

**The following are the minimal requirements for the operation of a private/home school in Kentucky.**

1. Education is a fundamental right. *Rose v. Council for Better Education, Inc. Ky.*, 790 S. W. 2d. 186 (1989). Compulsory attendance laws (KRS 159.010) require that every child between the ages of 6 and 16 be enrolled in school. KRS 159.030 exempts a child from attending public school who is enrolled and regularly attending a private, parochial or church regular day school. Home schools are considered to be private schools in Kentucky, and the laws relating to private schools apply equally to home schools except where the U.S. Constitution's Fourth Amendment applies.
2. Notification (as required by law) by the parent/guardian should be sent to the local public school district within the first two weeks of the public school beginning each year. The information that should be included is names of each school age child, their ages, address and where they will be attending school. {NOTE: CHEK suggests notice be sent by certified mail with return receipt }
3. The private, home, and parochial schools shall teach those subjects that will educate children to be intelligent citizens. State law requires that instruction be offered in English and in the branches of study that are taught in the public schools. This is interpreted to include at least reading, writing, spelling, grammar, history, mathematics and civics. KRS 158.080, and *Kentucky State Board for Elementary and Secondary Education v. Rudasill, Ky*, 589 S.W 2<sup>nd</sup> 877 (1979).
4. Private, home and parochial schools shall provide instruction for a term at least as long as the term in effect for the public school in the district where the child resides. (KRS 158.080) The minimum school term shall be defined in KRS 158.070 which states: "The minimum school term shall be 185 days, including no less than the equivalent of 175 six (6) hour instructional days, and 10 non-instructional days" This would be 1050 instructional hours.
5. The private and parochial schools shall record and maintain scholarship reports of each student's progress at the same interval as in the local public school, grading all subjects taught. (KRS 159.040)
6. Kentucky requires that an accurate record of pupil attendance be kept. (KRS 159.040) Attendance may be recorded in a notebook, or on a computer list or in a register provided by the Kentucky Department of Education to the local school district.
7. KRS 158.040 requires that all private schools be open to inspection by directors of pupil personnel or officials of the Department of Education. [NOTE: The primary purpose of the home is a private residence not a school. Therefore homes are protected by the Fourth Amendment to the U.S. Constitution against unwarranted searches and seizures. In the opinion of CHEK, government officials should not be allowed to come into the home and inspect the school without a court order or warrant.]