

**KENTUCKY COMMON SCHOOL LAWS  
WITH NOTES, BLANKS AND FORMS FOR  
THE USE OF SCHOOL  
OFFICIALS AND OTHERS CONCERNED IN  
THE ADMINISTRATION OF THE PUBLIC  
SCHOOL SYSTEM**

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Kentucky Common School Laws with Notes, Blanks and Forms for the Use of School Officials and Others Concerned in the Administration of the Public School System by H. V. McChesney

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**H. V. MCCHESENEY**

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KENTUCKY

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SCHOOL OFFICIALS AND OTHERS CONCERNED  
IN THE ADMINISTRATION

OF THE

PUBLIC SCHOOL SYSTEM.

PREPARED AND PUBLISHED BY THE  
SUPERINTENDENT OF PUBLIC INSTRUCTION.

PROPERTY OF THE STATE.

TO BE PRESERVED AND DELIVERED BY EACH OFFICIAL TO  
HIS OR HER SUCCESSOR IN OFFICE.

INCLUDES THE LEGISLATIVE ACTS OF 1900.

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## INTRODUCTORY.

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Since the publication of the school laws in 1898 only one section has been amended, and only one new act passed. Section eight of article nine, relating to cities of the second class has been amended, and an act to provide additional dormitories and other improvements for the Agricultural and Mechanical College, and making appropriations therefor has been passed. They are both in effect, the emergency clause having been attached to each.

The publication of this edition is made in accordance with the provisions of sections 31 and 33 of this volume, viz:

"The Superintendent of Public Instruction shall biennially collect, arrange for publication and index the school laws, omitting all that has been repealed, and inserting in its proper place that which is amendatory. \* \* \* \* \*

"He shall have published for annual distribution throughout the State, abstracts of the decisions of the Appellate Court and of the Attorney-General on points of school law and construction thereof," etc.

H. V. McCHESNEY,

Superintendent of Public Instruction.

EDUCATIONAL PROVISIONS OF THE STATE CONSTITUTION

OF

KENTUCKY.



EDUCATION.

“§ 183. The General Assembly shall, by appropriate legislation, provide for an efficient system of common schools throughout the State.

“§ 184. The bond of the Commonwealth, issued in favor of the Board of Education, for the sum of one million three hundred and twenty-seven thousand dollars, shall constitute one bond of the Commonwealth in favor of the Board of Education, and this bond and the seventy-three thousand five hundred dollars of the stock in the Bank of Kentucky (now seventy-nine thousand eight hundred), held by the Board of Education, and its proceeds, shall be held inviolate for the purpose of sustaining the system of the common schools. The interests and dividends of said fund, together with any sum which may be produced by taxation or otherwise for purposes of common school education, shall be appropriated to the common schools, and to no other purpose. No sum shall be raised or collected for education other than in common schools until the question of taxation is submitted to the legal voters, and the majority of the votes cast at said election shall be in favor of such taxation: *Provided*, The tax now imposed for educational purposes, and for the endowment and maintenance of the Agricultural and Mechanical College, shall remain until changed by law.

“§ 185. The General Assembly shall make provision, by law, for the payment of the interest of said school fund, and may provide for the sale of the stock in the Bank of Kentucky; and in case of a sale of all or any part of said stock, the proceeds of sale shall be invested by the Sinking Fund Commissioners in other good interest-bearing stocks or bonds, which

shall be subject to sale and re-investment, from time to time, in like manner with the same restrictions as provided with reference to the sale of the said stock in the Bank of Kentucky.

“§ 186. Each county in the Commonwealth shall be entitled to its proportion of the school fund on its census of pupil children for each school year; and if the *pro rata* share of any school district be not called for after the second school year, it shall be covered into the treasury and be placed to the credit of the school fund for general apportionment the following school year. The surplus now due the several counties shall remain a perpetual obligation against the Commonwealth for the benefit of said respective counties for which the Commonwealth shall execute its bond, bearing interest at the rate of six per centum per annum, payable annually, to the counties respectively entitled to the same, and in the proportion to which they are entitled, to be used exclusively in aid of common schools.

