



## **Policy Enrollment of Students**

**Resolution #:** 0320202413 **Updated:** August 31, 2025

### **A. Applying for Admission**

Families may apply to Laboratory Charter School (“LAB Charter”) through Apply Philly Charter (APC) at [ApplyPhillyCharter.org](https://ApplyPhillyCharter.org) or by calling 1-800-891-3999. In-person assistance is available at LAB; staff will provide information and, when available, a device to complete an application. Translation options are available in APC, and APC provides multilingual phone support, including after-hours assistance. Upon submission, applicants receive email/text confirmation. Applications submitted after the deadline are considered in order received after LAB has addressed the on-time waitlist. No interviews, admissions tests, school tours, information sessions, or fees are required to apply.

Laboratory Charter School uses Apply Philly Charter (APC) to manage its lottery and waitlist. Beginning with enrollment into the 2026-27 school year, APC will utilize a “ranked choice” or “Single Best Offer” (SBO) process. When families apply through APC, they submit a ranked list of their preferred charter schools that participate in the lottery, listed in order of preference (e.g., 1st choice, 2nd choice, etc.). The APC system makes offers to students for their highest-ranked school where there is an available seat and/or their desired Renaissance school, based on each school's individual lottery structure and the student's random lottery number, if applicable. Students are placed on waitlists only for schools ranked higher on their application than the school where they got an offer. For additional information and support, please visit [applyphillycharter.org](https://applyphillycharter.org) or call 1 (800) 891-3999.

### **B. Data Management**

Applicant data is managed through the Apply Philly Charter system, adhering to applicable laws such as FERPA, PPRA, and COPPA. Data will not be shared with schools to which the applicant did not apply.

### **C. Overview of Lottery Administration and Enrollment Process for SY 2026–27**

This is the enrollment policy that will be used by the School to conduct a lottery this year (SY 2025–26) to enroll students for SY 2026–27.

Apply Philly Charter oversees the lottery process for Laboratory Charter School. Students not selected in the lottery are placed on a waiting list based on lottery results. Families are notified of their waitlist number via email. Accepted students receive written notification within one week of the public lottery. Selection in the lottery does not guarantee enrollment. To confirm enrollment, families must submit all required enrollment documents within five (5) days of acceptance to confirm their seat. Documents may be submitted in person, via email, or fax. Applications submitted after the deadline are placed on the waiting list after those received before the deadline, following a first-come, first-served basis. The waiting list remains valid for one school year.

Written Lottery and Enrollment Policies and Procedures:

The School will conduct its annual public, randomized lottery in collaboration with Apply Philly Charter in accordance with Pennsylvania charter school law. All completed applications submitted by the published Apply Philly Charter deadline will be entered into the lottery. The lottery will be held on the publicly posted date and will be accessible to the public. The drawing will be conducted using a secure, randomized selection process to assign available seats and waitlist order. Lottery preference categories, including sibling preference, staff preference, and Philadelphia residency preference, will be applied in accordance with law and as detailed in this policy. Following the lottery, families of students offered admission will be notified in writing and provided with enrollment instructions and deadlines. Waitlisted families will receive their position and will be contacted if a seat becomes available.

This policy governs all enrollment activities at Laboratory Charter School, including the administration of a public, randomized lottery used to select students for admission. The lottery for the 2026–27 school year will be conducted during the 2025–26 school year in collaboration with Apply Philly Charter (APC), which manages the unified application process for Philadelphia charter schools. The policy outlines all procedures related to the lottery process, including application procedures, submission deadlines, preference categories, family notification processes, waitlist management, and the submission of required enrollment documentation.

This Enrollment Policy specifically applies to the 2025–26 application and lottery cycle. All applications received by the annual Apply Philly Charter deadline will be entered into a public, randomized lottery to determine enrollment for the 2026–27 academic year. The lottery is administered in partnership with Apply Philly Charter and complies with Pennsylvania charter school law. The policy includes eligibility requirements, the enrollment timeline, preference categories such as sibling, staff, and residency priority, waitlist procedures, and the steps required to confirm enrollment. Laboratory Charter School affirms that it does not require interviews, admission tests, or application fees as part of the lottery process.

