EDUCATION LAW CENTER | FACT SHEET

HOW TO ENROLL A CHILD IN PUBLIC SCHOOL

August 2026

Every child of school age who is a resident of Pennsylvania has a right to public education.[1] Children are considered school age from the time they are admitted to the public school until graduation from high school or the end of the school term in which they turn 21, whichever occurs first.[2] Children with disabilities eligible under the Individuals with Disabilities Education Act (IDEA) are entitled to remain enrolled in their resident school district or a charter school until their 22nd birthday.[3] Making sure that your child enrolls in school promptly and attends school consistently is important for your child's education and their future. Moving through the four steps to enrollment explained in this fact sheet will help your child enroll in school as soon as possible.

What's New: Enrollment Rules for Cyber Charter Schools

Under Pennsylvania's Act 47 of 2025, as amended in 2026, a student who is 'habitually truant' (meaning they have accrued six or more unexcused absences from school) may not transfer to a cyber charter school during the school year unless a judge determines that the transfer is in the educational best interest of the student.[4] This rule only applies to students seeking to enroll in a cyber charter school, not in a school district's virtual program. When a student seeks to enroll in a cyber charter, the charter school must request attendance records from the student's current school. The child's current school must provide the requested records within five business days.[5] If the child's records indicate that they are habitually truant, the cyber charter must deny enrollment to the student unless a judge determines that the transfer to a cyber charter school is in the student's educational best interest. A judge must hold a hearing within 10 days of a parent's request for a determination. For more information on Act 47 and this enrollment process, including what factors a judge considers when making an educational best interest determination, see our fact sheet on Act 47: New Requirements for Enrollment, Attendance Rules & Wellness Checks for Cyber Charters & Virtual Programs.

FOUR STEPS TO ENROLLING YOUR CHILD IN SCHOOL

1. DETERMINE WHERE THE CHILD CAN ATTEND SCHOOL.

A child can attend school in the school district where they live with their parent or guardian, or a foster parent, or a district resident who is not a parent but is caring for the child.[6] Please see the Education Law Center-PA's fact sheet How to Enroll a Child Living with Someone Other Than Their

Parent (also available in Spanish) if that circumstance fits the child. In addition, a child who is living in a "children's institution," such as a group home or residential placement, has the right to attend school in the school district where the residential facility is located.[7] A child who is experiencing homelessness has the right to attend school wherever they are currently staying or where they have a substantial connection, even without proof of residency.[8] To learn more about these rights, see our fact sheet on The Rights of Students Experiencing Homelessness.

2. PROVIDE ENROLLMENT DOCUMENTS TO THE SCHOOL THAT THE CHILD WILL ATTEND.

A child can be enrolled by a parent, foster parent, guardian, caseworker, or anyone having "care or charge" of the child.[9] You may go to the school or central registration office in the school district where you live, or your district may require you to submit these documents electronically. Since the COVID-19 pandemic began, nearly all districts began offering online enrollment, and many districts have continued to use this practice. If this is the case, you will be asked to upload documents to a website. If you have difficulty navigating this process, you can always call your school district's enrollment office, which can assist you with the online process.

You will need to submit all of the following:

- Documents that show that you live in the school district (see options below).
- Documents that show the child's age (does not need to be a birth certificate).
- Documents that show the child has been immunized. If you do not have a record of the child's shots, tell the school district to contact the former school or a doctor who has the child's records.

You will also be asked to fill out a "sworn statement" about the child's discipline history, which the school district will give to you. Even though the school may ask for the child's entire discipline history, it is OK if you do not know it. Ultimately, you need to say whether the child is currently expelled for possessing a weapon and whether the child has ever been expelled based on a conviction or adjudication of delinquency on or after Jan. 3, 2022, for a sexual assault offense committed upon another student in the same school.[10]

Ask the school secretary to request the child's education records from their former school. The child's former school must send the records to the new school within 10 business days.[11] If a child seeks to enroll in a cyber charter school during the school year, the cyber charter will also request and review attendance and truancy records from the student's current school, which must provide such records within five business days.[12] A cyber charter school will deny enrollment to a student who is habitually truant – has six or more unexcused school absences in the current year – unless a judge determines that it is in the child's educational best interest to transfer to the cyber charter school. For more information on Act 47, see ELC-PA's fact sheet on Act 47: New Requirements for Enrollment, Attendance Rules & Wellness Checks for Cyber Charters & Virtual Programs.

