



POLICY #: 235
SECTION: Pupils
TITLE: Enrollment Policy
ADOPTED: January 25, 2011
REVISED: -

Purpose

The Board of Trustees of 21st Cyber Charter School (“21CCCS”) recognizes that its enrollment policy must reflect current requirements of the Pennsylvania Public School Code and 22 Pa. Code, Chapter 11. Therefore, 21CCCS, as a public cyber charter school, complies with these enrollment procedures to ensure that both resident and eligible non-residents are promptly enrolled through the policy provisions set forth below.

Entitlement to Education

Every child of school age who is a resident of a Pennsylvania school district is entitled to a public school education. Resident students include those residing with their parent(s) and non-resident students living with a Pennsylvania school district resident who is supporting the child gratis and seeking enrollment. Once the required enrollment documentation described below is provided, 21CCCS must enroll non-resident children and permit them to attend school. A child should be permitted to attend school on the next school day after the day on which the child is presented for enrollment, and in all cases within five (5) business days of 21CCCS’s receipt of the required documents.

Required Enrollment Documentation

Except when a child is homeless, whenever a child of school age is presented for enrollment by a parent(s), a Pennsylvania school district resident, or any other person having charge or care of the child, 21CCCS shall require that the following information be documented before enrolling the child and allowing the child to attend school:

1. Proof of the child's age

Any one of the following constitutes acceptable documentation: birth certificate; notarized copy of birth certificate; baptismal certificate; copy of the record of baptism – notarized or duly certified and showing the date of birth; notarized statement from the parents or another relative indicating the date of birth; a valid passport; a prior school record indicating the date of birth.

2. Immunizations required by law

Acceptable documentation includes: either the child’s immunization record, a written statement from the former school district or from a medical office that the required immunizations have been administered, or that a required series is in progress, or verbal assurances from the former school district or a medical office that the required immunizations have been completed, with records to follow.

3. Proof of Residency

Acceptable documentation includes: a deed, a lease, current utility bill, current credit card bill, property tax bill, vehicle registration, driver’s license, or Department of Transportation identification card. While more than one form of residency confirmation may be required, 21CCCS should be flexible in verifying residency, and should consider what information is reasonable in light of the family’s situation. See the paragraph on Homeless Students for guidance in that situation. (Also see attached Residency Affidavit.)

4. Parent Registration Statement

A sworn statement attesting to whether the student has been or is suspended or expelled for offenses involving drugs, alcohol, weapons, infliction of injury or violence on school property must be provided for a student to be admitted to any school entity. 21CCCS may not deny or delay a child's school enrollment based on the information contained in a disciplinary record or sworn statement. However, 21CCCS may wait to enroll a student until a current a period of expulsion has expired.

5. Home Language Survey

All students seeking first time enrollment in a school shall be given a home language survey in according with requirements of the U.S. Department of Education's Office for Civil Rights. Enrollment of the student may not be delayed in order to administer the Home Language Survey.

Documents Which May Be Requested But Not As a Condition of Enrollment

Although 21CCCS may ask for any of the information below, 21CCCS may not require it as a condition of enrolling or admitting a child and a child's enrollment or attendance may not be delayed until these documents are provided. Among the documents that 21CCCS may request are: picture identification, health or physical examination records, academic records, attendance records, hardware lease, Individualized Education Program, and other special education records. In addition, the school may not require that a physical examination be conducted as a condition of enrollment.

Registration Form

A registration form, filled out by families for student enrollment, may include the following: name, address, telephone number, name of parent(s) or guardian(s) or resident adult(s) with whom the student is living, emergency contact information, former school information, and other locally required information. Failure to complete this form will not be made a condition of the student's enrollment.

Documentation Required From Other Sources

21CCCS is also entitled by law to receive information on an enrolling student from the previous school, public, charter, nonpublic or private, which the student attended. However, the provision of this information rests with the educational entity and not the family, and so, 21CCCS, as the receiving local educational agency, will not require this information as a precondition to enrollment and will not delay a student's admission for lack of this information.

Student Education Records

Upon enrollment, 21CCCS contacts the student's former school for a copy of the student's education records. The former school district or charter school, if within this Commonwealth, is required to respond by forwarding the records within ten (10) business days of the date upon which a student's records are requested by 21CCCS. School districts shall enroll students within five (5) business days regardless of receipt of records from the previous districts.