The Enrollment Policy includes all policies and procedures related to the School's use of a randomized lottery process for selecting students.

**D. Lottery Preferences**

Laboratory Charter School follows Pennsylvania charter school law, employing a lottery system for admissions. Sibling preference is granted to applicants with shared legal guardianship or custody or biological, half, or step-siblings. Staff preference is extended to children of Laboratory Charter School employees. Residency preference is given to Philadelphia residents, with separate waiting lists maintained for non-residents.

**A. Confirming Enrollment**

Selection in the lottery does not guarantee enrollment. To confirm enrollment, families must submit required documents within five days of acceptance. Documents can be submitted in person, via email, or fax.

**B. Enrollment Timeline**

The enrollment timeline encompasses the application window, lottery, and notification dates.

**C. Compliance with Regulatory Standards**

In accordance with regulatory standards:

1st Standard - Public School Enrollment: Laboratory Charter School ensures that its percentage of children with disabilities served in special education is comparable to state data, as mandated by Child Find - 34 CFR 300.111. 2nd Standard - Timely Provision of FAPE: Laboratory Charter School complies with the timely provision of Free Appropriate

Public Education (FAPE) as outlined in 34 CFR 300.323, ensuring that children with disabilities transferring within or across states receive FAPE consistent with their Individualized Education Program (IEP) requirements.

**D. Proof of Child's Age and Residency**

Acceptable documents for proof of age include birth certificates, passports, or baptismal certificates. Residency can be verified through deeds, leases, utility bills, or other official documents. Laboratory Charter School accommodates flexible verification methods.

**E. Immunizations and Home Language Survey**

Laboratory Charter School prioritizes the health and linguistic needs of its students by implementing rigorous protocols for immunization verification and language assessment during the enrollment process.

Immunizations: Proof of immunizations is a mandatory requirement for all students enrolling at Laboratory Charter School. This policy aligns with state and federal regulations aimed at safeguarding public health within educational settings. Immunization records must be provided to ensure that students are adequately protected against preventable diseases according to established vaccination schedules. Acceptable forms of documentation include immunization

certificates, medical records, or official letters from healthcare providers. Laboratory Charter School reserves the right to verify the authenticity of immunization records to maintain compliance with relevant health regulations.

Legal Codes: Immunization requirements are governed by state laws, including but not limited to:

Pennsylvania Public Health Code: Laboratory Charter School adheres to regulations outlined in the Pennsylvania Public Health Code, which mandates specific immunization requirements for students attending educational institutions.

Pennsylvania School Immunization Regulations (28 Pa. Code § 23.83): This regulation stipulates the immunization requirements for school-aged children in Pennsylvania, outlining the vaccines necessary for enrollment in educational facilities.

Centers for Disease Control and Prevention (CDC) Guidelines: Laboratory Charter School follows guidelines established by the CDC regarding recommended immunization schedules and vaccine administration protocols.

Home Language Survey (HLS): In addition to immunization documentation, Laboratory Charter School administers a Home Language Survey (HLS) as part of the enrollment process. The HLS is designed to assess the primary language spoken in students' homes to facilitate appropriate language instruction and support services. By identifying students' language backgrounds, Laboratory Charter School can tailor educational programs to meet the diverse linguistic needs of its student population effectively.