Schools must provide language-access support to individuals whose primary language is not English and who are learning to read, speak, write, or understand English. If you are a multilingual parent or caregiver (defined by law as "limited English proficient" or LEP), you have the right to receive interpretation and translation services provided by the school or to bring your own translator.[13] See

our form to request translation and interpretation services, which is also available in Spanish, Chinese, Nepali, and Arabic.

For more information about the language-access supports that schools must provide during the enrollment process to individuals whose primary language is not English, please see ELC-PA's fact sheet on the Rights of Multilingual Caregivers to Enroll Children in School.

NOTE: Students experiencing homelessness and children in foster care have the right to enroll in school immediately, without any required enrollment documents. See ELC-PA's fact sheets on School Stability & Immediate Enrollment for Children in Foster Care and The Rights of Students Experiencing Homelessness.

3. ENSURE THAT THE CHILD STARTS SCHOOL IMMEDIATELY OR AT LEAST WITHIN FIVE DAYS.

The law says that the child must be enrolled within five business days of the school receiving all enrollment documents. If the family has not been notified that the child can start within that time, call the district's registration office and ask why the child has not been enrolled.[14]

If the school district does not allow the child to start after five business days, file a complaint with the Pennsylvania Department of Education. See ELC-PA's fact sheet on the Enrollment Complaint Process. You can also call the department at 717-787-4860 or 717-783-6746.

4. DISCUSS THE CHILD'S NEEDS WITH THE SCHOOL.

We recommend talking to an administrator or counselor at the new school about any of the following that apply to your child:

- **The child's special education needs.** This is particularly important for students with disabilities who plan to graduate this year and those who turn 22 this school year. If a child has a disability, make sure the school has a copy of the Individualized Education Program (IEP). The school must follow the old IEP until you agree on a new IEP with the new school. Request an IEP Team meeting with the new school as soon as possible. The school cannot delay the child's start of school because they are waiting to receive the IEP.
- **The child's need for accommodations in school.** Share any Section 504 Accommodations Plan your child may have for a chronic illness or other disability.
- **The credits required for graduation and the credits transferred from the child's previous school.** Make sure the school gives the child all partial and full credits earned and credit for any courses the student has already taken.
- **Transcript from a foreign school.** A school-age student residing in the United States is entitled to attend school unless they have already graduated and earned what is equivalent to a U.S. diploma (*i.e.*, 12th-grade education). If a student enters with a transcript from a foreign school, the school must evaluate the transcript to determine whether the student's prior credits should transfer to the U.S. school. The student and family can provide information about the prior school's curriculum and explain whether the prior coursework was comparable to coursework at the new school.

- **Point of Contact.** Many schools have mentorship programs for all students. In addition, students in grades K-12 who are experiencing homelessness, in foster care, or involved in the juvenile justice system *and* have changed schools *at least once during a single school year* are entitled to receive a Point of Contact under a law known as Act 1 of 2022.[15] Talk to your school if you think your child may be eligible. This law ensures that students can fully participate in school — including engaging in school-sponsored extracurricular activities, having fines and fees waived, and, for high school students, having expanded pathways to graduate on time. For more information, see the section below on how Act 1 supports highly mobile students.
- **Language instruction program.** If the child's primary language is not English and they are learning to speak, read, understand, or write English (an "English learner"), talk to the school about the child's needs, prior language instruction, and the language instruction program at the new school.
- **Options for tutoring, vocational classes, and extracurricular activities**, even if the child is starting school midway through the school year. This can be very important to help the child connect to a new school.

RACISM IN SCHOOL ENROLLMENT

Data show that Black and Brown students are more likely to be targeted for school residency challenges, particularly in suburban white neighborhoods, due to racial discrimination and implicit racial bias exhibited by school administrators and community members.[16] Racial bias, systemic racism, and racist stereotypes of whether a family "belongs" in a community have caused students to be deprived of their legal right to attend school. (See e.g., *Whitacker-Reid v. Pottsgrove Sch. Dist.*, 160 A.3d 905, Pa. Commw. Ct. 2017, a case in which multiple children remained out of school for nearly a year due to residency challenges; Commonwealth Court ultimately ruled in the family's favor due to lack of sufficient evidence.) It is illegal for students to be deprived of their right to attend school for reasons based on race.[17]

FREQUENTLY ASKED QUESTIONS ABOUT ENROLLING IN SCHOOL

CAN THE SCHOOL DISTRICT, CHARTER SCHOOL, OR CYBER CHARTER SCHOOL ASK YOU TO PROVE WHERE YOU LIVE?

