten entry is typically set by the state, although a few states give school districts discretion. Currently, the modal cutoff date is the beginning of September, about the time school begins (see Table 1).

The trend, however, has been to move the cutoff date up, so that children enter kindergarten older on average. Between 1975 and 2000, 22 states moved the birth date required for school entry to an earlier point in the year. Nine of those changes were made since 1990. One state (Indiana) changed its law from allowing districts to set their own age cutoff to a state requirement of June 1. Only one state (Idaho) changed in the opposite direction (from August 16 to September 1).

The reasons articulated in a 1999 California bill (AB 25: Article 1.5, 48005.10) for moving the birth date cutoff to earlier in the school year illustrate the rationale that is typically found in legislative summaries:

(A) By changing the age at which children generally enter kindergarten, California's children will be better prepared to enter into the academic environment that is required by the kindergarten curriculum.

(C) Comparisons between California pupils and pupils in other states on national achievement tests in the later

grades are likely to be more equitable if the entry age of California pupils is more closely aligned to that of most other states.

**Parental Practice**

An increasingly common practice, which also raises the average age of kindergartners, is for parents to voluntarily delay their child's entry a year beyond the time he or she is eligible to begin school (sometimes referred to as academic "redshirting"). Brent, May, and Kundert's (1996) analysis of data for one school district over a 12-year period found steady increases in the use of delayed school entry from about 6% in the first block of three years to about 12% in the most recent block of three years. Recent surveys suggest that about 9 or 10 percent of parents nationally delay their children's entry into kindergarten (Brent et al., 1996; Cosden, Zimmer & Tuss, 1993; May, Kundert, & Brent, 1995; National Center for Education Statistics [NCES], 1997; Byrd, Weitzman & Auinger, 1997). Boys are more likely than girls to be held out, by a factor of nearly 2 to 1 (Brent et al., 1996; Cosden et al., 1993; May et al., 1995). And the closer children's birthdays are to the cutoff date (and thus the younger they would have been if they had entered when the law allowed), the more likely they are to be held out (Cosden et al., 1993; Graue & DiPerna, 2000; May et al., 1995; Mayer & Knutson, 1999; NCES, 1997).

The evidence on race and socio-economic status (SES) differences in delaying school entry is mixed. Studies have reported that Caucasians were more likely to be held out than African-Americans (NCES, 1997) and Latinos (Cosden et al., 1993). Some studies report that middle-class parents

**Table 1 Date by Which Child Must Turn Five Years to Enter Kindergarten**

Date	Number of States
June 1	1
July 1	1
August 1	1
August 15	1
August 31/September 1	22
September 10-15	4
September 30/October 1	6
December 1-2	3
December 31/January 1	6
LEA Option	5

Source: Education Commission of the States, March 2000; Denver, CO (www.ecs.org).

are more likely to hold their children out than low-income parents (see Meisels, 1992). Other studies that have assessed SES effects report no differences (Graue & DiPerna, 2000; NCES, 1997; Morrison, Griffith, & Alberts, 1997)

### Likely Directions in Policies and Practices

The current emphasis on school accountability based primarily on students' performance on achievement tests is likely to encourage more states and districts to consider increasing the age of school entry. The reasoning, seen in the excerpt from the California bill mentioned above, is that if older children benefit more from instruction than younger children, achievement gains could be realized by requiring children to be older when they entered kindergarten. This is a politically attractive strategy for raising test scores because it is simple and economical.

Another current policy trend, eliminating social promotion, puts additional pressure on educators to ensure students' academic success, especially in the early elementary grades, when retention rates are the highest. If older children are better able to master the curriculum, fewer would need to be retained.

School-level practices are also likely to be affected by current accountability pressures and the elimination of social promotion, especially in states in which school resources are based on students' achievement test scores. Studies of kindergarten teachers show that the majority endorse later school entry for children who appear not to be ready for kindergarten (NCES, 1997). The pressure to increase test scores may encourage teachers to advise more parents to hold out relatively young children, especially boys, who they consider to be at risk of poor achievement. Parents' concerns about the increased likelihood of their child being retained may also result in an increased number of children being held out for a year. In brief, the current educational policy climate suggests that the trend toward raising the school entry age is likely to continue both formally, in state legislation or school district policies, and informally, in parent decisions.

### The Substance of the Debate

The argument for moving the birth date cutoff earlier, so that children enter kindergarten at an older age, is based on the assumption that with age come competencies that will improve children's chances for success in school.

Although intellectual competencies are often the focus, other dimensions of development are often included. The National Goals Panel 2000, for example, considers physical well-being; motor, social, and language development; and dispositions for learning as relevant to school readiness, in addition to cognition and knowledge (Kagan, Moore, & Bredekamp, 1995). Older children are assumed to be more *ready* and better able to profit from formal schooling (see Frick, 1986; Uphoff & Gilmore, 1986). The claim that older is better is based on a theory of development which privileges the contributions of biological maturation (see Kagan, 1990; Meisels, 1999; Smith & Shepard, 1988). Thus, voluntary delayed entry is more common among boys, because they are believed to mature more slowly than girls.

In some discussions of school readiness there is an implicit notion of a threshold of cognitive and social development. It is not assumed simply that "older is better,"

but rather, older is better until children achieve that prerequisite level of development that is required for them to succeed in school. That threshold is associated with a particular age.

