

156.160 Promulgation of administrative regulations by Kentucky Board of Education -- Voluntary compliance -- Penalties.

- (1) With the advice of the Local Superintendents Advisory Council, the Kentucky Board of Education shall promulgate administrative regulations establishing standards which school districts shall meet in student, program, service, and operational performance. These regulations shall comply with the expected outcomes for students and schools set forth in KRS 158.6451. Administrative regulations shall be promulgated for the following:
 - (a) Courses of study for the different grades and kinds of common schools identifying the common curriculum content directly tied to the goals, outcomes, and assessment strategies developed under KRS 158.645, 158.6451, and 158.6453 and distributed to local school districts and schools. The administrative regulations shall provide that:
 1. If a school offers American sign language, the course shall be accepted as meeting the foreign language requirements in common schools notwithstanding other provisions of law;
 2. If a school offers the Reserve Officers Training Corps program, the course shall be accepted as meeting the physical education requirement for high school graduation notwithstanding other provisions of law;
 3. Every public middle and high school's curriculum shall include instruction on the Holocaust and other cases of genocide, as defined by the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, that a court of competent jurisdiction, whether a court in the United States or the International Court of Justice, has determined to have been committed by applying rigorous standards of due process; and
 4. Beginning in the 2025-2026 school year, cursive writing shall be included as a course of study in all elementary schools and shall be designed to ensure proficiency in cursive writing by the end of grade five (5);
 - (b) Courses of study or educational experiences available to students in all middle and high schools to fulfill the prerequisites for courses in advanced science and mathematics as defined in KRS 158.845;
 - (c) The acquisition and use of educational equipment for the schools as recommended by the Kentucky Department of Education;
 - (d) The minimum requirements for high school graduation in light of the expected outcomes for students and schools set forth in KRS 158.6451. The minimum requirements shall not include achieving any postsecondary readiness indicator as described in KRS 158.6455 or any minimum score on a statewide assessment administered under KRS 158.6453. Student scores from any assessment administered under KRS 158.6453 that are determined by the department's technical advisory committee to be valid and reliable at the individual level shall be included on the student transcript. The department's technical advisory committee shall submit its determination to the

commissioner of education and the Legislative Research Commission;

- (e)
 - 1. Beginning with the 2027-2028 school year, the requirements for an alternate high school diploma for students with disabilities:
 - a. Whose individualized education program indicates that, in accordance with 20 U.S.C. sec. 1414(d)(1)(A):
 - i. The student cannot participate in the regular statewide assessment; and
 - ii. An appropriate alternate assessment has been selected for the student based upon a modified curriculum and an individualized course of study;
 - b. That is obtained within the time period for which students are ensured the availability of a free appropriate public education consistent with KRS 158.100 and the federal Individuals with Disabilities Education Act, 20 U.S.C. sec. 1400 et seq.;
 - c. That, upon the completion of the requirements for an alternate high school diploma, maintains a student's right to continue to receive a free appropriate public education until the student earns a regular high school diploma or reaches the maximum age of eligibility for attendance, whichever occurs first; and
 - d. That complies with the criteria for a state-defined alternate high school diploma to meet requirements for inclusion in the adjusted cohort graduation rate under the federal Every Student Succeeds Act of 2015, Pub. L. No. 114-95; and
 - 2. The requirements for a modified high school diploma for students with disabilities whose individualized education program indicates that, in accordance with 20 U.S.C. sec. 1414(d)(1)(A):
 - a. The student cannot participate in the regular statewide assessment;
 - b. An appropriate alternate assessment has been selected for the student based upon modified curriculum and an individualized course of study; and
 - c. Does not meet requirements for inclusion in the adjusted cohort graduation rate under the federal Every Student Succeeds Act of 2015, Pub. L. No. 114-95;
- (f) Taking and keeping a school census, and the forms, blanks, and software to be used in taking and keeping the census and in compiling the required reports. The board shall create a statewide student identification numbering system based on students' Social Security numbers. The system shall provide a student identification number similar to, but distinct from, the Social Security number, for each student who does not have a Social Security number or whose parents or guardians choose not to disclose the Social Security number for the student;
- (g) Sanitary and protective construction of public school buildings, toilets, physical equipment of school grounds, school buildings, and classrooms. With respect to physical standards of sanitary and protective construction for school

buildings, the Kentucky Board of Education shall adopt the Uniform State Building Code;

