

KENTUCKY HOME SCHOOL REQUIREMENTS AND INFORMATION

In Kentucky, home schools are considered to be nonpublic schools. The laws relating to nonpublic schools also apply to home schools.

The following are the minimal requirements for operating a home school in Kentucky and the legal authority upon which these requirements are based:

1. Establish a bonafide school for the children to attend;

- (KRS 159.030) requires compulsory school attendance for every child between the ages of 6 and 16 and exempts a child from attending public school who is enrolled and regularly attending a private school.
- Rose V. Council for Better Education, Inc., 790 S.W. 2nd 186 (1989) establishes education as a fundamental right in Kentucky.

2. Notify the local superintendent of schools each year by letter that you have established a home school and report the names, ages and place of residence of each of your children in attendance at the school and any other information the superintendent might require to carry out the laws relating to compulsory attendance;

- (KRS 159.030)
- (KRS 159.160) requires the person in charge of the home school to report the names, ages and place of residence of all pupils in attendance at the school together with any facts that the superintendent may require to facilitate the laws relating to compulsory attendance and employment of children.

3. Teach those subjects that will educate children to be intelligent Citizens;

- (KRS 158.080) requires that instruction be offered in English and in the branches of study that are taught in public schools as found in the Program of Studies (KRS 156.160) and (704 KAR 3.303). This is interpreted to at least include reading, writing, spelling, grammar, history, mathematics and civics.
- It is suggested that the person responsible for instruction keep a portfolio that contains samples of the best work

done by each child in several areas of study and maintain the portfolio year after year. This may be of assistance in documenting the existence of the home school or the transfer of the child to another educational setting. A record of courses taken and grades received is also necessary.

- Kentucky State Board for Elementary and Secondary Education V. Rudasill, Ky. 589 S.W. 2nd 877 (1979) establishes the prerogatives of the parents to choose the formal education for the child.

4. Provide instruction for a term that is at least as long as the term in effect for the public schools in the district where the child resides;

- (KRS 158.080) states the minimal school term is 185 days, which includes 175 days of instruction (KRS 158.070) and 10 non-instructional days.
- (KRS 158.070) states that the minimal instructional term includes no less the equivalent of 175 six (6) hour instructional days for a total of 1050 hours of instruction per year.

5. Record and maintain scholarship reports of each student's progress in all subjects taught at the same intervals as the local public schools;

- (KRS 159.040) requires that all home schools record and maintain scholarship reports and attendance records.

6. Keep accurate attendance records of pupil attendance;

- (KRS 159.040) The attendance records can be kept either in a notebook on a computer or in another manner, but must be readily available in case of an inquiry.

7. Be open to inspection by directors of pupil personnel, officials of the Department of Education or the Cabinet for Families and Children;

- (KRS.130) gives the director of pupil personnel the authority in his district to investigate any case of violating the compulsory attendance laws.
- (KRS 159.040) states that the purpose for a director of pupil personnel visiting a home school is to ensure that the requirements of compulsory attendance are being met and

not to determine the quality of the instruction. This inspection of school records may be conducted in a neutral site rather than in the home.

- (KRS 211.180) and (KRS 212.210) authorizes the Cabinet for Health Services to regulate certain public health matters related to the detection, prevention and control of communicable diseases and health hazards relating to sanitation and safety.

8. Be knowledgeable about the transfer process between the home school and the public schools and understand that this process requires the public school to assign the incoming student to the grade for which he / she is best suited.

- (KRS 158.140) and 704 KAR 3:307 require the grade placement be carried out either by examination or by student performance.