Also implicit in the theory underlying policies and practices that delay school entry is the notion that the "gift of time" and general (out-of-school) experience outweigh the benefits of a school setting for a child deemed unready for kindergarten. This assumption

has particularly important implications for low-income and minority children, who begin school on average with substantially lower academic skills than children from middle- and upper-income families (Adams, 1990; Stipek & Ryan, 1997; Whitehurst et al., 1994). An important policy question is under what conditions are these children at risk for school failure most likely to catch up with their more affluent peers? Are they better served by having more time out of school or by having more time in an instructional environment?

Early childhood education experts who oppose the trend toward later school entry stress the role of experience in learning and development. Their argument is based on the assumption that time in an instructional context is more valuable and will promote academic success better than additional biological maturation or than general experience out of school. The two positions on the issue of school entry age thus mirror rather well the age-old nature-nurture debate.

Experts who privilege experience over maturation also point out that development is uneven and multidimensional. A threshold for development cannot be established because

a child's level of development varies across different dimensions. Thus, children are not likely to achieve the level considered important for school success in all domains at the same time.

The two positions also differ on where the responsibility for children's success resides. Proponents of delayed school entry for some if not all children focus on the preparation of the child for the program. Opponents argue that the policy is based on a Procrustean notion that the curriculum is set and children must be fit into it as it is. A more appropriate strategy is to adapt the curriculum to the developmental levels of the children who enter kindergarten, whatever their cognitive and social skills. They take the position that if children are faring poorly in kindergarten programs, the solution needs to be found in the school program not in the child.

Critics of voluntary delayed school entry are also concerned that the practice will exacerbate socioeconomic differences in academic skill levels. They reason that middle-class families are more likely to have financial resources for an extra year of preschool or high-quality childcare, and thus are more likely to hold out their children. This would effectively make middle- and upper-income kindergartners older, on average, than kindergartners from low-income families. The increased age of the middle-income children raises expectations and puts pressure on kindergarten teachers to increase the demands of the kindergarten curriculum, which puts low-income children at an even greater disadvantage.

Finally, experts who argue against holding children out point out that being "over-age" for grade is a strong predictor of later dropping out, even when achievement is held constant (Meisels, 1992). The practice of holding children out a year thus puts some children at risk of not completing high school.

Fortunately, this is a debate that can be informed by empirical evidence. There is a fair amount of research that directly addresses the assumptions on both sides. To that data we now turn.

### Effects of Entry Age

Three strategies have been used to assess the effects of the age of school entry on children's academic achievement, and occasionally on social-emotional or motivational outcomes. First, studies have compared children who have delayed entry by a year with children who entered school when they were eligible. These studies are relevant to policy decisions about formal cutoff dates only inasmuch as they allow comparisons of children who are relatively old versus relatively young at school entry.

A second methodological strategy is to simply compare children in the same grade with different birth dates. In any

one grade there is at least a 12-month spread in ages. Assuming that children's birth dates are randomly distributed, associations between this natural variation in age of entry and child outcomes suggest an age effect. Few of the studies using this methodology assess change in achievement over the school year; they therefore cannot be used to determine whether older children benefit relatively more from schooling than do younger children. They do, however, provide information on whether older children perform better on average than younger children.

The third and most powerful strategy compares children who are the same age but in different grades as well as children who are a year apart in age but in the same grade. This strategy provides information on the relative effects of an additional year of time (maturation and general, out-of-school experience) versus an additional year of schooling.

Tables 2, 3 and 4 summarize all studies after 1980 that were performed using these three methodologies. A cutoff of 1980 was used because there is some question about the relevance of data collected earlier when relatively few young children attended preschool or had day care. The review of research in this report is thorough, but not exhaustive. (Note: equal signs in the tables reflect a finding of no significant differences between the groups compared.)

### Delayed versus On-Time Entry

Does delaying relatively young children's entry into kindergarten a year past the time they are eligible to enter increase their chances for success? Researchers have reasoned that if delayed school entry is beneficial, children who are held out a year should have lower retention rates and special education placement and higher achievement than children with similar characteristics who entered school when they were eligible (see Table 2).

The findings of such studies need to be interpreted very cautiously. Children who are held out of school do not represent a random sample, and it is very likely that qualities that led parents to decide to delay their child's entry into school contribute to differences found later between these children and children who began school "on time." Moreover, a finding of no difference is difficult to interpret because children who had been held out might have looked worse if they had not been held out. Retention is especially suspect as a dependent variable because it is possible that teachers are more reluctant to retain children who are already relatively older than their age-mates.

In addition to these methodological problems, findings from research are neither substantial nor consistent. One study found that children who delayed school entry by a year were less likely to be retained than children who entered school when they were eligible (May et al., 1995). Two