Disciplinary Records

Whenever a pupil transfers to another Pennsylvania school entity or nonpublic school, a certified copy of the student's disciplinary record shall be transmitted to the school entity or nonpublic school to which the pupil has transferred. The school entity or nonpublic school to which the student has transferred should request the record. The sending school entity or nonpublic school shall have ten (10) days from receipt of the request to supply a certified copy of the student's disciplinary record. Failure to receive the student's discipline record cannot be used to deny or delay the student's enrollment or school attendance. A school district may not deny or delay a child's school enrollment based on the information contained in a disciplinary record or sworn statement.

Prohibited Requests - Items Which May Not Be Requested

For both enrollment and also for residency determinations, 21CCCS will not request or require any of the following: a social security number; the reason for a child's placement if not living with natural parents; a child's or parent's visa; agency records; or, except in the limited circumstances described in the next section, a court order or records relating to a dependency proceeding. A child's right to be admitted to school may not be conditioned on the child's immigration status. 21CCCS will not inquire as to the immigration status of a student as part of the admissions process.

Student Classifications for Education Entitlement

- **Resident Students and Court Orders or Custody Agreements**
21CCCS may require a parent/guardian to provide a custody or dependency order when the child is being enrolled at 21CCCS pursuant to the Public School Code section which requires "appropriate legal documentation to show dependency or guardianship." 21CCCS will not require a custody order or agreement as a condition of enrollment in any circumstances other than the circumstance specified above. (See attached Affidavit of Custody).
- **Students Living With a Resident Adult other than a Parent**
When a child is living with an adult other than a parent, who is supporting the child without personal compensation, (gratis) the child may attend the public schools of that adult's school district, provided that resident makes application and supplies the required enrollment information noted in the section entitled Required Enrollment Documentation. In addition, before accepting the child as a student, 21CCCS shall require the resident to file only one of the following:
 1. A sworn and notarized statement from the resident of the school district indicating that the signer is a resident of the school district, is supporting the child without receiving personal compensation, that the child is living with the resident continuously and not just for the school year, and that the resident will accept all responsibilities relating to the child's schooling (See Attachment B <http://www.portal.state.pa.us/portal/server.pt?open=18&objID=353648&mode=2> for a model statement), or
 2. Appropriate legal documentation to show dependency or guardianship, which may include a custody order. 21CCCS may require other information to be submitted by the resident to substantiate the sworn statement. The natural parent(s) or former guardian(s) of the student may not be required to provide information. Once the requested information is provided, 21CCCS will enroll the child and permit him or her to begin to attend school without delay, but in no case more than 5 days. (See attached Affidavit of Support.) A resident's receipt of payments, such as Supplemental Security Income (SSI), Transitional Assistance for Needy Families (TANF), pre-adoptive or adoptive support, maintenance on public or private health insurance, support from the military or military personnel or other payments for or on account of the child such as child support, shall not be deemed to be personal compensation or gain.
- **Emancipated Minors**
An emancipated minor is a student under the age of 21 who has established a domicile apart from the continued control and support of parents or guardians or who is living with a spouse. The school district in which this student is living is his or her resident school district and the student may enroll at 21CCCS without any additional assistance from an adult.
- **Homeless Students**
21CCCS will ensure that each child of a homeless individual and each homeless youth have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth. Homeless students may reside in shelters, hotels, motels, cars, tents or be temporarily doubled-up with a resident family because of lack of housing. In the case of homeless students, traditional concepts of "residence" and "domicile" do not apply. Homeless children

and youth lack a fixed, regular, and adequate nighttime residence. Included within the definition of homeless children and youth are those who are "awaiting foster care placement" and "unaccompanied homeless youth."

Unaccompanied homeless youth may enroll without documents and without the help of an adult. Unaccompanied homeless youth includes any child who is "not in the physical custody of a parent or guardian." Falling within this definition are students who have run away from home, been thrown out of their home, or been abandoned or separated from their parents or guardians.

Youth awaiting foster care placement include those who are placed in emergency, interim or respite foster care; kinship care; evaluation or diagnostic centers or placements for the sole purpose of evaluation. When necessary, 21CCCS administration will consult with the respective county children and youth agencies to determine if a child meets the definition of "awaiting foster care placement", including, on a case-by-case basis, whether a child who does not clearly fall into one of these categories is nevertheless a child "awaiting foster care placement."

