



Education Law Center

Making sure that all of Pennsylvania's children  
have access to quality public schools

## RETURNING TO PUBLIC SCHOOL IN PENNSYLVANIA

**IMPORTANT:** ELC's publications are intended to give you a general idea of the law. However, each situation is different. If, after reading our publications, you have questions about how the law applies to your particular situation, contact us or an attorney of your choice.

*Congratulations on your decision to return to school. You will NOT regret it!*

***Am I still of school age?*** If you haven't graduated from high school, you can return to public school at any time until the end of the school term in which you turn 21. (This is true even if you have a GED diploma.) The fact that you are older than other students in a certain class or could apply for a GED does not change your LEGAL RIGHT to enroll in school.

***What are my enrollment options?*** You can enroll either in the School District where you live or apply to a charter school.

***Can I enroll in my School District?*** Yes, if:

- Your parents or legal guardian, or the parent you live with, lives in the District; *or*
- You live with another adult who lives in the District, so long as you're living with that adult without a break for weekends and summer and the adult is supporting you; *or*
- You live in a foster home or group facility in the District; *or*
- You are homeless, and you live in a shelter or other temporary living arrangement (including kinship care or interim foster care) and you attended school in the District last school year and everyone agrees you should stay in the same school; *or*

- You are living on your own in the District and supporting yourself, or are living with your spouse in the District.

***Can I enroll in a charter school?*** You can apply to a charter school or a cyber charter school in Pennsylvania. Both kinds of schools are public schools ("Cyber" charter schools provide instruction through the Internet.) Where you live doesn't matter, but your school district must pay for the charter school and first preference is given to those who reside where the charter school is located. If there isn't enough space for everyone who applies, your name goes into a lottery. The school must be one that serves your grade level. For a list of charter schools and cyber charter schools, visit the website of the Pennsylvania Department of Education ([www.pde.state.pa.us](http://www.pde.state.pa.us), click on "PreK-12 Schools," then "Public Schools," then "Charter Schools," then "Where are they?").

***What documents do I need in order to enroll, and how long does the process take?*** The School District or charter school must enroll you once you have provided proof of your age, that you are living in the District, that you have had your "shots," and information about your school discipline record. After all the required information is provided, the school district must enroll you within five (5) business days. School districts CANNOT ask for your social security number, photo identification or a court order regarding your placement.

If you are re-enrolling in the School District, the District will already have many of these items, including your old school records. If you last attended school in another school district, it would be helpful to have copies of your records from that district; if the new school district asks the old district for your records, the records must be forwarded within 10 business days. But the district must enroll you and let you start classes even if your old school records are not yet available.

***Will my background or prior record keep me out of school?*** In general, no. Neither the School District nor charter schools can refuse to accept you because of your background. However:

- If you were expelled (not just suspended) from the School District or the charter school where you now wish to enroll, you may not have the right to return. Contact us for more information.
- If you are under 17 and your last school district expelled you for a violation that involved weapons, and your expulsion has not yet ended, the School District can offer you an alternative education program or services until the expulsion ends.

- If you were assigned (or on the way to being assigned) to a disciplinary school, such as CEP, when you left school or left the School District, you may have to go back to that school. Contact us if you have questions.
- If you are returning from a juvenile court placement, you will probably be sent first to a "transition center," then assigned to a school. Contact us for more information.

***What if I was in a special education program when I was last in school?*** The District or charter school may want you to return to a special education program - or may not. If you disagree with what is being recommended for you, contact us for more information.

***Does my immigration status matter?*** No, and neither the School District nor a charter school should be asking you questions about your immigration status.

***What can I do if I am behind on credits needed for graduation?*** Talk to your School District about whether they offer any kind of credit recovery program. Many do!

***What can I do if I need to continue working but still want to finish school?*** Talk to your School District about your options. Some school districts offer Twilight Programs after school hours. If you live in Philadelphia, you can contact Project U Turn or visit their website at <http://www.projectuturn.net/about.html> to learn more about multiple pathways to graduation.

***FOR MORE INFORMATION ON YOUR LEGAL RIGHTS***, visit our website, [www.elc-pa.org](http://www.elc-pa.org) (click on "Publications"), or call us at 215-238-6970.

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