Table 2 Studies Comparing Delayed and Non-Delayed Entry Students

Reference	Sample	Comparison	Consequences of Delayed Entry
Byrd, Weitzman, & Auinger (1997)	National representative sample in National Health Interview Survey; ages 7-17; N=9079	<i>Delayed-entry</i> (old for age in grade, but never retained); <i>Control</i> (modal age for grade and not retained)	<i>Behavior Problem Index (BPI)</i> : Delayed entry group > non-delayed (difference especially large in adolescence)
Graue & DiPerna (2000)	Representative stratified random sample of Wisconsin school districts; 3 <sup>rd</sup> graders; N=8595	<i>Redshirts</i> (entered kindergarten $\geq$ 72 months); <i>Control</i> (entered 60-71 months)	<i>Early exceptional needs services</i> : Redshirts 2.24 times > control group <i>3<sup>rd</sup> grade reading achievement</i> : Redshirts (including summer birthdays) = control group
May, Kundert, & Brent (1995)	Caucasian 1 <sup>st</sup> - 12 <sup>th</sup> graders in suburban NY school district; N=3238	<i>Delayed entry</i> (entered K one year later than eligible for Dec. 1 cutoff); <i>Control</i> (entered when eligible)	<i>Retention</i> : delayed entry < control <i>Placement in special education</i> : delayed entry > control
Kundert, May, & Brent (1995)	Caucasian 3 <sup>rd</sup> - 12 <sup>th</sup> graders in suburban NY school district; N=314	<i>Delayed entry</i> (entered K one year later than eligible for Dec. 1 cutoff); <i>Retained</i> (in grades K-5)	<i>Cognitive Abilities Test (CAT) at 2<sup>nd</sup> grade</i> : delayed > retained; <i>CTBS Tests at 2<sup>nd</sup>, 5<sup>th</sup>, &amp; 7<sup>th</sup> grade</i> (with CAT covaried): delayed = retained

studies, however, reported that children who delayed school entry by a year were more, not less, likely to receive special education services (Graue & DiPerna, 2000; May et al., 1995). The two studies that examined academic achievement did not find significant differences between delayed- and non-delayed entry children (Graue & DiPerna, 2000), or delayed and retained children (Kundert, May, & Brent, 1995). But, as mentioned above, it cannot be determined whether the delayed children would have performed less well if they had not been delayed.

The findings of the Byrd et al. (1997) study are noteworthy because it is one of the few studies that examined possible long-term effects of delaying school entry. In their nationally representative and large sample there were increasing disparities in behavior problems between children who were older than their age-mates and children who were the modal age for their grade. Adolescents who were older because of retention had particularly high scores on the Behavior Problem Index, but children who had not been retained (and were thus presumably older because they had delayed school entry) also showed relatively high levels of behavioral problems. Mayer and Knutson (1999) did not look specifically at students who were over-age, but they too found that in a large nationally representative sample of 8-11 year olds, children with earlier birth dates (who were

relatively old) showed more behavior problems than children who were relatively young for their grade (see Table 3). Again, the selection problem of the children who delay school entry makes interpretation of these findings difficult. But they suggest the importance of studying the experiences of older children that might contribute to behavioral problems. It is also possible that the relatively high levels of behavioral problems, and accompanying negative experiences and alienation among children who are over the modal age of their grade, is related to the high levels of over-age students dropping out of high school (House, 1989; Nason, 1991).

#### Age Differences

Interpretation of findings of studies examining naturally occurring age variations are less problematic than for the delayed-entry studies because birth dates are presumably randomly distributed. Although there is some variation across states and districts, most studies are done within a limited geographical area, in which case variation in children's ages would depend on their birth date, not the state or district policy. In large-scale or national studies, it is unlikely that district policies bias the findings in any systematic direction.

Table 3 Studies Assessing Child Outcomes Associated with Age of Kindergarten Entry

Reference	Sample	Comparison	Consequences of Age of Entry
Bickel, Zigmond, & Strayhorn (1991)	Pittsburgh 5 <sup>th</sup> graders; N=222	Age as continuous variable over 12 months	<i>Math achievement: 1<sup>st</sup> grade entry: older &gt; younger; 5<sup>th</sup> grade: no sign. age effect</i> <i>Reading achievement &amp; conduct: no sign. age effect at any grade</i>
Breznitz & Teltsch (1989)	Israeli 4 <sup>th</sup> graders; N=137	<i>Older</i> (birth date, Jan. - March), <i>younger</i> (Oct. - Dec.)	<i>Reading &amp; arithmetic achievement: older &gt; younger; trait anxiety: younger &gt; older; self-esteem &amp; socio-metric scores: older = younger</i>
Cameron & Wilson (1990)	N=315	(1) <i>Redshirts</i> (2) Sept. - Jan. birth dates; (3) Jan. - May; (4) May - Sept.	<i>Second-grade ITBS: Sept-Jan &gt; other three groups; Fourth grade: Sept-Jan &gt; May-Sept.</i>
Crosser (1991)	7 <sup>th</sup> , 8 <sup>th</sup> , & 9 <sup>th</sup> graders in Ohio school districts; N=90	All summer birth dates (June 1-Sept. 30): (1) <i>young</i> (entered K at age 5); <i>old</i> (entered K at age 6)	<i>5<sup>th</sup> &amp; 6<sup>th</sup> grade CTBS; reading: older &gt; younger (boys only); math: older = younger</i>
Dietz & Wilson (1985)	Second graders in a Delaware school district; N=117	Three groups based on age at school entry: mean ages of 62, 66, & 71 months	<i>K readiness scores &amp; ITBS achievement scores: no significant age effects</i>
Jones & Mandeville (1990)	South Carolina, grades 1, 2, 3, & 6; N=190,292	<i>Younger</i> (birth dates in Aug., Sept., or Oct.), <i>Older</i> (all other)	<i>South Carolina Basic Skills Assessment Program (BSAP): older &gt; younger; age effect declines from grade 1-6</i>
Kinard & Reinherz (1986)	White, working-class 4 <sup>th</sup> graders; N=488	Divided into 6, 2-month intervals, based on birth dates at school entry	<i>Information processing skills: at school entry: older &gt; younger; K, 3<sup>rd</sup>, &amp; 4<sup>th</sup>: no significant age effects. Grade, attention, anxiety &amp; other socio-emotional measures, academic achievement &amp; special needs services: no significant age effects</i>
Langer, Kalk, & Searls (1984)	9-, 13-, and 17-year olds; N=97,000 Caucasian and 17,000 Black students assessed in 1974-78	Age as continuous variable over 12-months	<i>National Assessment of Educational Progress: 9-year olds: older &gt; younger; Retention: younger &gt; older; 13-year olds: age effect significant, but much weaker; 17-year olds: no age effect</i>
McClelland, Morrison, & Holmes (2000)	White & Black children, K & 2 <sup>nd</sup> ; N=164	Age of K entry used as continuous variable	<i>IQ, FIAT, PPVT: predicted by school entry age at K, but not at 2<sup>nd</sup> grade</i>
May & Welch (1986)	Grades 3-6 in suburban school district: N=152	Birth dates divided into 4, 3-month intervals	<i>Gesell at K: oldest &gt; youngest; Stanford Achievement Test at 2<sup>nd</sup> or 4<sup>th</sup> grade: no significant age effects</i>