“§ 187. In distributing the school fund no distinction shall be made on account of race or color and separate schools for white and colored children shall be maintained.

“§ 188. So much of any moneys as may be received by the Commonwealth from the United States under the recent act of Congress refunding the direct tax shall become a part of the school fund and be held as provided in section 184; but the General Assembly may authorize the use by the Commonwealth of the moneys so received or any part thereof, in which event a bond shall be executed to the Board of Education for the amount so used which bond shall be held on the same terms and conditions and subject to the provisions of section 184, concerning the bond therein referred to.

“§ 189. No portion of any fund or tax now existing, or that may hereafter be raised or levied for educational purposes, shall be appropriated to, or used by, or in aid of, any church, sectarian or denominational school.”

§ 155. The provisions of sections 145 to 154, inclusive, (which require a secret ballot in all elections, etc.), shall not apply to the election of school trustees and other common



school district elections. Said elections shall be regulated by the General Assembly, except as otherwise provided in the Constitution."

"§ 157. The tax rate of cities, towns, counties, taxing districts and other municipalities, for other than school purposes, shall not, at any time, exceed the following rates upon the value of the taxable property therein, viz: For all towns or cities having a population of fifteen thousand or more, one dollar and fifty cents on the hundred dollars; for all towns or cities having less than fifteen thousand and not less than ten thousand, one dollar on the hundred dollars; for all towns or cities having less than ten thousand, seventy-five cents on the hundred dollars; and for counties and taxing districts, fifty cents on the hundred dollars; unless it should be necessary to enable such city, town, county, or taxing district to pay the interest on, and provide a sinking fund for the extinction of, indebtedness contracted before the adoption of this Constitution. No county, city, town, taxing district, or other municipality, shall be authorized or permitted to become indebted, in any manner or for any purpose, to an amount exceeding, in any year, the income and revenue provided for such year, without the assent of two-thirds of the voters thereof, voting at an election to be held for that purpose; and any indebtedness contracted in violation of this section shall be void. Nor shall such contract be enforceable by the person with whom made; nor shall such municipality ever be authorized to assume the same."

**..THE..**

**COMMON SCHOOL LAWS**

**OF THE**

**COMMONWEALTH**

**OF**

**KENTUCKY.**

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## I. GENERAL PROVISIONS.

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§ 1. [A Uniform System.]—*Be it enacted by the General Assembly of the Commonwealth of Kentucky:* There shall be maintained throughout the State of Kentucky a uniform system of common schools in accordance with the Constitution of the State and this chapter.

§ 2. [Common School Defined.]—No school shall be deemed a "common school," within the meaning of this chapter, or be entitled to any contribution out of the school fund unless the same has been, pursuant hereto, actually kept, or is under contract to be kept, by a qualified teacher for three months in districts having thirty-five pupils or less, for four months in districts having more than thirty-five or less than forty-five pupils, and for five or more months in districts having forty-five or more pupils, during the same school year and at which every child residing in the district, between the ages of six and twenty years, had had the privilege of attending, whether contributing towards defraying its expenses or not: *Provided,* That nothing herein shall prevent any person from attending a common school who will obtain the consent of the trustees and the teachers and pay the required tuition fees. But after June 30, 1894, no school shall be deemed a "common school" or be entitled to any contribution out of the school fund, unless the same has been, pursuant hereto, actually kept or is under contract to be kept, by a qualified teacher for not less than five months during the same school year, free of expense to every pupil child, as prescribed above. In order that each child of the Commonwealth may enjoy the benefits of a five months' school, the Superintendent of Public Instruction shall for each school year after June 30, 1893, apportion the fund due each county having one or more districts of less than forty-five pupil children as follows: He shall apportion to