- (h) Medical inspection, physical and health education and recreation, and other regulations necessary or advisable for the protection of the physical welfare and safety of the public school children. The administrative regulations shall set requirements for student health standards to be met by all students in grades four (4), eight (8), and twelve (12) pursuant to the outcomes described in KRS 158.6451. The administrative regulations shall permit a student who received a physical examination no more than six (6) months prior to his or her initial admission to Head Start to substitute that physical examination for the physical examination required by the Kentucky Board of Education of all students upon initial admission to the public schools, if the physical examination given in the Head Start program meets all the requirements of the physical examinations prescribed by the Kentucky Board of Education;
- (i) A vision examination by an optometrist or ophthalmologist that shall be required by the Kentucky Board of Education. The administrative regulations shall require evidence that a vision examination that meets the criteria prescribed by the Kentucky Board of Education has been performed. This evidence shall be submitted to the school no later than January 1 of the first year that a three (3), four (4), five (5), or six (6) year-old child is enrolled in a public school, public preschool, or Head Start program;
- (j)
 - 1. A dental screening or examination by a dentist, dental hygienist, physician, registered nurse, advanced practice registered nurse, or physician assistant that shall be required by the Kentucky Board of Education. The administrative regulations shall require evidence that a dental screening or examination that meets the criteria prescribed by the Kentucky Board of Education has been performed. This evidence shall be submitted to the school no later than January 1 of the first year that a five (5) or six (6) year-old child is enrolled in a public school.
 - 2. A child shall be referred to a licensed dentist if a dental screening or examination performed by anyone other than a licensed dentist identifies the possibility of dental disease;
- (k) The transportation of children to and from school;
- (l) The fixing of holidays on which schools may be closed and special days to be observed, and the pay of teachers during absence because of sickness or quarantine or when the schools are closed because of quarantine;
- (m) The preparation of budgets and salary schedules for the several school districts under the management and control of the Kentucky Board of Education;
- (n) A uniform series of forms and blanks, educational and financial, including forms of contracts, for use in the several school districts;
- (o) The disposal of real and personal property owned by local boards of education; and
- (p) The development and implementation of procedures, for all students who are

homeless children and youths as defined in 42 U.S.C. sec. 11434a(2), to do the following:

1. Awarding and accepting of credit, including partial credit, for all coursework satisfactorily completed by a student while enrolled at another school;
2. Allowing a student who was previously enrolled in a course required for graduation the opportunity, to the extent practicable, to complete the course, at no cost to the student, before the beginning of the next school year;
3. Awarding a diploma, at the student's request, by a district from which the student transferred, if the student transfers schools at any time after the completion of the student's second year of high school and the student is ineligible to graduate from the district to which the student transfers, but meets the graduation requirements of the district from which the student transferred; and
4. Exempting the student from all coursework and other requirements imposed by the local board of education that are in addition to the minimum requirements for high school graduation established by the Kentucky Board of Education pursuant to paragraph (d) of this subsection in the district to which the student transfers, if the student transfers schools at any time after the completion of the student's second year of high school and the student is ineligible to graduate both from the district to which the student transfers and the district from which the student transferred.

(2) Any private, parochial, or church school may voluntarily comply with:

- (a) Curriculum, certification, and textbook standards established by the Kentucky Board of Education; and
- (b) Employment standards established in KRS 160.151;

and be certified upon application to the board by such schools.