Table 3 continued on next page

Table 3 continued Studies Assessing Child Outcomes Associated with Age of Kindergarten Entry

Reference	Sample	Comparison	Consequences of Age of Entry
Mayer & Knutson, (1999)	(a) 1980 census data on wages of men between 28-34 (b) CNLSY <sup>1</sup> 8-11 year olds	Birth dates: (1) Jan-March, (2) April-June, (3) July-Sept.	(a) <i>Adult earning</i> : Youngest (July-Sept.) had highest earnings. (b) <i>Behavior problems in 8-11-year olds</i> : older > younger <i>Reading and math achievement (PIAT)</i> : younger > older
Spitzer, Cupp, & Parke (1995)	(a) Kindergartners; N=512 (b) Kindergartners; N=116	Age of entry as continuous variable	(a) <i>Teacher and peer ratings of social skills and popularity</i> : low but significant correlations with age of entry (b) <i>Teacher ratings of dependence</i> : significantly correlated with age of entry; <i>Peer rejection, loneliness, perceived competence and acceptance, and classroom behavior (CBI)</i> ; not significantly correlated to age
Stipek & Byler (2001)	predominantly poor children in rural and two urban communities, K-3 <sup>rd</sup> grade (longitudinal); N=237	(a) <i>Old</i> (age 6 by Dec. 31 year entered K); <i>Intermediate</i> (age 5 by May 31 before K entry); <i>Young</i> (age 5 after May 31) (b) 54 pairs of children matched in age but one grade apart (K or 1), all children retested in their 3 <sup>rd</sup> grade	(a) <i>Math &amp; literacy tests, K/1</i> : oldest > youngest; 3 <sup>rd</sup> grade: no differences <i>Teacher achievement and social-behavioral ratings</i> : no age differences at K/1 or 3 <sup>rd</sup> grade <i>Child self-ratings</i> : no differences at K/1 or 3 <sup>rd</sup> grade (b) <i>math achievement</i> : 1 <sup>st</sup> > K (matched on age); 3 <sup>rd</sup> : older (late school entry) = younger (early school entry) <i>literacy achievement</i> : 1 <sup>st</sup> = K; 3 <sup>rd</sup> grade: younger = older <i>child self ratings in math &amp; literacy</i> : 1 <sup>st</sup> > K; 3 <sup>rd</sup> : younger = older
Sweetland & De Simone (1987)	6 <sup>th</sup> grade, upper-middle-class suburban school district: N=152	Birth dates divided into 4, 3-month intervals	<i>CTBS, grades 2-6</i> : older > younger (degree of difference declined after 3 <sup>rd</sup> grade)

<sup>1</sup> National Longitudinal Survey of Youth, mother-child files

The findings related to the effect of age-of-school-entry on achievement vary, but looking across studies, the pattern is clear. Most studies report differences in the beginning grades of school which favor older children (Cameron & Wilson, 1990; Crosser, 1991 [boys only]), and some studies report differences in the later elementary grades (Breznitz & Teltsch, 1989; Cameron & Wilson, 1990; Crosser, 1991). But a few studies found no difference in some or all achievement tests, even in kindergarten (Dietz & Wilson, 1985; Kinard & Reinherz, 1986). And in most of the studies that found significant age differences in the early grades, the differences were weaker (Jones & Mandeville, 1990; Langer, Kalk, & Searls, 1984; Sweetland & De Simone,

1987) or disappeared altogether by the upper elementary grades (Bickel, Zigmond, & Strayhorn, 1991; Kinard & Reinherz, 1986; McClelland, Morrison, & Holmes, 2000; May & Welch, 1986; Stipek & Byler, 2001).