Yes, a school can require you to provide documents and information as "proof of residency." However, schools must be flexible and "consider what information is reasonable in light of the family's circumstances,"[18] allowing you to prove where you live in a way that is easiest for you. You could prove where you live by providing a current deed or active lease agreement.[19] Or, you could prove where you live by providing any of the following documents, as long as they are no more than three months old: mortgage statement, utility bill, internet bill, credit card bill, bank statement, tax bill, insurance document, or mail sent in the last three months by the federal or state government such as benefits information, voter registration, or tax documents.[20]

CAN THE SCHOOL DISTRICT ASK YOU TO PROVE YOUR CHILD'S AGE?

Yes, but it can only require that you bring in one of the following: birth certificate, passport, baptism certificate, paper from a parent or relative signed in front of a notary ("affidavit"), or records from an old school. Any of these will work — the school cannot require a copy of the birth certificate.[21] In Pennsylvania, compulsory school age (mandatory school age) is from ages 6 through age 18 or when the student graduates from high school, whichever happens first.[22] A child has the right to go to school in Pennsylvania until the end of the school term when they turn 21 or until they graduate and students with disabilities may be able to attend school until their 22nd birthday.[23]

CAN A SCHOOL DISTRICT ASK FOR PROOF OF THE CHILD'S PHYSICAL OR DENTAL EXAMINATIONS, OR A PHYSICAL HEALTH OR MENTAL HEALTH HISTORY TO ENROLL?

No. Public schools can never require this information as a condition of enrollment.[24]

ARE THERE OTHER DOCUMENTS AND INFORMATION THAT SCHOOLS ARE NOT ALLOWED TO ASK FOR?

Public schools, including charter schools, can never ask for your or your child's Social Security number or card, immigration documents or status,[25] or information about why a child is living with you.

CAN A SCHOOL REQUIRE PROOF OF MY CHILD'S SEX OR GENDER — FOR EXAMPLE, BY PROVIDING THEIR BIRTH CERTIFICATE?

There is no legal basis for requiring a student to "prove" their sex in order to enroll in public school, and a district cannot require provision of a birth certificate. Students' right to enroll and participate in school may not be conditioned on the provision of documents other than those showing proof of the child's age, residence, and immunizations as required by law.[26] Other documents, including a birth certificate, may not be required as a condition of enrollment.[27] Even for the required items and lawful purposes, the Pennsylvania Department of Education is clear that "a school district can never demand only one kind of document."[28] For more about the rights of transgender and gender diverse students, see ELC-PA's fact sheet The Rights of LGBTQ+ and Nonbinary Students.

ARE THERE ADDITIONAL ENROLLMENT LAWS THAT APPLY TO STUDENTS WHO MOVE FREQUENTLY, KNOWN AS "HIGHLY MOBILE STUDENTS?"

Yes. Act 1 of 2022 is an important protection that applies to students who are experiencing homelessness and those in foster care or involved in the juvenile justice system who have changed schools at least once during a single school year.[29] This law provides alternative and expanded pathways to help these students graduate on time. In addition, school entities must ensure that eligible students have equal access to school opportunities and are not subjected to fines and fees in school.[30] Upon enrollment, Act 1 eligible students in 9th through 12th grades may also request a credit assessment, credit waiver, and development of a graduation plan to facilitate their timely graduation.[31] To learn more, refer to ELC-PA's fact sheet on Act 1 and ELC-PA's Act 1 Tools (K-8th grades and 9-12th grades) that support these students.

DOES MY CHILD HAVE THE RIGHT TO BE FREE FROM DISCRIMINATION DURING THE ENROLLMENT PROCESS?