Legal Codes: The administration of the Home Language Survey aligns with federal and state regulations, including:

- Title VI of the Civil Rights Act of 1964: Laboratory Charter School ensures compliance with Title VI, which prohibits discrimination based on race, color, or national origin in programs receiving federal financial assistance. Language proficiency assessments, such as the HLS, help uphold language-related protections under this law.
- Equal Educational Opportunities Act of 1974: This federal law prohibits discrimination against students based on language proficiency and mandates that schools take appropriate steps to overcome language barriers that impede equal participation in instructional programs.
- Pennsylvania Department of Education Language Proficiency Standards: Laboratory Charter School follows language proficiency standards established by the Pennsylvania Department of Education to support English language learners and provide appropriate language development opportunities.

By incorporating comprehensive immunization verification procedures and language assessment protocols, Laboratory Charter School ensures that all enrolled students receive the necessary health protections and linguistic support to thrive academically and socially within the school community.

**F. Parent Registration Statement**

Laboratory Charter School adheres to Act 110 of 2020, requiring parents to provide a sworn statement regarding their child's disciplinary history upon registration.

**G. Documents for Record-keeping**

Additional documents may be requested for record-keeping purposes but are not conditions for enrollment.

**H. Student Admissions and Complaint Process**

Laboratory Charter School enrolls students throughout the school year and follows the Pennsylvania Department of Education's enrollment complaint process.

**I. Home Language Survey (HLS)**

The HLS is administered to determine the primary language of students, ensuring appropriate language instruction programs and services.

Integration with Laboratory Charter School's Enrollment Policy 1: (Removed)

Legal Regulatory Codes: Policy # 0519202100 integrates these legal codes by ensuring adherence to regulatory standards, specifically emphasizing compliance with 34 CFR

300.111 and 34 CFR 300.323 regarding public school enrollment and the timely provision of Free Appropriate Public Education (FAPE) for children with disabilities. The policy collectively addresses various student classifications for education entitlement, including resident students, homeless students, foster children, pre-adoptive and adoptive students, school-age children of military personnel, and others, ensuring equitable access to education for all eligible students. The policy emphasizes the prohibition of certain requests during enrollment, such as social security numbers, immigration status inquiries, and other prohibited items, in alignment with legal regulations and guidelines. Policy #0519202100 integrates Laboratory Charter School's commitment to fair, transparent, and efficient enrollment practices, emphasizing adherence to regulatory standards to ensure equal opportunities for education for all students.

**Procedures for Enrolling Students with Disabilities**

The procedures for enrolling students with disabilities at Laboratory Charter School are designed to ensure compliance with regulatory requirements for transferring students with Individualized Education Programs (IEPs) from Local Education Agencies (LEAs) within the state and out of state. Here are the key procedures and considerations:

1. Within State Transfers:

- Ensure compliance with the Individuals with Disabilities Education Act (IDEA) to guarantee that students with disabilities transferring between schools within the same state continue to receive a free appropriate public education (FAPE).
- Coordinate with the sending LEA to facilitate the transfer of the student's complete special education records, including the IEP, evaluations, assessments, progress reports, and any relevant documentation, to Laboratory Charter School in a timely manner.
- Upon receiving the student's records, promptly review the existing IEP and implement its provisions, including providing any necessary accommodations, services, or modifications to ensure continuity of services.

2. Out of State Transfers:

- Adhere to IDEA requirements to ensure that students with IEPs transferring out of state have their rights and entitlements protected.
- If the transfer is due to a military-related relocation, consider provisions under the Interstate Compact on Educational Opportunity for Military Children, which may apply and provide specific provisions for the seamless transfer of military-connected students, including those with disabilities, between states.
- Coordinate with the sending LEA to ensure the secure transfer of the student's special education records across state lines, including any necessary evaluations or assessments required by the receiving state's regulations.
- Comply with the special education regulations and requirements of the receiving state, including conducting evaluations or assessments to determine eligibility for special education services under the new state's guidelines.

3. FAPE and Continuity of Services:

- Ensure that students transferring with IEPs, both within-state and out-of-state, continue to receive a free appropriate public education (FAPE) without interruption.
- Promptly implement the student's IEP upon enrollment at Laboratory Charter School, providing any necessary accommodations, services, or supports to address the student's unique needs.