In summary, the empirical evidence suggests some small advantage of being relatively older than classmates which diminishes with age. This does not mean that "older is better" in some absolute sense. All of these studies used relative age as the independent variable. Depending on the birth-date cutoff in the state or community, a relatively old child in one study could have been an average-aged child in another study. The findings also do not suggest that older children learn more in school than younger children. The age

Table 4 Studies Comparing Age and Schooling as Predictors of Cognitive Outcomes

Reference	Sample	Comparison	Age and Grade Effects
Bisanz, Morrison, & Dunn (1995)	N=56	<i>Old K</i> (turned 6 just after cutoff date); <i>Young 1<sup>st</sup> graders</i> (turned 6 just before cutoff date); <i>Old 1<sup>st</sup> graders</i> (turned 6 before cutoff date, but a year older than old K)	<i>Arithmetic accuracy</i> : schooling effect significant; <i>Con.ervation</i> age effect significant
Cahan & Davis (1987)	Israeli 1 <sup>st</sup> & 2 <sup>nd</sup> graders; N=6269	Compared age effects within grade to grade (schooling) effects (between grade, holding age constant)	<i>Math &amp; reading comprehension</i> : effect of one year of school twice the effect of one year of age
Cahan & Cohen (1989)	4 <sup>th</sup> , 5 <sup>th</sup> , & 6 <sup>th</sup> graders; N=12,090	Compared age effects within grade to grade (schooling) effects (between grade, holding age constant)	<i>12 cognitive tasks (CAT)</i> : school effects larger on all verbal and numerical tests and 2 of 5 figural tests; age effects modestly larger on 2 figural tests
Crone & Whitehurst (1999)	Children originally enrolled in New York Head Start Centers; N=337	Within-grade comparison: <i>Youngest</i> (Oct. - Nov. birth dates); <i>middle</i> (Feb. - Sept.); <i>Oldest</i> (Dec. - Jan.) Between-grade comparison: approx. same age (e.g., youngest in one grade, oldest in previous grade)	<i>Emergent literacy skills</i> : <i>within grade comparison: preschool &amp; K</i> : older > younger (difference smaller in K); <i>1<sup>st</sup> &amp; 2<sup>nd</sup></i> : no significant age differences <i>Between-grade comparison</i> : youngest K > oldest preschool; youngest 2 <sup>nd</sup> > oldest 1 <sup>st</sup>
Ferreira & Morrison (1994)	Middle-class Canadians, identified by teachers as "average"; N=48	<i>Less schooled</i> (started K at 5 yrs 7 mos); <i>more schooled</i> (started 1 <sup>st</sup> at 5 yrs. 9 mos.); retested one year later (in K or 1 <sup>st</sup> ) and two years later (in 1 <sup>st</sup> or 2 <sup>nd</sup> )	<i>Grammar tasks involving multiword subjects</i> : 1 <sup>st</sup> >K, 2 <sup>nd</sup> >1 <sup>st</sup> (schooling effect); <i>pronouns</i> : age 7>6=5 (age effect)
Morrison, Griffith, & Alberts (1997)	Diverse SES; N=539	<i>Old K</i> (turned 6 just after cutoff date); <i>Young 1<sup>st</sup> graders</i> (turned 6 just before cutoff date); <i>old 1<sup>st</sup> graders</i> (turned 6 before cutoff date, but a year older than old K)	<i>Math &amp; reading achievement, end of K or 1<sup>st</sup></i> : young first>old K; old and young 1 <sup>st</sup> graders made same gains, both greater than old K (schooling effect--greater for reading than math); <i>end of 1<sup>st</sup> grade</i> : old 1 <sup>st</sup> -young first (age effect)
Morrison, Smith, & Dow-Ehrensberger (1995)	Middle- to lower-middle class; N=20	<i>Young 1<sup>st</sup> graders</i> (turned 6 just before cutoff date); <i>old K</i> (turned 6 just after cutoff date)	<i>Memory tasks, phonemic segmentation, reading achievement</i> : pretest: no group differences; end of year: 1 <sup>st</sup> >K (old Ks made little progress in K, & no more improvement during 1 <sup>st</sup> than young 1 <sup>st</sup> graders)
Varnhagen, Morrison, & Everall (1994)	N=79	<i>Young 1<sup>st</sup> graders</i> (turned 6 just before cutoff date); <i>old K</i> (turned 6 just after cutoff date)	<i>Story recall and story production skills</i> : associated with age, not schooling; <i>Causal relations recall, and complexity of stories produced</i> : associated with schooling

differences, when found, were usually stronger at the beginning of school than in the later grades, indicating that the younger children actually tended to learn more, often catching up with their older peers after a few years in school.

*The proportion of risk attributed to race and socioemotional factors was 13 times larger than that contributed by age.*

Even in the early elementary grades the magnitude of the effect of age appears to be small. Most studies do not compare age to other factors influencing student achievement, but in one that did, the proportion of risk attributed to race and socioeconomic factors was 13 times larger than that contributed by age (Jones & Mandeville, 1990).

Only a few studies have examined associations between age of entry and social-motivational variables. One study of a small sample of Israeli fourth graders found that younger children scored higher on a measure of trait anxiety; there were no age effects on self-esteem or socio-metric scores (Breznitz & Teltsch, 1989). Teacher ratings of children's social skills and popularity were associated with age of entry in one study, with older children receiving higher scores (Spitzer, Cupp, & Parke, 1995). Peer rejection, loneliness, perceived competence, and classroom behavior were not associated with age. Two studies found no age effects on attention, anxiety, and a variety of social-emotional measures for children from kindergarten through third (Stipek & Byler, 2001) and fourth grade (Kinard & Reinherz, 1986). Taken together, the research provides little support for concerns about the social-emotional or motivational development of children who enter school at a relatively young age.

#### Schooling versus Age

The studies that are most relevant to the age-of-entry debate compare the effects of a year of maturation and general experience (out of school) to a year of schooling. As mentioned above, this analysis is done by comparing children who are the same age but in different grades and children who are in the same grade but approximately a year apart in age. The first comparison provides information on the effect of a year of schooling, holding age constant. The second comparison provides information on the effect of

chronological age, holding the number of years of schooling constant.

