

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Department of Education

4 (New Administrative Regulation)

5 701 KAR 8:040. Conversion charter school petition, conversion, and operation.

6 RELATES TO: KRS 160.1590, 160.1591, 160.1592, 160.1593, 160.1594, 160.1595, 160.1596,

7 160.1597, 160.1598, 160.1599, **161.141**

8 STATUTORY AUTHORITY: KRS 160.1599

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 160.1599 requires the Kentucky Board

10 of Education to promulgate an administrative regulation to govern the processes and procedures

11 for the petition, the conversion, and the operation of a conversion public charter school. This

12 administrative regulation provides requirements for the conversion **public charter**

13 **schools** process.

14 Section 1. Definitions.

15 (1) "Adult student" means a student who is eighteen (18) years or older who is still eligible for

16 enrollment and attendance at a school program pursuant to KRS 158.030 and 158.100.

17 (2) "Applicant" is defined in KRS 160.1590(3).

18 (3) "Charter application" is defined in KRS 160.1590(4).

19 (4) "Charter contract" or "contract" is defined in KRS 160.1590(5).

20 (5) **"Charter school" or "Public charter school" is defined in KRS 160.1590(12).**

21 (6) "Charter school board of directors" is defined in KRS 160.1590(6).

- 1 ~~(f) “Children with special needs” or “Students with special needs” means~~
- 2 ~~(a) Exceptional children and youth students, as defined in KRS 157.200, who are eligible~~
- 3 ~~pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. secs. 1400 et seq. for an~~
- 4 ~~individual education plan, as described in KRS 157.196, or an individual education program, as~~
- 5 ~~described in KRS 158.281; and~~
- 6 ~~(b) Students who are eligible for services under Section 504 of the Rehabilitation Act of 1973,~~
- 7 ~~as amended, 29 U.S.C. sec. 794, to prevent substantial limitation of one or more major life~~
- 8 ~~activities.~~
- 9 (7) “Conversion public charter school” or “conversion charter school” is defined in KRS
- 10 160.1590(7).
- 11 (8) “Days” means calendar days and shall be calculated pursuant to KRS 446.030.
- 12 ~~(f) “Education service provider” is defined in KRS 160.1590(8).~~
- 13 (9) “Emancipated youth” means a student under the age of eighteen (18) who is or has been
- 14 married or has by court order or otherwise been freed from the care, custody, and control of the
- 15 student’s parents.
- 16 **(10) “Enrollment” means the process for the charter school to register a student for**
- 17 **attendance at the charter school.**
- 18 (11) “Grade” or “Grade Level” or “Level” means **a single** elementary, middle, or high school
- 19 grade of school.
- 20 **(12) “Local board of education” means “local school board” as defined in KRS**
- 21 **160.1590(9).**
- 22 **(13) “Local school district” is defined in KRS 160.1590(10).**
- 23 **(14) “Lottery” means the transparent, open, equitable, and impartial process that is**

1 competently conducted with randomization in accordance with the targeted student  
2 population and service community as identified in KRS 160.1593(3) for the charter school  
3 board of directors to choose students for enrollment and attendance at the charter school  
4 when the student applications received by the charter school exceed the charter school's  
5 capacity.

6 (15) "Notice" means written notice.

7 (16) "Notify" means provide written notice.

8 (17) "Parent" is defined in KRS 160.1590(11).

9 ~~(18) "Persistently low achieving non charter public schools" means non charter schools~~  
10 ~~identified for comprehensive support and improvement pursuant to KRS 160.346.~~

11 (18) "Person with custody or charge" means any adult, pursuant to KRS 159.010, who falls  
12 within the definition of KRS 387.010(2) for interested person or entity and with whom the student  
13 resides.

14 (19) "Petitioner" means the persons or organizations initiating and circulating a petition to  
15 convert an existing public school to a charter school.

16 (20) "School level" or "Level" or "Educational level" means the configuration of grade  
17 levels that form elementary, middle, and high schools.

18 (21) "Student" is defined in KRS 160.1590(19) and includes any person who is entitled to  
19 enrollment and attendance at a school program as provided in KRS 158.030 and 158.100.

20 (22) "Student application" means an application submitted to a charter school board of  
21 directors for student enrollment in the charter school.

22 (23) "Superintendent" means the local school district employee tasked with the duties  
23 described in KRS 160.370.