Homeless youth are entitled to immediate enrollments and their families are not required to prove residency regarding school enrollment. These students will be enrolled without delay, and considered residents of the district where they are presently residing, or continue their education in the district of prior attendance.

- **Pre-Adoptive and Adoptive Students**

The Federal Adoption Assistance Program, among other things, provides for adoption assistance payments to encourage the placement of certain hard-to-place children with adoptive parents. Pennsylvania has adopted companion legislation, known as the Adoption Opportunities Act. Children living with pre-adoptive parents who are receiving adoption assistance subsidies, pre-adoptive foster payments, or other payments such as Supplemental Security Income (SSI) or Transitional Assistance for Needy Families (TANF), are entitled to attend school in the school district in which the pre-adoptive parents reside. Notwithstanding receipt of any of the above payments, children living in pre-adoptive situations are considered residents of the school district in which their pre-adoptive parents reside. Children living with adoptive parents are entitled to all free school privileges accorded to resident school children of the respective school district.

- **School-Age Children of Military Personnel**

When Pennsylvania residents who are military personnel are deployed and their school age children are living with relatives or family friends in a school district for that period of time, the students are entitled to attend school in the school district in which they are residing.

Other Issues Related To Enrollment

- **Address Confidentiality Program (ACP)**

Some families may enroll a student using an ACP card which lists a post office box as their address. This is their legal address and 21CCCS will not require additional information about their residence. School records from the student's former school will be forwarded through the ACP.

- **Age**

Children are considered school age from the time they are admitted to the public school educational program until graduation from high school or the age of 21 if identified pursuant to the Individuals with Disabilities Education Act of 2004. 21CCCS will not refuse admission to a child who meets the age requirement.

Students who turn 21 during the school term are entitled to finish that school term. If a student is under age 21 and has a Graduation Equivalency Diploma (“GED”), the student can enroll in school and work towards a diploma. For subsidy purposes, students who reach age 21 after the school term begins are eligible to be counted for the entire school term. The Department of Education will accept requests to allow students to be counted in membership for subsidy purposes for an extended school program beyond age 21 if the request includes a hearing officer decision or court order.

- Children and Families with Limited English Proficiency
Children and families with limited English proficiency will be provided translation and interpretation services to the extent needed to help the family understand the enrollment process and enroll the student in school promptly per applicable federal law.

Submitting Enrollment Complaints to the Department Of Education

When a dispute arises regarding enrollment of a student, the person attempting to enroll the child or 21CCCS may bring the dispute to the attention of the Department’s School Services Unit . A complaint may be filed by mail, email or by phone with written follow up. After receipt of a complaint, a Department representative will contact 21CCCS, family or other involved parties to determine the facts, whether the child is entitled to enrollment at 21CCCS and to try to resolve the problem. These contacts, whenever possible, will occur within five (5) days of receipt of the complaint. If the complaint is not amicably resolved, a written determination will be made and sent to 21CCCS and the individual who filed the complaint.

If 21CCCS does not enroll the student within five (5) school days after receiving the written determination, the Department will issue a letter to 21CCCS requesting its position on the situation. 21CCCS will have five (5) school days to respond to the request. If 21CCCS refuses to enroll the student or does not respond, the matter will be forwarded to the Department’s Office of Chief Counsel (OCC). The OCC and the Deputy Secretary for Elementary/Secondary Education will determine if 21CCCS’s response is valid to deny enrollment. If not, the Deputy Secretary will determine what additional measures may be necessary to assure enrollment.

Written Policies

21CCCS’s written policy on student admission is a public record and will be posted to the school’s website.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

References

*24 P.S. §13-1301, 24 P.S. §13-1302, 24 P.S. §13-1302(a)(1), 24 P.S. §13-1302(a)(2),
24 P.S., 24 P.S. § 13-1317.2(e.1)
62 P.S. §771 et seq., 23 Pa. C.S.A. § 6701
22 Pa. Code §4.26, 22 Pa. Code §11.11, 22 Pa. Code, Chapter 11
20 U.S.C. § 1703, 42 U.S.C. § 673, 42U.S.C. § 2000d et seq., 42 U.S.C. § 11431 et seq.
Plyler v. DOE, 457 U.S. 202 (1982)*