Yes. Students have the right to be free from racism and other forms of unlawful discrimination during the school enrollment process. No child can be denied access to a quality public education based on race, ethnicity, national origin, religion, immigration status, or English instruction needs.[32]

CAN A SCHOOL DISTRICT DENY ENROLLMENT BECAUSE THE CHILD WAS DISCIPLINED BY THE FORMER SCHOOL DISTRICT?

No. The new school district cannot "honor" a previous school district's discipline and deny or delay a child's enrollment based on information in the discipline records.[33] This restriction on districts imposing discipline for what happened in another district is an important protection, particularly when considering the disproportionate harm caused to Black and Brown students by discriminatory disciplinary practices, including expulsions and other forms of exclusionary school discipline. Both nationally and in Pennsylvania, Black and Brown students are more likely to experience exclusionary school discipline than their white peers, despite not exhibiting higher rates of misbehavior. As documented by the Pennsylvania Advisory Committee to the U.S. Commission on Civil Rights, adult decision-maker bias contributes to this disproportionate discipline of Black and Brown students, as racial disparities persist even after controlling for other variables.[34]

One exception is if the child is *currently* expelled for possessing a weapon — in which case, the new school district must still enroll the student but *may* place the child in an alternative program, provided that the assignment may not exceed the period of expulsion.[35]

Another exception is if a student enrolled in a public school entity is convicted or adjudicated delinquent of committing a sexual assault upon another student enrolled in the same public school entity. In that case, the public school entity must take one of the following actions: (1) reassign the convicted or adjudicated student to another school or educational program within the public school entity; (2) transfer the convicted or adjudicated student to another school district by agreement or transfer the student to an alternative education program; or (3) expel the convicted or adjudicated student.[36] Before admission to a public school entity, the parent, guardian, or other person having control or charge of the student must, upon registration, provide a sworn statement or affirmation stating whether the student was previously or is presently expelled under the provisions of this section.[37]

IF THE CHILD WAS IN A JUVENILE JUSTICE PLACEMENT AND NOW WANTS TO REENROLL IN THEIR PREVIOUS SCHOOL DISTRICT OR A NEW SCHOOL, CAN THE SCHOOL AUTOMATICALLY PLACE THE CHILD IN AN ALTERNATIVE EDUCATION PROGRAM?

No, the child has a right to an informal hearing to determine whether the student is *currently* disruptive. They cannot automatically be placed in an alternative education program. For more information about legal rights and new requirements that help keep students out of alternative education programs, see ELC-PA's fact sheet Alternative Education for Disruptive Youth (AEDY).

CAN MY CHILD CONTINUE TO ATTEND THEIR CURRENT SCHOOL DURING A RESIDENCY DISPUTE?

Yes. Under Act 67, school districts and charter schools must allow a child to remain in their current school until the full resolution of any residency dispute, including the exhaustion of all appeals.[38] The law also requires schools to notify parents of their right to a hearing, the opportunity to participate in a hearing, and their right to appeal.[39] In addition, the law requires schools to consider whether a child is experiencing homelessness and directs districts to provide information to families about protections for such students.[40] Importantly, a child is entitled to remain in school until such a residency dispute has been fully resolved. For more information, see our fact sheet Students' Rights During Residency Disputes: Act 67 Explained.

CAN THE SCHOOL DISTRICT DELAY ENROLLMENT BECAUSE IT NEEDS MORE TIME TO DECIDE THE CHILD'S CLASSROOM PLACEMENT, HOLD AN IEP TEAM MEETING, OR RECEIVE EDUCATION RECORDS?

No. A child is entitled to start school within five business days of providing the required enrollment documents. A school district cannot delay the child's start of school because it is waiting to receive the student's IEP or education records.

AT WHAT AGE CAN A CHILD START KINDERGARTEN, AND HOW MUCH INSTRUCTION MUST BE PROVIDED?

Each local school board must establish the age at which a child is permitted to attend the kindergarten program and school districts cannot refuse admission of a child if the child meets the age requirement.[41] The minimum age for kindergarten cannot be less than four years old and zero months before the first day of the school term.[42] The maximum age for kindergarten must be less than the district's entry age for first graders.[43] A kindergarten program must provide at least 2.5 hours of instruction for a half-day session and a minimum of 5 hours of instruction for a full-day session.[44]

Children do not have to attend kindergarten, and compulsory school begins at age 6.[45] However, if a parent chooses to enroll their child in public kindergarten programs made available by school districts, compulsory school attendance laws will apply.[46] Notably, PDE and the State Board of Education recommend that parents or guardians who formally withdraw their child from kindergarten before they reach compulsory school age of 6 should not be subject to compulsory attendance requirements.[47]

CAN A STUDENT BE ENROLLED IN SCHOOL IF THEY ARE 19 OR 20 YEARS OLD?

