

159.010 Parent or custodian to send child to school -- Age limits for compulsory attendance -- Local board of education may adopt policy extending compulsory attendance requirements to age 18 -- All local boards to extend age limit upon adoption of policy by 55 percent of school districts -- Notification and counseling prior to withdrawal -- Encouragement to reenroll after withdrawal.

- (1) (a) Except as provided in KRS 159.030 and paragraphs (b) and (c) of this subsection, each parent, guardian, or other person residing in the state and having in custody or charge any child who has entered the primary school program or any child between the ages of six (6) and sixteen (16) shall send the child to a regular public day school for the full term that the public school of the district in which the child resides is in session or to the public school that the board of education of the district makes provision for the child to attend. A child's age is between six (6) and sixteen (16) when the child has reached his or her sixth birthday and has not passed his or her sixteenth birthday.
 - (b)
 1. Effective with the 2015-2016 school year, a local board of education may, upon the recommendation of the superintendent, adopt a district-wide policy to require, except as provided in KRS 159.030, each parent, guardian, or other person residing in the district and having in custody or charge any child who has entered the primary school program or any child between the ages six (6) and eighteen (18) to send the child to a regular public school for the full term of the district in which the child resides or to the public school that the district makes provisions for the child to attend.
 2. All children residing in the district, except as provided in KRS 159.030, shall be subject to the local board's compulsory age policy.
 3. A district shall impose the same compulsory age requirement for all students residing in the district, even if the district has entered a contract to permit some students to attend school in another public school district that has not adopted a policy under this paragraph.
 4. A local board of education adopting a policy under this paragraph shall certify to the Kentucky Department of Education that the district has, or will have, programs in place to meet the needs of potential dropouts. Implementation of the policy shall be contingent on notice of approval by the department.
 - (c) When fifty-five percent (55%) of all local school districts have adopted a policy in accordance with paragraph (b) of this subsection, all local school districts shall be required to adopt the compulsory attendance requirements under paragraph (b) of this subsection. This requirement shall be effective with the school year that occurs four (4) years after the fifty-five percent (55%) threshold is met.
- (2) An unmarried child between the ages of sixteen (16) and eighteen (18) who resides in a district that has not adopted a policy under subsection (1)(b) of this section who wishes to terminate his or her public or nonpublic education prior to graduating from high school shall do so only after a conference with the principal or his or her designee, and the principal shall request a conference

with the parent, guardian, or other custodian. Written notification of withdrawal must be received from his parent, guardian, or other person residing in the state and having custody or charge of him. The child and the parent, guardian, or other custodian shall be required to attend a one (1) hour counseling session with a school counselor on potential problems of nongraduates.

- (3) A child's age is between sixteen (16) and eighteen (18) when the child has reached his sixteenth birthday and has not passed his eighteenth birthday. Written permission for withdrawal shall not be required after the child's eighteenth birthday. Every child who is a resident in this state is subject to the laws relating to compulsory attendance, including the compulsory attendance requirements of a school district under subsection (1)(b) of this section. Neither the child nor the person in charge of the child shall be excused from the operation of those laws or the penalties under them on the ground that the child's residence is seasonable or that his or her parent is a resident of another state.
- (4) Each school district shall contact each student between the ages of sixteen (16) and eighteen (18) who has voluntarily withdrawn from school under subsection (2) of this section within three (3) months of the date of withdrawal to encourage the student to reenroll in a regular program, alternative program, or High School Equivalency Diploma program. In the event the student does not reenroll at that time, the school district shall make at least one (1) more attempt to reenroll the student before the beginning of the school year following the school year in which the student terminated his or her enrollment.

Effective: June 29, 2017

History: Amended 2017 Ky. Acts ch. 63, sec. 16, effective June 29, 2017. -- Amended 2013 Ky. Acts ch. 11, sec. 1, effective June 25, 2013. -- Amended 2000 Ky. Acts ch. 452, sec. 5, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 611, sec. 1, effective July 15, 1998. -- Amended 1990 Ky. Acts ch. 476, Pt. I, sec. 29, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 312, sec. 1, effective July 15, 1988. -- Amended 1985 (1st Extra. Sess.) Ky. Acts ch. 10, sec. 42, effective October 18, 1985. -- Amended 1984 Ky. Acts ch. 74, sec. 1, effective July 13, 1984. -- Amended 1978 Ky. Acts ch. 136, sec. 3, effective July 1, 1979. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4434-1, 4434-18.