1 (24) “Year” or “Academic year” or “School year” means school year as defined in KRS  
2 158.050.

3 Section 2. Conversion Petition and Charter Application. (1) The department shall annually  
4 publish on its website a list of ~~persistently low achieving non charter~~ noncharter public schools,  
5 by school level, that are eligible for charter school conversion through the petition process  
6 pursuant to KRS 160.1599(2)(a).

7 (2) Prior to circulation of a petition to convert an existing public school to a charter school, a  
8 petitioner shall file a notice of intent with the resident board of education.

9 (3) If a charter application proposes that a newly converted charter school is to be established  
10 and prepared to enroll students for the next school year, both the charter application and the  
11 petition, determined to be valid pursuant to subsection (9) of this section, proposing the conversion  
12 of an existing public school to a charter school shall be submitted to the authorizer on or before  
13 October 30.

14 (4) A petitioner shall include the following information in a petition to convert an existing  
15 public school to a charter school and shall utilize the Public Charter School Conversion  
16 Petition:

17 (a) A written statement that the petition seeks to convert the existing public school to a charter  
18 school;

19 (b) A written statement of the reasons the petitioner believes the existing public school should  
20 be converted to a charter school, including descriptions of how the conversion public charter  
21 school shall accomplish the purposes of KRS 160.1591(2); and

22 (c) Information for filing a written complaint to the commissioner of education regarding the  
23 petition or the petitioner.

1 (5) For the signatures on the petition to count toward the requirements of KRS 160.1599(2)(a)  
2 or (b), a petitioner shall ensure inclusion of the following from each of the existing public school's  
3 resident parents, persons with custody or charge, adult students, or emancipated youth students  
4 signing the petition:

5 (a) Their printed names;

6 (b) Their mailing and street address, phone number, and email address, as available; and

7 (c) Their signature in ink or indelible pencil;

8 (6) The inclusion of signatures, from adult students, emancipated youth students, or parents or  
9 persons with custody or charge, on behalf of students who do not attend the existing public school  
10 as residents of the local school district and under the attendance zone boundary policies and  
11 procedures of the local board of education for the local school district, shall not count toward the  
12 requirements of KRS 160.1599(2)(a) or (b).

13 (7) Signatures from parents, persons with custody or charge, adult students, and emancipated  
14 youth students shall ~~not~~ count toward the requirements of KRS 160.1599(2)(a) or (b) **up to but**  
15 **not** in excess of the number of students attending the existing public school for whom those  
16 individuals are parents or persons with custody or charge or the students themselves.

17 (8) The inclusion of an invalid signature on the petition shall not invalidate the entire petition,  
18 but shall instead result in the invalid signature being stricken and not counted.

19 (9) Within thirty (30) days of receipt of a petition for conversion of an existing public school,  
20 a local school district designee of the local board of education shall conduct **and complete** an  
21 examination of the signatures on the petition and any necessary investigation to make a  
22 determination of whether the petition contains enough signatures of qualified resident adult  
23 students, emancipated youth students, and parents and persons with custody or charge of students

1 attending the existing public school to meet the requirements of KRS 160.1599(2)(a) or (b).

2 (10) Within three (3) days of making the determination in subsection (9) of this section, the  
3 local school district designee of the local board of education shall provide notice as to whether the  
4 petition met the requirements of this administrative regulation and KRS 160.1599(2)(a) or (b):

5 (a) On the local school district website; and

6 (b) To the following:

7 1. The petitioner;

8 2. The existing public school's principal;

9 3. Any school-based decision making council of the existing public school established under  
10 KRS 160.345; and

11 4. The local board of education.

12 (11) For a petition under KRS 160.1599(2)(b), the local board of education's majority vote to  
13 convert the existing public school to a charter school shall ~~be required prior to an applicant's~~  
14 ~~submission of a charter application and required to be conducted at~~ its the next regular meeting or  
15 an earlier special meeting ~~of the local board of education.~~

16 (12) Any person who has reason to believe that the petition process was not conducted pursuant  
17 to the requirements of this administrative regulation or that the signatures on the petition were  
18 procured through fraud, intimidation, bribery, or harassment, may file a written complaint with  
19 the commissioner of education and the commissioner of education shall:

20 (a) Cause an investigation to determine the validity of the petition;

21 (b) Ensure the investigation is completed within thirty (30) days of receipt of the complaint;

22 and

23 (c) Render a determination as to the validity of the petition.