Yes, a child has the right to go to school in Pennsylvania until the end of the school term when they turn 21 or until they graduate with a regular high school diploma (whichever comes first), even if they already have a GED.[48] This is true for all students except students with disabilities, who have the right to remain in school until their 22nd birthday.[49]

What to do if a school district refuses to enroll your child:

- Show the district this fact sheet.
- Keep written documentation of all contact with the school district.
- Contact the School Services Unit of the Pennsylvania Department of Education:

  Monica Washington
  School Services Unit, PA Department of Education
  333 Market Street, Harrisburg, PA 19126-0333
  mwashington@pa.gov
  717-783-6746

- Contact the Education Law Center-PA at 412-258-2120 (Pittsburgh and western PA) or 215-238-6970 (Philadelphia and eastern and central PA).
- File an enrollment complaint with the state Department of Education. For guidance, see ELC-PA's fact sheet on the Enrollment Complaint Process.

The Education Law Center-PA (ELC-PA) is a nonprofit, legal advocacy organization with offices in Philadelphia and Pittsburgh, dedicated to ensuring that all children in Pennsylvania have access to a quality public education. Through legal representation, impact litigation, community engagement, and policy advocacy, ELC-PA advances the rights of underserved children, including children living in poverty, children of color, children in the foster care and juvenile justice systems, children with disabilities, multilingual learners, LGBTQ+ youth, children experiencing homelessness, and children at the intersection of multiple underserved identities.

ELC-PA's publications provide a general statement of the law. However, each situation is different. If questions remain about how the law applies to a particular situation, contact ELC-PA's Helpline for information and advice — visit www.elc-pa.org/contact or call 215-238-6970 (Eastern and Central PA) or 412-258-2120 (Western PA) — or contact another attorney of your choice.

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[1] *Basic Education Circular: Enrollment of Students,* Pa. Dep't of Educ. (June 1, 2023, last revised May 1, 2026), https://www.pa.gov/agencies/education/resources/policies-acts-and-laws/basic-education-circulars-becs/purdons-statutes/enrollment-of-students; C.R. Div., U.S. Dep't of Just. & Off. of C.R., U.S. Dep't of Ed, *Fact Sheet: Information on the Rights of All Children to Enroll in School*, https://files.eric.ed.gov/fulltext/ED595861.pdf.
[2] 22 Pa. Code § 11.12.
[3] 34 C.F.R. § 300.101-102 (free appropriate public education must be available to all children with disabilities "between the ages of 3 and 21, inclusive…"); *Basic Education Circular: Enrollment of Students,* Pa. Dep't of Educ.
[4] 24 P.S. § 17-1723-A(A.1)(3).
[5] 24 P.S. § 17-1723-A(A.1)(2).
[6] *See* 24 P.S. §§13-1302 and 13-1305 (children living in foster care); 22 Pa. Code § 11.11.
[7] 24 P.S. § 13-1306, 22 Pa. Code § 11.18.

