

**158.030 "Common school" defined -- Attendance at public school and primary school program -- Advancement without regard to age -- Local boards to adopt policy establishing petition and evaluation process for students who do not meet age requirements.**

- (1) "Common school" means an elementary or secondary school of the state supported in whole or in part by public taxation. No school shall be deemed a "common school" or receive support from public taxation unless the school is taught by a certified teacher for a minimum school term as defined by KRS 158.070 and every child residing in the district who satisfies the age requirements of this section has had the privilege of attending it. Provided, however, that any child who is six (6) years of age, or who may become six (6) years of age by October 1, shall attend public school or qualify for an exemption as provided by KRS 159.030. Any child who is five (5) years of age, or who may become five (5) years of age by October 1, may enter a primary school program, as defined in KRS 158.031, and may advance through the primary program without regard to age in accordance with KRS 158.031(6).
- (2) Beginning with the 2017-2018 school year, any child who is six (6) years of age, or who may become six (6) years of age by August 1, shall attend public school or qualify for an exemption as provided by KRS 159.030. Any child who is five (5) years of age, or who may become five (5) years of age by August 1, may enter a primary school program, as defined in KRS 158.031, and may advance through the primary program without regard to age in accordance with KRS 158.031(6).
- (3) Each local school board shall adopt a policy to permit a parent or guardian to petition the board to allow a student to attend public school who does not meet the age requirements of subsection (1) or (2) of this section. The policy shall include an evaluation process that will help determine a student's readiness for school and shall ensure that any tuition amount charged under this policy is the same amount charged to a student who meets the age requirements of subsection (1) or (2) of this section. Students enrolled under this policy shall be included in a school's average daily attendance for purposes of funding as provided in KRS 157.310 to 157.440.

**Effective:** June 24, 2015

**History:** Amended 2015 Ky. Acts ch. 62, sec. 1, effective June 24, 2015. -- Amended 2012 Ky. Acts ch. 123, sec. 1, effective July 12, 2012. -- Amended 2006 Ky. Acts ch. 20, sec. 2, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 434, sec. 3, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 362, sec. 6, effective July 15, 1996. -- Amended 1990 Ky. Acts ch. 476, Pt. I, sec. 25, July 13, 1990. -- Amended 1988 Ky. Acts ch. 33, sec. 2, effective July 15, 1988. -- Amended 1984 Ky. Acts ch. 367, sec. 5, effective July 13, 1984; and ch. 397, sec. 7, effective July 13, 1984. -- Amended 1980 Ky. Acts ch. 306, sec. 2, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 136, sec. 2, effective July 1, 1979. -- Amended 1972 Ky. Acts ch. 151, sec. 4. -- Amended 1962 Ky. Acts ch. 74, sec. 1. -- Amended 1952 Ky. Acts ch. 145, sec. 1. -- Amended 1950 Ky. Acts ch. 108, sec. 1. -- Amended 1946 Ky. Acts ch. 155, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4363-2.