1 (13) If the petition fails to meet the requirements of this administrative regulation and KRS  
2 160.1599(2)(a) or (b) or if the commissioner of education determines the petition to be invalid,  
3 the existing public school shall not be eligible for conversion to a charter school unless:

4 (a) The local board of education acts pursuant to KRS 160.1599(2)(c); or

5 (b) Another petition is **circulated and** determined to be valid pursuant to KRS 160.1599(a) or  
6 (b) and this administrative regulation.

7 (14) **After any vote by the local board of education required pursuant to KRS**  
8 **160.1599(2)(b) or (c),** an applicant shall submit to the authorizer a charter application to convert  
9 an existing public school to a charter school during the same school year as:

10 (a) The local board of education's vote to convert an existing public school to a charter school  
11 pursuant to KRS 160.1599(2)(c); or

12 (b) ~~For a petition:~~

13 1. The circulation of ~~the~~ petition **pursuant to KRS 160.1599(2)(a) or (b);**

14 2. The issuance of the determination in subsection (9) of this section that the petition is valid;

15 and

16 3. A majority vote of the local board of education, if required by KRS 160.1599(2)(b).

17 (15) **After any vote by the local board of education required pursuant to KRS**  
18 **160.1599(2)(b) or (c),** the authorizer shall allow submission of a charter application to convert the  
19 existing public school to a charter school during the same school year as:

20 (a) The **local board of education**'s vote to convert the existing public school to a charter  
21 school, pursuant to KRS 160.1599(2)(c); or

22 (b) ~~For a petition:~~

23 1. The circulation of ~~the~~ petition **pursuant to KRS 160.1599(2)(a) or (b);**

1 2. The issuance of the determination in subsection (9) of this section that the petition is valid;  
2 and

3 3. A majority vote of the local board of education, if required by KRS 160.1599(2)(b).

4 (16) The authorizer shall commence the charter application review and approval process  
5 pursuant to KRS 160.1594 and 701 KAR Chapter 8 upon receipt of a charter application to convert  
6 an existing public school to a charter school within the same school year as either:

7 (a) The local board of education's vote to convert an existing public school to a charter school  
8 pursuant to KRS 160.1599(2)(c); or

9 (b) ~~For a petition:~~

10 1. The circulation of ~~the~~ petition **pursuant to KRS 160.1599(2)(a) or (b)**;

11 2. The issuance of the determination in subsection (9) of this section that the petition is valid;  
12 and

13 3. A majority vote of the local board of education, if required by KRS 160.1599(2)(b).

14 (17) The authorizer shall review the petition and a submitted charter application and only  
15 approve the conversion of an existing public school if the charter application meets the  
16 requirements of KRS 160.1590 to 160.1599, ~~and~~ 161.141, and 701 KAR Chapter 8 and if:

17 (a) The petition meets the requirements of KRS 160.1599 and this administrative regulation  
18 during the same school year as the filing of the charter application, and if the commissioner of  
19 education has not determined the petition to be invalid; or

20 (b) The local board of education has voted within the same school year to convert an existing  
21 public school to a charter school.

22 (18) The department shall create a charter school conversion petition **and application** guidance  
23 document that **petitioners**, applicants, authorizers, and local boards of education may utilize.



1 Section 3. Conversion.

2 (1) No conversion public charter school shall begin operation after the beginning of a school  
3 year.

4 (2) After the local board of education's vote to convert an existing public school to a charter  
5 school or completion of the petition process requirements of KRS 160.1599(2)(a) or (b) and  
6 this administrative regulation receipt of a valid petition, the vote of the local board of education  
7 ~~to approve the petition, if required by KRS 160.1599(2)(b), and~~ after the authorizer's approval of  
8 a charter application to establish a conversion public charter school, the superintendent shall:

9 (a) Notify resident students of the conversion of the existing public school and provide  
10 information for student application to the conversion charter school during the time that  
11 information on other school programs in the local school district is provided;

12 (b) Create with the conversion public charter school board of directors a plan for conversion  
13 of the existing public school which will include, at a minimum, timelines, roles, responsibilities,  
14 and notification requirements for the following:

15 1. Coordination of student application, lottery, enrollment, and transfer to and from the  
16 conversion charter school; and

17 2. Transfer of management and operation of the conversion charter school in the same public  
18 school facility for the next school years included in the conversion charter school's operation  
19 under the charter contract;

20 (c) Meeting during the first year of the charter contract with the charter school board of  
21 directors to coordinate student application, lottery, enrollment, and transfer of students; and

22 (d) Meeting throughout the charter contract with the charter school board of directors  
23 regarding the usage and maintenance of the facility by the charter school board of directors.

