

# Infinity Charter School

**SECTION: PROGRAMS**

**TITLE: ADMISSION/ENROLLMENT**

**APPROVED: November 13, 2011**

## 301. ENROLLMENT

### **Purpose:**

#### **ENTITLEMENT TO EDUCATION**

Every child of school age, who is a resident of a Pennsylvania school district, is entitled to a public school education. This entitlement and the requirements to secure enrollment apply equally to resident students residing with their parent(s); to non-resident students living with a district resident who is supporting the child gratis and seeking enrollment under 24 P.S. §13-1302; to nonresident students living in a facility or institution; and to nonresident students living in a foster home.

According to 1723-A (a) of the Charter School Act, all resident children in this Commonwealth qualify for admission to a charter school within the provisions of subsection (b).

When a parent/guardian is interested in having his/her child attend Infinity, s/he is required to submit a completed copy of the Infinity Enrollment/Registration Form, a Home Language Survey, the PDE Charter School Student Enrollment Notification Form, proof of residency, proof of student's date of birth, and a copy of required student immunizations, and if applicable, verification of a sibling already enrolled at Infinity. This information is put into a file for each student and kept until the next lottery. In order to complete the application process, potential parents are also required to attend an information meeting or tour.

Section 1723 – A (b) of the Charter Act states, “If more students apply to the charter school than the number of attendance slots available in the school, then students must be selected on a random basis from a pool of qualified applicants meeting the established eligibility criteria and submitting an application by the deadline established by the charter school...” Therefore, if there are more applicants than spaces available, Infinity conducts an annual lottery of students whose applications are complete. (See details below.) If there is only one applicant for an open space, that applicant is accepted.

Section 1723-A (b) (2) states, “A charter school shall not discriminate in its admission policies or practices on the basis of intellectual ability, except as provided in paragraph (2), or athletic ability, measures of achievement or aptitude, status as a person with a disability, proficiency in the English language or any other basis that would be illegal if used by a school district.”

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**Infinity Charter School**  
**RULES FOR THE 2011-12 (YEARS VARY.) STUDENT ADMISSION**  
**LOTTERY AND ENROLLMENT PROCESS**

1. To be complete, an Application for the ICS Lottery must include the following material:
  - a. ICS Enrollment/Registration Form
  - b. PDE Enrollment Form
  - c. Birth certificate
  - d. Proof of the applicant's residence (*utility bill, mortgage statement, lease, tax bill*) – *not to be dated before February 1, 2011 (Dates vary by year.)*
  - e. Copy of the applicant's immunization record
  - f. Verification of sibling(s) attending ICS, if applicable
  - g. ICS Home Language Survey
  - h. Documentation that a parent/guardian has attended an Infinity tour/information meeting
2. If an applicant does not have all the necessary, completed documents in their file, their parent or guardian will be notified by letter or telephone concerning the items which need to be submitted to complete the application. All submitted enrollment/registration forms will be reviewed by ICS.
3. All ICS Enrollment/Registration forms must be received at the ICS office no later than **4:00 p.m. on Friday, April 24, 2011. (Dates vary by year.)** Any form submitted after this time will not be accepted for the Lottery. It is the responsibility of an applicant's parent or guardian to verify receipt of the enrollment/registration form by ICS. If there is any question, contact the office at (717) 238-1880.
4. Each complete application will qualify the applying child as an eligible applicant to be entered in the enrollment process. If an application is only partially complete by 4:00 p.m. on **Friday, April 24, 2011, (Dates vary by year.)** that applicant will not be eligible for the lottery enrollment process.
5. ICS will have prepared for the day of the Lottery a list of the grade level spaces available to be filled by the enrollment process. Parents of students currently enrolled at ICS must notify ICS by March 13, 2011 (*Dates vary by year.*) as to whether they intend to return for the 2010-11 academic year.
6. A lottery will be conducted for admission to the available spaces. Preference in the Lottery for the available classroom spaces will be given in the following order:
  - (i) All eligible applicants who reside *within* the Central Dauphin School District and have a sibling or siblings *currently enrolled* at ICS;
  - (ii) All eligible applicants who reside *outside* the Central Dauphin School District and have a sibling or siblings *currently enrolled* at ICS;
  - (iii) All eligible applicants who reside *within* the Central Dauphin School District; and

