

158.100 Program required to be provided by school district -- Additional programs permitted -- Refugee or legal alien students -- Virtual high school completion program -- School district may establish virtual programs.

- (1) Notwithstanding any statute to the contrary, each school district shall provide an approved preschool school program through twelve (12) grade school service. An approved preschool school program through eight (8) grade school service shall be provided for the children residing in the district by maintaining schools. An approved high school service for all children of high school grade under twenty-one (21) years of age residing in the district shall be provided either by maintaining the schools within the district or by contract with another district. The board of education of any school district, subject to the approval of the chief state school officer, may establish night schools, industrial schools, and other schools for the residents of the district as it deems advisable.
- (2) A school district may provide an approved high school program to a student who is a refugee or legal alien until the student graduates or until the end of the school year in which the student reached the age of twenty-one (21), whichever occurs first.
- (3)
 - (a) The board of education of any school district may establish a virtual high school completion program for residents of the district of at least twenty-one (21) years of age that is designed to allow high school dropouts to complete high school graduation requirements through the use of virtual instruction.
 - (b) A student shall be eligible to enroll in a district's program if the student:
 1. Is a resident of the district;
 2. Is at least twenty-one (21) years of age;
 3. Had previously dropped out of a high school; and
 4. Had earned at least sixteen (16) credits at the time of dropping out.
 - (c) Notwithstanding paragraph (b)1. of this subsection, a program may enroll a nonresident student if the student otherwise qualifies for enrollment.
 - (d) To enroll in a district's program, a student shall provide a notarized transcript evidencing any credits earned previously towards graduation that are not from that district.
 - (e) To earn a high school diploma through the virtual program, a district shall require a student to either:
 1. Complete the high school graduation requirements of the district that were or would have been applicable to the student at the time the student dropped out of high school; or
 2. Complete the high school graduation requirements of the district in effect at the time of enrolling in the virtual program.
 - (f) A district may charge a student reasonable tuition and fees for the program.
- (4) A school district may establish a virtual program as defined in KRS 157.320 for students. The local board of education of the school district that operates a virtual program shall adopt policies to address a student's failure to complete state-mandated assessments, including but not limited to kindergarten readiness screeners or assessments required under KRS 158.6453.

Effective: March 27, 2025

History: Amended 2025 Ky. Acts ch. 94, sec. 5, effective March 27, 2025. -- Amended 2020 Ky. Acts ch. 17, sec. 1, effective July 15, 2020. -- Amended 2014 Ky. Acts ch. 78, sec. 1, effective July 15, 2014. -- Amended 1990 Ky. Acts ch. 476, Pt. I, sec. 28, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 367, sec. 6, effective July 13, 1984. -- Amended 1978 Ky. Acts ch. 20, sec. 1, effective June 17, 1978. -- Amended 1966 Ky. Acts ch. 184, sec. 2. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 3480-1, 3480-2, 4363-5a, 4399-2, 4399-3.