1 (3) The local board of education and the conversion charter school board of directors shall  
2 execute a lease for the public school facility prior to the operation of a conversion public school.

3 (4) The department shall create a charter school conversion process guidance document that  
4 an authorizer, local board of education, and a charter school board of directors may utilize.

5 Section 4. Employees.

6 (1) Local school district employees placed in the existing public school prior to conversion,  
7 who are not hired by the conversion charter school board of directors to work in the converted  
8 charter school, shall retain their employment rights with the district, pursuant to KRS Chapter 161  
9 and under the provisions of any collective bargaining agreement with the district.

10 (2) A teacher, with continuing status pursuant to KRS Chapter 161, who is employed by the  
11 district, who is hired by the conversion charter school board of directors to work in the converted  
12 charter school, and who is granted leave by the local board of education pursuant to KRS  
13 160.1593(22), shall notify the district of the teacher's intent to work in the converted charter school  
14 or to return to employment with the local school district the next school year by April 15 of each  
15 year of the granted leave.

16 (3) The department shall create a charter school conversion employee transition guidance  
17 document that an authorizer, local board of education, and a conversion charter school may utilize.

18 Section 5. Students.

19 (1) The district shall provide, to the students and parents and persons with custody or charge  
20 of students who attend an existing public school that has been approved for conversion to a charter  
21 school, information and any plan the district will use to address the educational needs and  
22 placements of students who will not be attending the conversion charter school.

1 (2) The department shall create a charter school conversion student transition guidance  
2 document that an authorizer, local board of education, and a conversion charter school may utilize.

3 Section 6. Operation and Reversion of a Conversion Charter School.

4 (1) An authorizer may otherwise renew, non-renew, revoke, or take other action regarding a  
5 conversion public charter school as provided in KRS 160.1590 to 160.1599, ~~and~~ 161.141, and 701  
6 KAR Chapter 8.

7 (2) ~~If Prior to closure of a~~ **closed** conversion charter school **is reverting back to its**  
8 **noncharter status** ~~and reversion to a public school of the district~~, the local board of education shall  
9 solicit feedback on ~~the closure decision and reversion~~, and the future of the school and the students  
10 from parents, persons with custody or charge, adult students, and emancipated youth students of  
11 the school **prior to the reversion.**

12 Section 7. Incorporation by Reference. (1) "Public Charter School Conversion Petition", January  
13 2018, is incorporated by reference.

14 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at  
15 the Department of Education, Office of Legal, Legislative and Communication Services, 5<sup>th</sup>  
16 floor, 300 Building, 300 Sower Boulevard, Frankfort, Kentucky, Monday through Friday, 8 a.m.  
17 to 4:30 p.m.

This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Board of Education, as required by KRS 156.070(5).

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Stephen L. Pruitt, Ph.D.  
Commissioner of Education

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mary Gwen Wheeler, Chair  
Kentucky Board of Education

**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on \_\_\_\_\_, 2017, at 10 a.m., in the State Board Room, Fifth Floor, Sower Building, 300 Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by 5 workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through \_\_\_\_\_, 2017. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

**CONTACT PERSON:** Kevin C. Brown, Associate Commissioner and General Counsel, Kentucky Department of Education, 300 Sower Boulevard, Fifth Floor, Sower Building, Frankfort, KY 40601, phone 502-564-4474, fax 502-564-9321, email [kevin.brown@education.ky.gov](mailto:kevin.brown@education.ky.gov).



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## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Administrative Regulation: 701 KAR 8:040

Agency Contact Person: Kevin C. Brown

Phone: 502-564-4474

Email: kevin.brown@education.ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This new administrative regulation fulfills the regulation promulgation requirement of the agency in KRS 160.1590 to 160.1599 and 161.141.