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- (iv) All eligible applicants who reside *outside* the Central Dauphin School District.
7. The Lottery will be conducted by members of the ICS Board of Trustees at 4:30 p.m. on **Friday, May 1, 2011. (*Dates vary by year.*)** The name and grade of each eligible applicant in the Lottery will be written on a plain piece of paper and placed in a container for random selection. The names will be withdrawn one at a time, numbered sequentially and recorded on a list (the “Lottery List”).
  8. Once all the names of the eligible applicants in the Lottery have been randomly selected and numbered, a list will be compiled for purposes of determining the order of enrollment by applying the categorical preferences listed in paragraph 6 to the sequential order in which the applicant names have been randomly selected (the “Enrollment List”). Specifically, the Enrollment List will be compiled by moving to the top of the Lottery List all in-district sibling applicants, maintaining the order in which they were randomly selected and placed on the Lottery List; next on the Enrollment List will be placed all out-of-district sibling applicants, again maintaining the order in which they were selected; third on the Enrollment List will be inserted all remaining in-district applicants in their Lottery List order; and fourth will be placed all remaining out-of-district applicants, again in their Lottery List order.
  9. After the Enrollment List is prepared, any remaining available classroom spaces will be filled from the Enrollment List. The first name on the list will be assigned to the first space available in the appropriate grade; the second name will be assigned to the next space available in the appropriate grade, and so forth until the available spaces are filled. *Even if an applicant is number one on the Enrollment List, that applicant will only be admitted to a particular grade if there is an opening in that student’s grade. Placement depends both on the applicant’s order on the Enrollment List and on the number of spaces available in each grade.*
  10. Once all available classroom spaces are filled, the remaining eligible applicants will be entered onto a waiting list for each grade in the order in which they occur on the Enrollment List.
  11. Applicants seeking admission to ICS for the 2011-12 school year (***Dates vary by year.***) who submit a complete enrollment/registration form *after* the submission deadlines for the 2011-12 lottery (***Dates vary by year.***) (and thus are not eligible for the lottery) will be added to the end of the applicable grade’s 2011-2012 (***Years vary.***) waiting list *in the order in which the completed registration forms are received by ICS.*
  12. If spaces become available in the classrooms at any time after the lottery enrollment process has been completed (i.e., a vacancy arises during the 2011-12 school year), (***Dates vary by year.***) the first applicant on the applicable grade’s waiting list will be offered the available space. The Director will notify the eligible applicant and that student will have ten (10) calendar days to decide if she wants to accept the space. Upon acceptance, the student must transfer to the school as soon as possible (but not to exceed 30 days). If the offer of admission is declined, the available space will be offered to the next eligible applicant on the 2011-2012 (***Dates vary by year.***) waiting list, who will then have ten days to decide whether to accept or decline the position, and so forth down the list.
  13. An eligible applicant will not be eligible for more than one grade level per year (e.g., if

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unsuccessful getting into a particular grade, they cannot move into a lower or higher grade that has spaces available).

14. Any issue, concern, conflict or disagreement with the process or outcome of the ICS Lottery must be presented in writing to the Board of Trustees.

Provided that the required enrollment documentation described herein is provided, there are spaces available, and there are no children on the waiting list from the Spring Lottery, nor are there any children, who are waiting for a mini-lottery, the school district or charter school 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 Infinity's receipt of the required documentation. 22 Pa. Code §11.11(b).

## **REQUIRED ENROLLMENT DOCUMENTATION**

Except when a child is homeless, whenever a child of school age is presented for enrollment by a parent(s), school district resident, or any other person having charge or care of the child, Infinity 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, DOT identification card. Infinity may require that more than one form of residency confirmation be provided. However, Infinity 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.

### **4. Parent Registration Statement.**

A sworn statement ([See Attachment A](#)) 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. 24 P.S. §13-1304-A. 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.

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However, if a student is currently expelled for a weapons offense, the school district can provide the student with alternative education services during the period of expulsion. 24 P.S. § 13-1317.2(e.1) If the disciplinary record or sworn statement indicates the student has been expelled from a school district in which he was previously enrolled, for reasons other than a weapons offense, it is recommended the school district review the student's prior performance and school record to determine the services and supports to be provided upon enrollment in the district.