[8] 42 U.S.C. § 11431 et seq. *See Basic Education Circular, Education for Homeless Youth*, PA Dept. of Education (February 3, 2010, last reviewed December 10, 2016), https://www.pa.gov/agencies/education/resources/policies-acts-and-laws/basic-education-circulars-becs/us-code/education-for-homeless-youth.
[9] 22 Pa. Code § 11.11(b).
[10] *See* 24 P.S. § 13-1317(2); 24 P.S. § 13-1318.1(g).
[11] 22 Pa. Code § 11.11(b).
[12] 24 P.S. § 17-1723-A(A.1)(2).
[13] Title VI, 42 U.S.C. § 2000d; In addition, state law requires local education agencies to provide all important information to parents who are not proficient in English in a language or mode of communication that they understand. See 22 Pa. Code §4.26.
[14] 22 Pa. Code § 11.11(b).
[15] 24 P.S. § 13-1331.1.
[16] Avi Wolfman-Arent, *Suburban schools' residency enforcement mostly affects kids of color*, WHYY, May 1, 2018, https://whyy.org/segments/suburban-schools-residency-enforcement-disproportionately-affects-kids-of-color/.
[17] *See* Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000c-6(a). The Pennsylvania Human Relations Act (PHRA) also prohibits discrimination based on a student's race, color, sex, religion, ancestry, or national origin. *See* 43 Pa. Stat. Ann. §§ 951—963; *see also* Pennsylvania Fair Educational Opportunities Act, 24 Pa. Stat. Ann. §§ 5001—5010; 16 Pa. Code § 47.41 (delineating unlawful discriminatory practices).
[18] *Basic Education Circular: Enrollment of Students*, Pa. Dep't of Educ. (issued May 1, 2026), available at https://www.pa.gov/agencies/education/resources/policies-acts-and-laws/basic-education-circulars-becs/purdons-statutes/enrollment-of-students.
[19] *Basic Education Circular: Enrollment of Students*, Pa. Dep't of Educ.
[20] *Id.*
[21] *Basic Education Circular: Enrollment of Students*, Pa. Dep't of Educ. ("This list [of acceptable documents] is non-exhaustive; schools should be flexible in consideration of the child's circumstances").
[22] 22 Pa. Code § 11.13.
[23] 22 Pa. Code § 11.12; 34 C.F.R.§ 300.101-102.
[24] *Basic Education Circular: Enrollment of Students*, Pa. Dep't of Educ. Although school districts may ask for this information, they may not require it as a condition of enrolling or admitting a child and they may not delay a child's enrollment or attendance until these documents are provided.
[25] *Plyler v. Doe*, 457 U.S. 202 (1982). Schools may not inquire about a child's immigration status.
[26] *See* 22 Pa. Code § 11.11.
[27] *Basic Education Circular: Enrollment of Students*, Pa. Dep't of Educ.
[28] *Basic Education Circular: Enrollment of Students*, Pa. Dep't of Educ.
[29] 24 P.S. § 13-1331.1.
[30] 24 P.S. § 13-1331.1(a)(4).
[31] 24 P.S. § 13-1331.1(c).
[32] 42 U.S.C. § 2000d; Equal Educational Opportunities Act, 20 U.S.C. § 1703.
[33] *Hoke v. Elizabethtown Area School District*, 833 A.2d 304, 310 (Pa. Commw. Ct. 2003).
[34] PA. ADVISORY COMM'N TO THE U.S. COMM'N ON C.R., *DISPARATE AND PUNITIVE IMPACT OF EXCLUSIONARY PRACTICES ON STUDENTS OF COLOR, STUDENTS WITH DISABILITIES AND LGBTQ STUDENTS IN PENNSYLVANIA PUBLIC SCHOOLS*, 20-21 (2021), https://www.usccr.gov/files/2021/04-09-Pennsylvania-Public-Schools.pdf.
[35] 24 P.S. § 13-1317.2(e.1) The term "weapon" includes, but is not limited to, "any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, and any other tool, instrument or implement capable of inflicting serious bodily injury." 24 P.S. § 13-1317.2(g).
[36] 24 P.S. § 13-1318.1.
[37] 24 P.S. § 13-1318.1(g).
[38] 24 P.S. §13-1302(a.1).
[39] *Id.*
[40] *Id.*
[41] 24 P.S. § 5-503.
[42] 22 Pa. Code § 11.14.
[43] *Id.*
[44] 22 Pa. Code § 4.41.
[45] *Basic Education Circular: Admission to Kindergarten and Beginners*, Pa. Dep't of Educ. (Issued September 1, 1997, last revised July 2026), https://www.pa.gov/agencies/education/resources/policies-acts-and-laws/basic-education-circulars-becs/purdons-statutes/admission-to-kindergarten-and-beginners.

[46] *Commonwealth v. Kerstetter*, 94 A.3d 991 (Pa. 2014).
[47] *Basic Education Circular: Admission to Kindergarten and Beginners,* Pa. Dep't of Educ.
[48] 22 Pa. Code § 11.12.
[49] 34 C.F.R.§ 300.101-102.