(b) The necessity of this administrative regulation: KRS 160.1590 to 160.1599 and 161.141 became effective on June 29, 2017. This administrative regulation provides guidance on student application, lottery, and enrollment in public charter schools.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 160.1590 to 160.1599 and 161.141 requires the Kentucky Board of Education (KBE) to promulgate administrative regulations providing guidance on student application, lottery, and enrollment in the public charter schools. This administrative regulation provides guidance from the agency on student application, lottery, and enrollment in the public charter schools.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: KRS 160.1590 to 160.1599 and 161.141 requires the Kentucky Board of Education (KBE) to promulgate administrative regulations provides guidance from the agency on conversion charter school creation and operation.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: N/A.

(b) The necessity of the amendment to this administrative regulation: The authorizing statute requires the agency to provide guidance on conversion charter school creation and operation.

(c) How the amendment conforms to the content of the authorizing statutes: N/A.

(d) How the amendment will assist in the effective administration of the statutes:

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: School districts, public charter schools, students applying for enrollment in public charter schools, and the Kentucky Department of Education will be affected by this administrative regulation.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to

comply with this administrative regulation or amendment: School districts, whose students seek enrollment in public charter schools, will have to verify valid conversion petitions. Public charter schools, who seek to enroll students, will not be impacted. Students, who seek enrollment in a public charter school, will need to determine if the conversion school still meets their education needs. The Kentucky Department of Education shall provide support to ensure the transparent and uniform guidance on conversion charter school creation and operation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): Compliance costs for school districts should be minimal to none because school districts are already facilitating the transfer of students to other schools. Compliance costs for public charter schools should be minimal to none because this administrative regulation should provide guidance and relevant documents on conversion charter school creation and operation. Same for students and the Kentucky Department of Education.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): This new administrative regulation will provide guidance and relevant documents on conversion charter school creation and operation.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

(a) Initially: Compliance costs should be minimal to none.

(b) On a continuing basis: Compliance costs should be minimal to none.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Kentucky Department of Education general funds and school district funds, and funds provided to public charter schools.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change, if it is an amendment: No fees or additional funding is necessary.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: N/A.

(9) TIERING: Is tiering applied? Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all school districts and all public charter schools.



## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Administrative Regulation: 701 KAR 8:040

Contact Person: Kevin C. Brown

Phone: 502-564-4474

Email: kevin.brown@education.ky.gov

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? School districts, public charter schools, and the Department of Education.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 160.1590 to 160.1599 and 161.141.

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. This administrative regulation should have no impact on the expenditures or revenues for school districts or public charter schools.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This administrative regulation should not impact school district revenues or public charter schools.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This administrative regulation should not impact school district or public charter school revenues.

(c) How much will it cost to administer this program for the first year? Administration costs to school districts or public charter schools should be minimal to none.

(d) How much will it cost to administer this program for subsequent years? Administration costs to school districts or public charter schools should be minimal to none.

