

1 AN ACT relating to compulsory attendance.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 159.030 is amended to read as follows:

4 (1) The board of education of the district in which the child resides shall exempt from  
5 the requirement of attendance upon a regular public day school every child of  
6 compulsory school age:

7 (a) Who is a graduate from an accredited or an approved four (4) year high  
8 school;~~[-or]~~

9 (b) Who is enrolled and in regular attendance in a private, parochial, or church  
10 regular day school. It shall be the duty of each private, parochial, or church  
11 regular day school to notify the local board of education of those students in  
12 attendance at the school. If a school declines, for any reason, to notify the  
13 local board of education of those students in attendance, it shall so notify each  
14 student's parent or legal guardian in writing, and it shall then be the duty of  
15 the parent or legal guardian to give proper notice to the local board of  
16 education;~~[-or]~~

17 (c) **Who is at least sixteen (16) years old and has obtained a High School**  
18 **Equivalency Diploma;**

19 **(d)** Who is less than seven (7) years old and is enrolled and in regular attendance  
20 in a private kindergarten-nursery school;~~[-or]~~

21 **(e)**~~[(d)]~~ Whose physical or mental condition prevents or renders inadvisable  
22 attendance at school;~~[-or]~~

23 **(f)**~~[(e)]~~ Who is enrolled and in regular attendance in private, parochial, or  
24 church school programs for exceptional children;~~[-or]~~

25 **(g)**~~[(f)]~~ Who is enrolled and in regular attendance in a state-supported program  
26 for exceptional children; **or**

27 **(h)**~~[(g)]~~ For purposes of this section, "church school" shall mean a school

- 1           operated as a ministry of a local church, group of churches, denomination, or  
2           association of churches on a nonprofit basis.
- 3   (2)   (a)   Before granting an exemption under subsection ~~(1)(e)[(1)(d)]~~ of this section,  
4           the board of education of the district in which the child resides shall require  
5           submission to the board of satisfactory evidence in the form of a signed  
6           statement of a properly licensed physician, advanced practice registered nurse,  
7           physician's assistant, psychologist, psychiatrist, or qualified mental health  
8           professional as defined in KRS 202A.011 responsible for diagnosing and  
9           treating the child, stating that the diagnosed condition of the child prevents or  
10          renders inadvisable attendance at school and requires home or hospital  
11          instruction. If the condition is mental health related, then the signed statement  
12          shall be completed by a qualified mental health professional as defined in  
13          KRS 202A.011. On the basis of such evidence, the local board of education  
14          may exempt the child from compulsory attendance.
- 15          (b)   Any child who is excused from school attendance more than six (6) months  
16          shall have two (2) signed statements from a combination of two (2) of the  
17          professional persons in accordance with paragraph (a) of this subsection,  
18          except that this requirement shall not apply to a child whose signed statement  
19          certifies that the student has a chronic physical condition that prevents or  
20          renders inadvisable attendance at school and is unlikely to substantially  
21          improve within one (1) year.
- 22          (c)   Exemptions of any student under the provisions of subsection ~~(1)(e)[(1)(d)]~~  
23          of this section shall be reviewed annually with the evidence required being  
24          updated.
- 25   (3)   The Kentucky Board of Education may promulgate administrative regulations to  
26          establish the components of compulsory attendance and exemptions.