(3) (a) Any public school that violates the provisions of KRS 158.854 shall be subject to a penalty to be assessed by the commissioner of education as follows:

1. The first violation shall result in a fine of no less than one (1) week's revenue from the sale of the competitive food;
2. Subsequent violations shall result in a fine of no less than one (1) month's revenue from the sale of the competitive food;
3. "Habitual violations," which means five (5) or more violations within a six (6) month period, shall result in a six (6) month ban on competitive food sales for the violating school; and
4. Revenue collected as a result of the fines in this subsection shall be transferred to the food service fund of the local school district.

(b) Penalties under this subsection shall not be applicable to a student-based enterprise operating under KRS 158.854.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 15, sec. 1, effective July 15, 2026; ch. 74, sec. 8, effective April 10, 2026; ch. 81, sec. 2, effective July 15, 2026; and ch. 196, sec. 10, effective July 15, 2026. -- Amended 2025 Ky. Acts ch. 113, sec. 2, effective June 27, 2025. -- Amended 2024 Ky. Acts ch. 203, sec. 1, effective July 15, 2024. -- Amended 2021 Ky. Acts ch. 79, sec. 2, effective June 29, 2021. -- Amended 2020 Ky. Acts ch. 112, sec. 3, effective July 15, 2020. -- Amended 2019 Ky. Acts ch. 144, sec. 1, effective June 27, 2019. -- Amended 2018 Ky. Acts ch. 60, sec. 1, effective July 14, 2018. -- Amended 2017 Ky. Acts ch. 80, sec. 10, effective June 29, 2017; and ch. 177, sec. 9, effective June 29, 2017. -- Amended 2012 Ky. Acts ch. 27, sec. 1, effective July 12, 2012. -- Amended 2010 Ky. Acts ch. 85, sec. 27, effective July 15, 2010. -- Amended 2008 Ky. Acts ch. 92, sec. 1, effective July 15, 2008; and ch. 134, sec. 12, effective July 15, 2008. -- Amended 2005 Ky. Acts ch. 84, sec. 1, effective June 20, 2005. -- Amended 2004 Ky. Acts ch. 97, sec. 2, effective July 13, 2004. -- Amended 2002 Ky. Acts ch. 148, sec. 1, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 308, sec. 8, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 204, sec. 1, effective July 15, 1998; ch. 434, sec. 2, effective July 15, 1998; and ch. 598, sec. 9, effective April 14, 1998. -- Amended 1996 Ky. Acts ch. 7, sec. 1, effective July 15, 1996; and ch. 362, sec. 6, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 98, sec. 8, effective July 15, 1994; ch. 354, sec. 3, effective July 15, 1994; and ch. 404, sec. 1, effective July 15, 1994 -- Amended 1992 Ky. Acts ch. 195, sec. 10, effective April 3, 1992; ch. 362, sec. 1, effective July 14, 1992; and ch. 444, sec. 1, effective July 14, 1992. -- Amended 1990 ch. 453, sec. 2, effective July 13, 1990; and ch. 476, Pt. I, sec. 31, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 297, sec. 1, effective July 13, 1984. -- Amended 1978 Ky. Acts ch. 117, sec. 16, effective August 31, 1979; and ch. 155, sec. 90, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 348, sec. 2. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4384-17, 4384-21, 4384-22, 4384-24 to 4384-30.

Legislative Research Commission Note (7/15/2026). This statute was amended by 2026 Ky. Acts chs. 15, 74, 81, and 196, which do not appear to be in conflict and have been codified together.

Legislative Research Commission Note (7/14/2018). 2018 Ky. Acts ch. 60, sec. 2 provides that this statute amended in 2018 Ky. Acts ch. 60, sec. 1 may be cited as the Ann Klein and Fred Gross Holocaust Education Act.

Legislative Research Commission Note (7/15/98). This section was amended by 1998 Ky. Acts chs. 204, 434, and 598. Where these Acts are not in conflict, they have been codified together. Where a conflict exists between chs. 434 and 598, Acts ch. 598, which was last enacted by the General Assembly, prevails under KRS 446.250.