**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.

**6. Charter School Student Enrollment Form.**

**DOCUMENTS WHICH MAY BE REQUESTED BUT NOT AS A CONDITION OF ENROLLMENT**

**Items which may be requested.**

Infinity may ask for information from families in addition to the four mandatory items discussed above, but may not require it as a condition of enrolling or admitting a child and we may not delay a child's enrollment or attendance until these documents are provided. Among the documents that Infinity may request are: picture identification, health or physical examination records, academic records, attendance records, Individualized Education Program, and other special education records. In addition, Infinity may not require that a physical examination be conducted as a condition of enrollment. However, in accordance with the Charter School Law, Infinity must, if it has more applicants than spaces available, conduct a lottery for student enrollment for the following school year. All students, interested in the school, must participate in the lottery on its scheduled date. Students will be admitted, based on the order of enrollment. (See Lottery Rules.)

**Registration Form.**

Infinity has registration forms which we ask families to complete when enrolling a child. These registration forms 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 the forms is not a condition of the student's enrollment.

**DOCUMENTATION REQUIRED FROM OTHER SOURCES**

Infinity 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, Infinity does not require this information as a precondition to enrollment and may not delay a student's admission for lack of this information.

**Student Education Records.**

Upon enrollment, Infinity is to contact the student's former school for a copy of the student's

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education records. The former school district or charter school, if within this Commonwealth, is required to respond by forwarding the records within 10 business days of the date upon which a student's records are requested by another Commonwealth school district or charter school. Infinity shall enroll students within 5 business days regardless of receipt of records from the previous districts. 22 Pa. Code §11.11(b), if the student has completed the lottery process, is the next child in the order of enrollment, and there is space available in the applicable classroom.

### **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. If a student has transferred to Infinity, Infinity will request the record. The sending school entity or nonpublic school shall have 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. Infinity may not deny or delay a child's school enrollment based on the information contained in a disciplinary record or sworn statement. However, if a student is currently expelled for a weapons offense, Infinity can provide the student with alternative education services during the period of expulsion. 24 P.S. § 13-1317.2(e.1) If the disciplinary record or sworn statement indicates the student has been expelled from a school district in which he was previously enrolled, for reasons other than a weapons offense, it is recommended Infinity review the student's prior performance and school record to determine the services and supports to be provided upon enrollment in the school. This is dependent on the student completing the lottery process, being the next child in the order of enrollment, and having space available in the applicable classroom.

## **PROHIBITED REQUESTS**

### **Items which may not be requested.**

For both enrollment and also for residency determinations, Infinity may 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. Infinity may not inquire regarding the immigration status of a student as part of the admissions process. *Plyler v. DOE*, a U.S. Supreme Court decision, held that it is unconstitutional to deny free public education to children who are not legally admitted into the United States.

## **STUDENT CLASSIFICATIONS FOR EDUCATION ENTITLEMENT**

### **Resident Students and Court Orders or Custody Agreements- 24 P.S. §13-1301, 13-1302.**

Every school age child is entitled to attend the public schools of the child's district of residence, which is the school district where the child's parent(s) or legal guardian resides. With regard to Infinity, the child must participate in the Lottery process as delineated above, as do all students applying to the school.

When parents reside in different school districts due to separation, divorce, or other reason, the child may attend school in the district of the parent with whom the child lives for a majority of the

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time, unless a court order or court-approved custody agreement specifies otherwise. If the parents have joint custody and the child's time is evenly divided between the parents, the parents may choose which of the two school districts the child will attend for the school year. If the parent enrolling the child is relying on a court order or custody agreement as the basis for establishing residency for enrolling the child, then Infinity may require that the parent provide a copy of the order or agreement.

As stated below, Infinity may also require a resident to provide a custody or dependency order when the resident is seeking to enroll the child under 24 P.S. §1302(a)(1) which requires "appropriate legal documentation to show dependency or guardianship." Infinity may not, however, require a custody order or agreement as a condition of enrollment in any circumstances other than the two circumstances specified above.

### **Students Living With a Resident Adult other than a Parent - 24 P.S. § 13-1302.**

When a child is living with a district resident, who is supporting the child without personal compensation, (gratis) the child may attend the public schools of that resident's school district, provided that resident makes application and supplies the required enrollment information noted in the section entitled Required Enrollment Documentation. This is dependent on the student completing Infinity's lottery process, being the next child in the order of enrollment, and having space available in the applicable classroom. In addition, before accepting the child as a student, Infinity shall require the resident to file **only one** of the following:

1. **A sworn and notarized statement** from the resident of the school district consistent with the requirements of 24 P.S. §13-1302(a)(2), 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 for a model statement](#)), **or**
2. **Appropriate legal documentation to show dependency or guardianship**, which may include a custody order.