Findings from studies using these methods suggest that schooling is the more potent variable in most of the cognitive skills measured. In math and most aspects of reading and literacy in most studies, children who were in school gained more in a year than children the same age who were not in school (Bisanz, Morrison, & Dunn, 1995; Cahan & Davis, 1987; Crone & Whitehurst, 1999; Ferreira & Morrison, 1994; Morrison et al., 1997; Morrison, Smith, & Dow-Ehrensberger, 1995; Varnhagen, Morrison, & Overall, 1994). Literacy assessments in these studies included basic reading skills as well as grammar, phonemic segmentation, causal relationships recall, and complexity of stories produced. The findings of two additional studies suggest, furthermore, that age was not a factor in how much children benefited from a year of schooling (Morrison et al., 1997; Morrison et al., 1995).

Age was a better predictor than amount of schooling for children's performance on conservation tasks in one study (Bisanz et al., 1995), two of five figural tests given in another study (Cahan & Cohen, 1989), use of pronouns (Ferreira & Morrison, 1994), and story recall and production skills (Varnhagen et al., 1994) in two other studies, respectively. Thus, biological maturation and general, out-of-school experience appear to be more important contributors to some cognitive competencies.

Although chronological age was more strongly associated with a few cognitive outcomes, the studies comparing age and school effects suggest that educational intervention found in schools contributes more to children's cognitive competencies overall than does maturation, and that relatively young children benefit from school as much as relatively older children. The school effect is strong in an absolute as well as a relative sense. In the Crone and Whitehurst (1999) study, for example, a year in school explained 62% of the literacy skill improvements at the kindergarten level, and 81% at second grade. Cahan and Davis (1987) report that the effect of a year in school was twice the effect of a year of age.

#### An Illustrative Study

Most studies conducted on entry age into kindergarten include predominantly middle-class children. But as mentioned above, policy decisions related to age of entry are particularly critical for low-income children because they are at greatest risk for school failure. As an example of research on age of school entry I describe next one of my own studies, which focuses on very low-income children (see Stipek & Byler, 2001).<sup>1</sup>

The study involved 237 children in three different geographical locations: a northeastern, predominantly white rural community, a northeastern, predominantly African-American urban community, and a western, predominantly Latino urban area. The children were distributed among more than 80 schools and 150 classrooms.

In addition to examining academic achievement, we assessed age differences in children's perceptions of themselves and of school. We reasoned that if younger children perform less well academically than older children, they might also have relatively low perceptions of their academic competencies, develop a less positive relationship with their teacher, and enjoy school less.

The study's longitudinal design provided data on children from kindergarten through the third grade. We were therefore able to determine whether any differences evident in kindergarten persisted into the middle elementary grades. Because concerns about maturity are often greater for boys than for girls, gender differences were also examined. We had also planned to examine redshirting practices, but in the sample of over 200 low-income children, only five children (four boys and one girl) delayed kindergarten entry.

For all of the children in the sample we had Peabody Picture Vocabulary Test (PPVT) scores from the time children were 60 months old. At the end of kindergarten or first grade and again in third grade we gave both math and literacy assessments, using a combination of traditional and more reform-minded (e.g., strategies for solving word problems, verbal comprehension and writing) achievement tests. Teachers also rated children's math and reading performance in class.

Using the Feelings about School measure (Valeski & Stipek, 2001), children rated their academic competencies and their feelings about school and their teacher. Teachers rated children's social competence and academic engagement on tasks, and the level of stress and conflict in their relationships with each study child.

We used two strategies to assess age of entry effects. First, children were divided into three age groups: (1) *old* ( $n = 77$ ; turned six by December 31 of the year they entered kindergarten); (2) *intermediate* ( $n = 98$ ; turned five by May 31, before they entered kindergarten); and (3) *young* ( $n = 62$ ; turned five after May 31 and before they entered kindergarten or in the fall after entering kindergarten).<sup>2</sup> Second, we compared two groups of children matched in age but a year apart in grade.

The first set of analyses of children in kindergarten revealed that the oldest children scored significantly higher than the youngest children on both the reading and math achievement tests, but no differences were found for teacher ratings of academic performance. The three age-groups were not significantly different from each other on all of the teacher ratings of children's social competence, academic engagement, and their relationships with children. Only one child rating was significantly associated with age; the oldest children reported more positive feelings about their teacher than the intermediate-age and youngest children. When the same age comparisons were computed for children when they were in the third grade, the early achievement advantage of the older group on the math and literacy achievement tests disappeared, although older children's more positive ratings of their teacher remained.

The second analytic strategy was to create a matched sample of 54 pairs of children who were the same age, gender and race, but in different grades (kindergarten versus first grade). This allowed us to assess the effects of a year of schooling holding age constant. The children who entered school very young (who were in first grade at the first time of testing) were achieving at a significantly higher level in math, but not in literacy, than children who entered school a year older (who were in kindergarten at the time of testing, but the same age as the first graders). The first graders also had significantly higher perceptions of their skills in both math and literacy. No other child outcomes showed significant differences.

Identical analyses were repeated for these children's third-grade outcomes. For these analyses the children were all in the same grade, but the two groups differed in age by a year. The achievement advantage in math shown by the first graders over same-aged peers in kindergarten was not apparent when all of the children were in the third grade. Combined, these two findings suggest that the earlier advantage of the children who had entered school at a relatively younger age was a consequence of having an additional year of schooling. Likewise, the two groups were not significantly different on any of the child self-ratings or teacher ratings. Thus, by third grade, children who entered kindergarten an entire year apart in age did not differ significantly on the variables we measured.