By following these procedures, Laboratory Charter School aims to facilitate smooth transitions for students with disabilities transferring into the school while upholding their educational rights and ensuring continuity of services, regardless of the location of the sending or receiving LEA.

## Student Education Records

Upon enrollment, the school district or charter school is to contact 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 10 business days of the date upon which a student's records are requested by another commonwealth school district or charter school. School districts and charter schools shall enroll students within 5 business days regardless of receipt of records from the previous districts (22 Pa. Code § 11.11(b)).

Children of active duty military families may present unofficial or "hand-carried" educational records for enrollment. Upon receipt of the unofficial educational records, the school must enroll and place the student based on information presented in the unofficial records pending validation by the official records as soon as possible. Official records must still be forwarded to the receiving school within 10 business days (22 Pa. Code Chapter 721).

## 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 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 or charter school 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 currently is expelled for a weapons offense, the school district or charter school 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 was expelled from their prior school for reasons other than a weapons offense, school districts are advised to review the student's prior performance and school record to determine the services and supports to be provided upon enrollment in the district or charter 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 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 enrolling the child, then the school district or charter school may require that the parent provide a copy of the order or agreement.

As stated below, a school district 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." A school district or charter school 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. In addition, before accepting the child as a student, the district shall require the resident to file only one of the following:

Once the requested information is provided, the school district must enroll the child and permit him or her to begin to attend school without delay, but in no case more than five (5) days.

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

Nonresident children placed in foster care must be educated in accordance with 24 P.S.

§131305(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 school districts 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., 22 Pa. Code Chapter 14, and 22 Pa. Code Chapter 16. A school district 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 or the Identification of Students in Foster Care to School Points of Contact form from the appropriate agency, but the district cannot require a court order or agency records.

Children placed into foster care often move from one foster home to another and such moves may involve school changes as well. If an entry into foster care or change in placement occurs, a best interest determination (BID) must occur. Children in foster care should remain enrolled in the school of origin unless there is a determination that it is not in the child's best interest to attend the school of origin. If it is determined to be in the child's best interest, the child has the right to remain in the school of origin during the pendency of their time in foster care.

If a determination is made that remaining in the school of origin is not in the child's best interest, new school must ensure that a child in foster care is immediately enrolled in their new school even if the student does not have the required documentation. The enrolling school must contact and collaborate with the student's prior school for relevant records.

#### 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. See BEC 24 P.S. §13-1306 Nonresident Students in Institutions.

#### Emancipated Minors

An emancipated minor is a student under the age of 22 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.

#### 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.

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.

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. See the McKinney-Vento Act, 42 U.S.C. §11431 et seq. and the Education for Homeless Youth BEC 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 SSI or 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.

## 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 currently is 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.

## 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 Section 1302 statement/affidavit process, except that the resident is to be presumed to be supporting the child without personal compensation or gain (gratis).

Under Section 1302.1, a child whose parent or legal guardian is an active-duty member of the armed forces of the United States, including the reserves, and who has received official military orders to transfer into Pennsylvania is allowed to enroll in a school district before establishing residency. The parent or guardian must provide a copy of the official military orders and proof of their intention to move into the school district. Proof of intention includes a signed contract to purchase a home, a signed lease agreement, or a statement from the parent or guardian stating their intention to move into the school district. The parent or guardian must provide proof of

residency in the school district to the school district no later than 45 days after the arrival date stated in the military orders.

#### 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 school districts 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. Review the ACP Flyer (PDF) and reach out to Office of Victim Advocate at 800-563-6399 or email [ra-avainfo@pa.gov](mailto:ra-avainfo@pa.gov).

#### 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. Children with disabilities eligible under the Individuals with Disabilities Education Act (IDEA) may remain enrolled in their resident district or charter school until their 22nd birthday.