Infinity may, pursuant to the attached guidelines ([See Attachment C](#)), 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, the school must enroll the child and permit him or her to begin to attend school without delay, but in no case more than 5 days. This is dependent on the student completing Infinity's lottery process, being the next child in the order of enrollment, and having space available in the applicable classroom.

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.

### **Foster Students - 24 P.S. §13-1305.**

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Nonresident children placed in foster care must be educated in accordance with 24 P.S. §13-1305(a), which provides that a nonresident child in paid foster care is "entitled to all free school privileges accorded to resident children of the district. . . in the same manner as though such child were in fact a resident child of the district." The provision that permitted public school entities to refuse to accommodate foster students has been held to be unconstitutional. In addition, nonresident exceptional school-aged persons should be afforded the same rights to an appropriate program of special education as are resident exceptional school-aged persons per 24 P.S. §13-1371 et seq. and 22 Pa. Code Chapter 14 and 22 Pa. Code Chapter 16. The school may request verification that the child is residing with a foster parent or is in a pre-adoptive or adoptive home in the form of a letter from the appropriate agency, but the school cannot require a court order or agency records. This is dependent on the student completing Infinity's lottery process, being the next child in the order of enrollment, and having space available in the applicable classroom.

Children placed into foster care often move from one foster home to another and such moves may involve school changes as well. In order to minimize the impact of change upon these children, schools and school districts are strongly encouraged to develop policies or agreements to enable a student who is in foster care to remain in the educational program in the same school or school district even if that student is moved to a residence in another school attendance area within the district or in another school district.

#### **Students Living in Institutions - 24 PS §13-1306.**

School districts in which children's institutions, including detention homes, drug and alcohol treatment centers and other similar facilities are located (referred to as host school districts) are required to provide an education and, when appropriate, special education to nonresident students of the host district who are placed into the institution. This includes the right to attend the school district's public schools if appropriate for the child. Enrollment of these students follows the same requirements as resident students of the school district. This is dependent on the student completing Infinity's lottery process, being the next child in the order of enrollment, and having space available in the applicable classroom. [See BEC 24 P.S. §13-1306 Nonresident Students in Institutions.](#)

#### **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 without any additional assistance from an adult. This is dependent on the student completing Infinity's lottery process, being the next child in the order of enrollment, and having space available in the applicable classroom.

#### **Homeless Students.**

Educational agencies shall ensure that each child of a homeless individual and each homeless youth has 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." With regard to Infinity, the child must



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participate in the Lottery process as delineated above, as do all students applying to the school.

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, local school officials should consult with their 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 should be enrolled without delay, in the district where they are presently residing, or continue their education in the district of prior attendance. (*With regard to Infinity, the child must participate in the Lottery process as delineated above.*) See the McKinney-Vento Act, 42 U.S.C. §11431 *et seq.* and the [BEC 42 U.S.C. §11431 et seq. Education for Homeless Youth for more details.](#)

#### **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, 42 U.S.C. §673. Pennsylvania has adopted companion legislation, known as the Adoption Opportunities Act. See 62 P.S. §771 *et seq.* 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 under 24 P.S. §13-1302. Children living with adoptive parents are entitled to all free school privileges accorded to resident school children of the district under 24 P.S. §13-1302. With regard to Infinity, the child must participate in the Lottery process as delineated above, as do all students applying to the school.

#### **Re-enrollment of Students Returning from Delinquency Placements.**

When a student returns to a school district from a delinquency placement, the school district cannot automatically place a child in an alternative education program for disruptive youth merely because the child had been adjudicated delinquent. Like any other student being transferred to an alternative school, students returning from delinquency placement are entitled to an informal hearing prior to being placed in an alternative education program. The purpose of the hearing is to determine whether the student is currently fit to return to the regular classroom or meets the definition of a disruptive student. Factors a school should consider include: whether the incident causing the adjudication occurred at school or at a school-sponsored event, the child’s behavior in placement, and the recommendations of teachers and other adults (such as juvenile probation officers) who have worked with the youth.