In brief, the findings of this study are consistent with the pattern of findings in previous studies. Comparing the contributions of time (chronological age) and academic skills, school was more potent. Furthermore, children who

*The studies comparing age and school effects suggest that educational intervention found in schools contributes more to children's cognitive competencies overall than does maturation.*

entered school relatively young did not appear to be disadvantaged academically in the long run.

### Returning to the Policy Question

What are the implications of the findings reviewed above for the original question: at what age should children enter school? Briefly, the data indicate that moving back the birth date for school entry by one to three months—the most common change seen over the last decade—will not address policy makers' concerns about student readiness for kindergarten or their academic performance later on.

Studies comparing the academic achievement of children who differed by as much as a year in their school entry age have found no differences or very modest and diminishing differences. There is also no evidence suggesting some kind of threshold—a particular age at which most children are prepared for formal schooling.

Possible negative effects of raising the school entry age must also be considered. Requiring children to be older when they enter kindergarten increases teachers' expectations for their ability to handle structured academic work. Combined with the current stress on children's standardized achievement test performance, there is a risk that kindergarten will begin to resemble first grade and be less and less developmentally appropriate.

What about delaying school entry for some children? Only a few studies have examined the effects of voluntarily delaying children's entry into kindergarten. The evidence that exists does not support this practice as a general rule. But the evidence is too meager and open to interpretation to be used as a guide for individual decision making. Although evidence on age differences suggests that younger children are not necessarily disadvantaged, little is known about the consequences of delaying entry for the selective sample of children who have done so.

Delaying school entry for children, whether by changing the law or through parents' voluntary decisions, may, however, be disadvantageous for low-income children, who already begin school with relatively poor cognitive skills. First, the evidence is very clear that out-of-school time contributes to the racial and social class achievement-gap more than does in-school time. It is during the summer, for example, that low- and middle-income children's achievement diverges the most (Entwisle & Alexander, 1992). Second, middle-income children are also more likely to attend high-quality preschool or day care programs, which have been shown to contribute to children's language and other cognitive skills (Bowman, Donovan, & Burns, 2001). There is, therefore, reason to expect children from middle-class and affluent families to progress more in their academic

skills than low-income children while they "wait" to become eligible to begin kindergarten, thus making the gap in skills wider than it already is at school entry. Children with special needs are especially disadvantaged by delaying entry into a formal educational setting because they are less likely to be identified and receive early intervention.

### Are Readiness Tests a Good Alternative to Age as a Criterion for School Entry?

If age, at least within the range of about 12 months, is not a good predictor of how much children benefit from school, should we consider alternative strategies to determine when children should begin kindergarten? What about a test that directly assesses children's readiness for school?

School readiness tests are used in many districts and schools for a variety of productive purposes, such as to identify special problems that might require early intervention. Early assessments can also be used by teachers to guide instructional and program planning. The research evidence does not, however, support readiness tests as an alternative to age for determining school entry.

Extant readiness tests assess social interaction skills, general cognitive skills (e.g., perceptual skills, auditory memory, visual matching, language, and listening), and specific academic knowledge (e.g., alphabet, color naming, counting, identification of body parts). Social knowledge tests have been criticized for being culturally biased (Meisels, 1996), and many other tests have been criticized for having poor validity (Shepard & Smith, 1986; Meisels, 1996). When

*The research evidence does not support readiness tests as an alternative to age for determining school entry.*

the widely used Metropolitan Readiness Test is used for individual placement, it is estimated that about one-third of all children tested would be misidentified (Gredler, 1992; see also Carlton & Winsler, 1999). Researchers have also pointed out that development is episodic and uneven (Bowman et al., 2001; Cronbach, 1990), rendering assessment at any single point in time a poor predictor of a child's skills, even a short time later. Another problem is that readiness tests that include items which require teaching (e.g., color and shape names, letter identification, factual knowledge) unfairly disadvantage children who have not

been taught them. Ironically, these are the children who most need the instruction kindergarten programs can provide.

Furthermore, readiness tests do not assess the qualities kindergarten teachers view as important for school success. In a national study that asked kindergarten teachers how important each of 15 qualities was for a child to be ready for kindergarten, teachers rated highest: (1) "is physically healthy, rested, and well-nourished;" (2) "can communicate needs, wants, and thoughts verbally in child's primary language," and (3) "is enthusiastic and curious in approaching new activities, respectively (NCES, 1993). The qualities most often found on readiness tests were rated the lowest of the 15 mentioned: (1) ability to identify primary colors and basic shapes; (2) ability to use pencils and paint brushes; (3) knowledge of the alphabet; and (4) ability to count to 20. (See also Piotrkowski, Botsko, & Matthews, 2000.)

A more fundamental problem with "readiness" tests concerns the concept of readiness itself. Their use as a criterion for school entry is implicitly based on the premise that children are not able to take advantage of school until they are "ready," and that biological maturation (time) and experience outside of school prepares them better than experience in a school context. The evidence reviewed above supports neither of these assumptions.