The local school board has the right and responsibility to establish the age at which a child can begin the kindergarten program. Once the age requirement is established, districts cannot refuse admission to a child who meets the age requirement. See Admission to Kindergarten and Beginners BEC.

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.

Non-special education 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.

A child with a disability who is eligible under IDEA may remain enrolled until they turn 22. See IDEA B Frequently Asked Questions for additional guidance.

#### 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.

## 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.

The school district 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. The school district shall provide the classroom placement requested, unless, after consultation with the school district superintendent or designee, the principal determines that alternative placement is necessary. The law affords the parents the opportunity to appeal that denial. A school district is not required to place twins or higher order multiples in separate classrooms if the request would require the school district to add an additional class to the grade level of the siblings.

### Act 1 of 2022

Act 1 of 2022 requires school entities to identify eligible students who experience "education instability" and provide certain supports for these students. A student experiencing "educational instability" is a student who has one or more changes in school entity enrollment during a single school year as a result of any of the following:

#### Enrollment Preference for Displaced Students Due to Abrupt Closures of Public Charter Schools

The Laboratory Charter School Board of Trustees ("Board") hereby resolves to amend the current Enrollment Policy in order to offer a lottery and enrollment preference that ensures entry to all displaced students from closed Charter Schools.

The Laboratory Charter School (LAB) is aware that any abrupt closure of a Charter School in Philadelphia creates a hardship for families of students left without a seat.

At LAB we recognize extraordinary challenges families face in situations where Charter Schools close during their matriculation and would like to offer the opportunity for the K-8 students of closing schools to enroll at LAB for the remainder of their K-8 school years.

Lab Charter believes that displaced students from closing schools deserve specific attention and tailored support to ensure a smooth transition to a new school of their choice. In keeping with this belief, the LAB Charter Board of Trustees affirms this resolution at the February 2024 meeting of the Board of Trustees to amend the current Enrollment Policy in order to offer a lottery and enrollment preference that ensures entry to all students from abruptly closing Charter Schools, who choose to enroll at LAB Charter.

## References

Purdon's Statutes 24 P.S § 13-1301

24 P.S. § 13-1302

24 P.S. § 13-1302.1

24 P.S § 13-1302(a)(1)

24 P.S. § 13-1302(a)(2)

24 P.S. § 13-1305

24 P.S. § 13-1306

24 P.S. § 13-1310.1

24 P.S. § 13-1317.2(e.1)

24 P.S. § 13-1371 et seq.

24 P.S. § 13-1304-A

62 P.S. § 771 et seq.

23 Pa. C.S.A. § 6701

## State Board of Education Regulations

22 Pa. Code § 4.26 22 Pa. Code § 11.11

22 Pa. Code, Chapter 11 22 Pa. Code, Chapter 14 22 Pa. Code, Chapter 16 22 Pa. Code Chapter 721

Federal Statutes 20 U.S.C. § 1703

42 U.S.C. § 673

42 U.S.C. § 2000d et seq. 42 U.S.C. § 11431 et seq.

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The procedures for enrolling students with disabilities at Laboratory Charter School are designed to ensure compliance with regulatory requirements for transferring students with Individualized Education Programs (IEPs) from Local Education Agencies (LEAs) within the state and out of state. Here are the key procedures and considerations:

### 4. Within State Transfers:

- Ensure compliance with the Individuals with Disabilities Education Act (IDEA) to guarantee that students with disabilities transferring between schools within the same state continue to receive a free appropriate public education (FAPE).
- Coordinate with the sending LEA to facilitate the transfer of the student's complete special education records, including the IEP, evaluations, assessments, progress reports, and any relevant documentation, to Laboratory Charter School in a timely manner.
- Upon receiving the student's records, promptly review the existing IEP and implement its provisions, including providing any necessary accommodations, services, or modifications to ensure continuity of services.

### 5. Out of State Transfers:

- Adhere to IDEA requirements to ensure that students with IEPs transferring out of state have their rights and entitlements protected.