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**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. These students should be enrolled using the §1302 statement/affidavit process, except that the resident is to be presumed to be supporting the child without personal compensation or gain (gratis). With regard to Infinity, the child must participate in the Lottery process as delineated above, as do all students applying to the school.

**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 Infinity shall not require additional information about their residence. School records from the student's former school will be forwarded through the ACP. If there are questions about the family's eligibility for enrollment, contact the ACP at 1-800-563-6399. With regard to Infinity, the child must participate in the Lottery process as delineated above, as do all students applying to the school.

**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. Infinity has determined that a child must be 5 by September 1<sup>st</sup>, in order to be eligible for Kindergarten. Once the age requirement is established, districts cannot refuse admission to a child who meets the age requirement. With regard to Infinity, the child must participate in the Lottery process as delineated above, as do all students applying to the school.

During the time a child is of school age, the child or student is entitled to attend the public schools of the resident school district or a charter school, or to attend other school districts as an eligible nonresident. With regard to Infinity, the child must participate in the Lottery process as delineated above, as do all students applying to the school.

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 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 must 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 the Civil Rights Act of 1964, Title VI, 42 U.S.C. § 2000d et seq. and the Equal Education Opportunity Act, 20 U.S.C. § 1703. With regard to Infinity, the child must participate in the Lottery process as delineated above, as do all students applying to the school.

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**Twins and Multiple Siblings 24 P.S. § 1310.1.**

Twins or higher order multiple siblings are to be enrolled in the same manner as all other students. The School Code provides for parental discretion in the classroom placement of twins or higher order multiples. A parent or guardian of twins or higher order multiples who attend the same grade level at the same school may request that the children be placed in the same classroom or separate classrooms. The parent or guardian must make the request no later than ten days after the beginning of the school year or ten days after the first day of the student's attendance, if the students are enrolled after the school year commences.

Infinity may recommend classroom placement to the parents and provide professional education advice to the parents to assist them in making the best decisions for their children's education. Infinity shall provide the classroom placement requested, unless the CEO/Director determines that alternative placement is necessary. The law affords the parents the opportunity to appeal that denial. Infinity is not required to place twins or higher order multiples in separate classrooms, if the request would require it to add an additional class to the grade level of the siblings.

**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 Infinity, 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. Under the Department's procedures, after receipt of a complaint, a Department representative will contact the school district, family or other involved parties to determine the facts, whether the child is entitled to enrollment in Infinity 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 Infinity and the individual who filed the complaint.

If Infinity does not enroll the student within five (5) school days after receiving the written determination, the Department's procedures specify that it will issue a letter to Infinity requesting its position on the situation. Infinity will have five (5) school days to respond to the request. If Infinity 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 Infinity's response is valid to deny enrollment. If not, the Deputy Secretary will determine what additional measures may be necessary to assure enrollment.

## Attachment A -Parental Registration Statement



Student Name \_\_\_\_\_

Date of Birth \_\_\_\_\_ Grade \_\_\_\_\_

Parent or Guardian Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Pennsylvania School Code §13-1304-A states in part “Prior to admission to any school entity, the parent, guardian or other person having control or charge of a student shall, upon registration provide a sworn statement or affirmation stating whether the pupil was previously or is presently suspended or expelled from any public or private school of this Commonwealth or any other state for an action of offense involving a weapon, alcohol or drugs, or for the willful infliction of injury to another person or for any act of violence committed on school property.”

Please complete the following:

I hereby swear or affirm that my child was \_\_\_\_\_ was not \_\_\_\_\_ previously suspended or expelled, or is \_\_\_\_\_ is not \_\_\_\_\_ presently suspended or expelled from any public or private school of this Commonwealth or any other state for an act or offense involving weapons, alcohol or drugs, or for the willful infliction of injury to another person or for any act of violence committed on school property. I make this statement subject to the penalties of 24 P.S. §13-1304-A(b) and 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities, and the facts contained herein are true and correct to the best of my knowledge, information and belief.

If this student has been or is presently suspended or expelled from another school, please complete:

Name of the school from which student was suspended or expelled:

\_\_\_\_\_

Dates of suspension or expulsion:

\_\_\_\_\_

(Please provide additional schools and dates of expulsion or suspension on back of this sheet.)

Reason for suspension/expulsion (optional) \_\_\_\_\_

\_\_\_\_\_  
(Signature of Parent or Guardian)

\_\_\_\_\_  
(Date)

Any willful false statement made above shall be a misdemeanor of the third degree.  
This form shall be maintained as part of the student’s disciplinary record.