### Rethinking "Readiness"

Many early childhood experts have called into question the very notion of "readiness." Clearly all children at all ages are "ready to learn." The meaningful question is not *whether* a child is ready to learn, but rather *what* a child is ready to learn. Even "reading readiness" – a concept with a long history in early childhood development – has little meaning in the context of current conceptualizations of emerging literacy, which includes general knowledge, language and vocabulary skills, and even early scribbling. Literacy, according to current experts, begins to develop long before children enter school (Bowman et al., 2001; National Research Council, 1998). Current conceptions of mathematics also embrace the notion of gradual development beginning early in life. Recent work on the development of mathematical understanding shows that an understanding of basic number concepts is seen and can be promoted in toddlers (Griffin & Case, 1998).

The concept of readiness for school is also losing significance as increasing numbers of children attend preschool or day care programs. Research on early childhood

interventions and especially on programs designed to promote cognitive skills provides compelling evidence that preschool-aged children learn in a variety of school-like settings and from a variety of instructional approaches (see Barnett & Boocock, 1998; Bowman et al., 2001). Ideally, the transition from preschool programs to kindergarten and formal schooling should be seamless and continuous, not the abrupt shift to a completely different social context and set of academic demands that the notion of readiness brings to mind.

Many early childhood experts have turned the issue of readiness on its head to focus on schools rather than children (see, for example, Graue, 1993; Kagan, 1990). To be sure,

some children are not "ready" to sit at desks and do paper-and-pencil activities for long periods of time when they turn five or even six years old. But that doesn't mean that they cannot benefit from any kind of instruction. The appropriate policy question, then, is not what children need to know or be able to do when they get to school, but what schools

need to do to meet the social and educational needs of the children who walk through their doors.

### Policy Implications

In summary, the research reviewed in this report does not support a policy of moving the birth date for school entry to increase the average age of children entering school. Even if the goal is to improve children's performance on achievement tests, policies that result in a slightly older school population will have short-term and modest effects, if any.

A policy issue that is related to school entry age concerns the advisability of making kindergarten compulsory. The research summarized in this report provides good evidence for the value of an educational program for five-year-olds. The value of making kindergarten compulsory depends on whether it would actually impact kindergarten enrollment. Enrollment is already very high, and many parents who currently do not enroll their children in kindergarten use other educational options (preschools or home schooling), which would most likely continue through a waiver process even if kindergarten was made compulsory. Nevertheless, although compulsory kindergarten laws may be largely symbolic, evidence for the value of schooling for children who are kindergarten age is consistent with such a policy.

Despite the limitations of age as a predictor of children's cognitive and social competencies, from a policy perspective

*The meaningful question is not whether a child is ready to learn, but rather what a child is ready to learn.*

it is preferable to using tests as a criterion for school entry. Age is equitable and less vulnerable to cultural or social class biases. Within the range of options currently used, the particular birth date that is used as a cutoff is somewhat arbitrary.

If anything, the evidence suggests reducing the age of school entry to below the current range. Some of the studies reviewed show that the youngest children who currently enter school, young five-year-olds and some four-year-olds, do benefit from their experience in school and in fact learn at the same rate as children who are older when they enter school. Studies comparing "time" versus "school" on children's cognitive skills provide substantial evidence for the advantage of an educational setting. Combined with findings not reviewed in this report, which demonstrate the benefits of quality day care and preschool programs (Bowman et al., 2001), an argument is easy to make for providing educational experiences for four-year-olds—either in schools or in other settings. Because low-income children are the least likely to be able to pay for high quality programs, and because they enter school on average with lower academic skills, limited public funding should be focused initially on this group.

Whether children would benefit more from beginning school earlier or attending a preschool program is debatable. I suspect that young children's needs would be better served in preschool programs, at least while schools are under current extreme pressures to produce high scores on achievement tests. But the important issue is not where young children's educational needs are met, but whether the programs they are offered are of high quality and appropriate for their developmental level.

Fortunately, a great deal is known about the characteristics of high quality, developmentally appropriate programs which address the needs of children, whatever their entering skill levels (see Bowman et al., 2001). Quality programs, however, require quality teachers. Changing the

school entry age, in either direction, will not reduce the variability in children's academic and social skills. Whatever the age of entry, there will be at least 12 months between the oldest and the youngest children, and teachers will need to address a wide range of social and learning needs.

Assessing children's diverse skills related to the school curriculum, and tailoring teaching and learning opportunities to the variety of understandings, learning styles, and social skills the children in any given class will exhibit requires well-trained teachers. Anything less than this will not serve the educational needs of children who, regardless of the cutoff

age for school entry, will vary considerably in their social, emotional, and intellectual skills. We would do much greater service to children if we focused more on making school ready for children than on making children ready for school.

*We would do a much greater service to children if we focused more on making school ready for children than on making children ready for school.*

#### Notes

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<sup>2</sup>Although the age-of-entry varied somewhat among the study's different sites, children's category of young, intermediate, or old would have changed very little if we had grouped based on relative age within each locality.

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*Social Policy Report*

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# SENATE COMMITTEE REPORT

DATE: 5/1/04

FURTHER: Finance

DATE TURNED  
IN TO OFFICE: 5.7.04

Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 338(HES)

## HB 338 ENTRY INTO SCHOOL

"An Act relating to attendance at public school; and providing for an effective date."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

<b>Senate Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<b>House Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
EED	2/17		✓		1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
<i>[Signature]</i>			X	
<i>[Signature]</i>			✓	
<i>[Signature]</i>	X			
CHAIR: <i>[Signature]</i>	X			

Guess  
Willen  
Davis  
  
  
Dyson

**HB**

**341**

**SFIN**

**FILE**