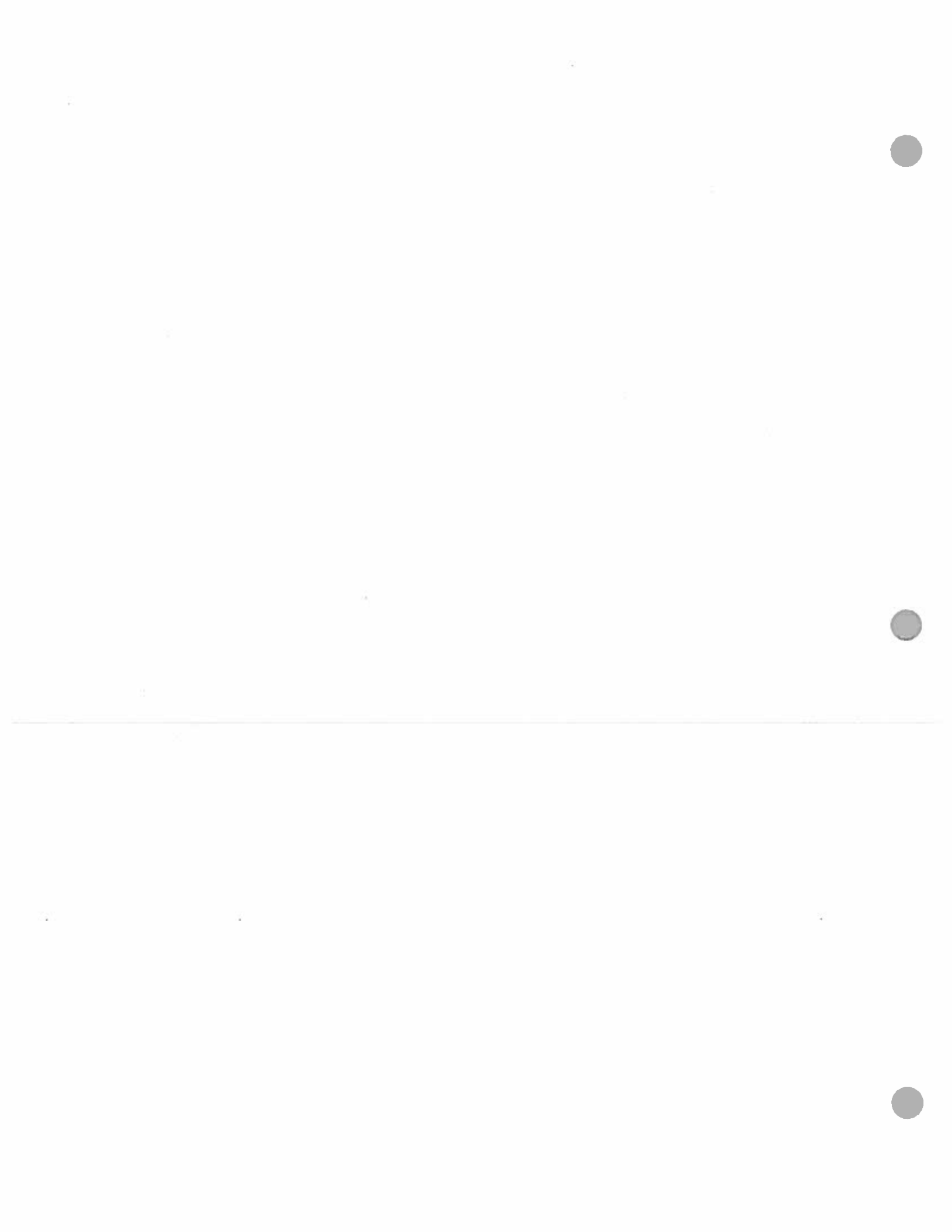
Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

There should be no fiscal impact resulting from the new administrative regulation.





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# Addendum

## *Financial Plan*

**Enter school name here**

**Contact Name:** *enter name*  
**Contact Title:** *enter title*  
**Contact Email:** *enter email address*  
**Contact Phone:** *enter phone number*  
**Date of Submission:** *enter date XX/XX/XXXX*

**First Academic Year:**



**Kentucky Board of Education**  
**701 KAR 8:040**  
**Public Charter School Conversion Petition**

**Petition to Convert:** This petition seeks to convert the existing public school, \_\_\_\_\_, to a charter school.

**Current School Year:** \_\_\_\_\_

**Reasons for Conversion:** The reasons the petitioner believes the existing public school should be converted to a charter school, including descriptions of how the conversion public charter school shall accomplish the purposes of KRS 160.1591(2)m, are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Complaint Process:** Any person who has reason to believe that the petition process was not conducted pursuant the requirements of this administrative regulation or that the signatures on the petition were procured through fraud, intimidation, bribery, or harassment, may file a written complaint with the commissioner of education and the commissioner of education shall:

- (a) Cause an investigation to determine the validity of the petition;
- (b) Ensure the investigation is completed within thirty (30) days of receipt of the complaint; and
- (c) Render a determination as to the validity of the petition.

Kentucky statute KRS 160.1590(11) defines "parent" as: a parent, guardian, or other person or entity having legal custody of a child.

Kentucky regulation 701 KAR 8:010 defines "person with custody or charge" as: any adult, pursuant to KRS 159.010, who falls within the definition of KRS 387.010(2) for interested person or entity and with whom the student resides.

KRS 387.010(2) defines "interested person or entity" as: an adult relative or friend of the minor, an official or representative of a public or private agency, corporation, or association concerned with the minor's welfare, or any other person found suitable by the District Court.

Kentucky regulation 701 KAR 8010 defines "adult student" as: a student who is eighteen (18) years or older who is still eligible for enrollment and attendance at a school program pursuant to KRS 158.030 and 158.100.

Kentucky regulation 701 KAR 8010 defines "emancipated youth" as: a student under the age of eighteen (18) who is or has been married or has by court order or otherwise been freed from the care, custody, and control of the student's parents.