**Attachment B - SWORN STATEMENT BY RESIDENT UNDER §13-1302  
TO BE COMPLETED BY RESIDENT ONLY**

Instructions: Please complete the following statement. If the potential student is living, or will be living, in a household with more than one resident adult who will assume responsibility for the student, all such adult residents must complete and sign this statement.

**This is a legal document. You may ask to see a copy of 24 P.S. §13-1302 prior to signing this document, and consult with an attorney if you have any questions or do not understand any portion of this document.**

1. Your Name \_\_\_\_\_  
Home Address \_\_\_\_\_  
Home Telephone Number \_\_\_\_\_ Work Number \_\_\_\_\_
  
2. Do you live in the school district and does the child live with you? Yes \_\_\_\_ No \_\_\_\_
  
3. Child's Full Name \_\_\_\_\_  
Birth Date \_\_\_\_\_ Grade \_\_\_\_\_  
Name & Address of Last School Attended \_\_\_\_\_  
\_\_\_\_\_  
Date child began/will begin to reside in your home \_\_\_\_\_
  
4. Are you supporting this child gratis (without personal compensation or gain)?  
Yes \_\_\_\_ No \_\_\_\_
  
5. Will you assume all personal obligations related to school requirements for this child that may include providing for required immunizations, uniforms, fees/fines, citations/fines for truancy, attending parent-teacher conferences, or attending meetings/hearings concerning discipline? Yes \_\_\_\_ No \_\_\_\_
  
6. Do you intend to keep and support the child continuously and not merely through the school term? Yes \_\_\_\_ No \_\_\_\_

Through my notarized signature, I/We understand that the school district, pursuant to guidelines issued by the Department of Education and their own written policy, may require other reasonable information to be submitted to confirm this sworn statement.

Signed by resident(s) and notarized \_\_\_\_\_

Per 24 P.S. §13-1302, a person who knowingly provides false information in the above statement for the purpose of enrolling a child in a school district for which the child is not eligible commits a summary offense and shall, upon conviction for such violation, be sentenced to pay a fine of no more than three hundred dollars (\$300) for the benefit of the school district in which the person resides or to perform up to two hundred forty (240) hours of community service, or both. In addition, the person shall pay all court costs and shall be liable to the school district for an amount equal to the cost of tuition calculated in accordance with §2561 during the period of enrollment.



**Attachment C - GUIDELINES FOR REASONABLE INFORMATION  
TO SUBSTANTIATE SWORN STATEMENT BY RESIDENT UNDER  
24 P.S. §13-1302**

Pursuant to Act 35 of 2001 (24 P.S. §13-1302(a)(2)), school districts may request information from the resident to substantiate the assertions made in the sworn statement of the resident, provided that the district has adopted a policy regarding this additional substantiating information and that the policy conforms with this Basic Education Circular. If the school district has elected to require substantiating information and advised the resident thereof, then the resident must submit the information before the district is required to accept the child as a student.

A district may require that more than one form of residency confirmation be provided. However school districts and charter schools should be flexible in verifying residency, and should consider what information is reasonable in light of the family's situation. Examples of documentation that can support the factors in §1302 include:

**Signer is a Resident of the District**

- Current Utility bill, or
- Deed, or
- Lease, or
- Department of Transportation identification or driver's license, or
- Pennsylvania Department of Transportation vehicle registration, or
- Property tax bill, or
- Copy of State/Federal program enrollment, (examples include, but not limited to, TANF or CHIP), or
- Current credit card bill.

**Signer is Supporting the Child Gratis**

- Copy of completed county form or court order transferring child support payments to resident, if applicable, or
- Copy of completed State form notifying Department of Welfare of child's new residence, if applicable,
- Copy of lease/rental agreement identifying the child as a tenant, if applicable, or
- sworn statement by the resident.

A resident's receipt of payments, such as Supplemental Security Income (SSI), Transitional Assistance for Needy Families (TANF), pre-adoptive support, child 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 shall not be deemed to be personal compensation or gain.

**Signer will Assume All Personal Obligations for the Child Relative to School Requirements** Sworn statement by resident shall be satisfactory evidence thereof.

**Signer Intends to so Keep and Support the Child Continuously and Not Merely Through the School Term**

Sworn statement by resident shall be satisfactory evidence thereof.