

**158.032 Flagging record of missing child -- Procedure upon recovery -- Documents required upon enrollment or transfer.**

- (1) Upon notification by the commissioner of education of a child's disappearance, any school in which the child is currently or was previously enrolled shall flag the record of the child so that when a copy of or information regarding the child's record is requested, the school shall be alerted that the record is that of a missing child. The school shall immediately report to local law enforcement or the Department of Kentucky State Police any request concerning flagged records or any knowledge as to the whereabouts of any missing child.
- (2) Upon notification by the commissioner of education of any missing child who has been recovered, the school shall remove the flag from the child's record.
- (3) Upon enrollment of a student for the first time in any elementary or secondary school, the school shall notify in writing the person enrolling the student that within thirty (30) days the person shall provide either:
  - (a) A certified copy of the student's birth certificate; or
  - (b) Other reliable proof of the student's identity and age, and an affidavit of the inability to produce a copy of the birth certificate.
- (4) Upon the failure of a person enrolling the student to comply with this section, the school shall notify the person in writing that unless he complies within ten (10) days the case shall be referred to the Department of Kentucky State Police or local law enforcement officials for investigation. If compliance is not obtained within the ten (10) day period, the school shall so refer the case.
- (5) Within fourteen (14) days after enrolling a transfer student, each elementary or secondary school shall request directly from the student's previous school a certified copy of the student's record. Any school receiving a request of a student's record which has been flagged as the record of a missing child shall not forward the student's record but shall instead notify local law enforcement or the Department of Kentucky State Police.

**Effective:** June 26, 2007

**History:** Amended 2007 Ky. Acts ch. 85, sec. 166, effective June 26, 2007. -- Amended 2003 Ky. Acts ch. 39, sec. 3, effective June 24, 2003. -- Amended 1990 Ky. Acts ch. 476, Pt. IV, sec. 196, effective July 13, 1990. -- Created 1986 Ky. Acts ch. 72, sec. 3, effective July 15, 1986.