- If the transfer is due to a military-related relocation, consider provisions under the Interstate Compact on Educational Opportunity for Military Children, which may apply and provide specific provisions for the seamless transfer of military- connected students, including those with disabilities, between states.
- Coordinate with the sending LEA to ensure the secure transfer of the student's special education records across state lines, including any necessary evaluations or assessments required by the receiving state's regulations.
- Comply with the special education regulations and requirements of the receiving state, including conducting evaluations or assessments to determine eligibility for special education services under the new state's guidelines.

6. FAPE and Continuity of Services:

- Ensure that students transferring with IEPs, both within-state and out-of-state, continue to receive a free appropriate public education (FAPE) without interruption.
- Promptly implement the student's IEP upon enrollment at Laboratory Charter School, providing any necessary accommodations, services, or supports to address the student's unique needs.

By following these procedures, Laboratory Charter School aims to facilitate smooth transitions for students with disabilities transferring into the school while upholding their educational rights and ensuring continuity of services, regardless of the location of the sending or receiving LEA the student attended. However, the provision of this information rests with the educational entity and not the family. The receiving school district may 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, the school district or charter school is to contact 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 10 business days of the date upon which a student's records are requested by another commonwealth school district or charter school. School districts and charter schools shall enroll students within 5 business days regardless of receipt of records from the previous districts (22 Pa. Code § 11.11 b).

Children of active-duty military families may present unofficial or "hand-carried" educational records for enrollment. Upon receipt of the unofficial educational records, the school must enroll and place the student based on information presented in the unofficial records pending validation by the official records as soon as possible. Official records must still be forwarded to the receiving school within 10 business days (22 Pa. Code Chapter 721).

## 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 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 or charter school 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 currently is expelled for a weapons offense, the school district or charter school 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 was expelled from their prior school for reasons other than a weapons offense, school districts are advised to review the student's prior performance and school record to determine the services and supports to be provided upon enrollment in the district or charter 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 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 enrolling the child, then the school district or charter school may require that the parent provide a copy of the order or agreement.

As stated below, a school district 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." A school district or charter school 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. In addition, before accepting the child as a student, the district shall require the resident to file only one of the following: Once the requested information is provided, the school district must enroll the child and permit him or her to begin to attend school without delay, but in no case more than five (5) days.

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

Nonresident children placed in foster care must be educated in accordance with 24 P.S.

§131305(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 school districts 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., 22 Pa. Code Chapter 14, and 22 Pa. Code Chapter 16. A school district 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 or the Identification of Students in Foster Care to School Points of Contact form from the appropriate agency, but the district cannot require a court order or agency records.

Children placed into foster care often move from one foster home to another and such moves may involve school changes as well. If an entry into foster care or change in placement occurs, a best interest determination (BID) must occur. Children in foster care should remain enrolled in the school of origin unless there is a determination that it is not in the child's best interest to attend the school of origin. If it is determined to be in the child's best interest, the child has the right to remain in the school of origin during the pendency of their time in foster care.

If a determination is made that remaining in the school of origin is not in the child's best interest, new school must ensure that a child in foster care is immediately enrolled in their new school even if the student does not have the required documentation. The enrolling school must contact and collaborate with the student's prior school for relevant records.

#### 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. See BEC 24 P.S. §13-1306 Nonresident Students in Institutions.

## Emancipated Minors

An emancipated minor is a student under the age of 22 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.

## 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.

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.

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. See the McKinney-Vento Act, 42 U.S.C. §11431 et seq. and the Education for Homeless Youth BEC 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 SSI or 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.

## 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 currently is 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.

## 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 Section 1302 statement/affidavit process, except that the resident is to be presumed to be supporting the child without personal compensation or gain (*gratis*).

Under Section 1302.1, a child whose parent or legal guardian is an active-duty member of the armed forces of the United States, including the reserves, and who has received official military orders to transfer into Pennsylvania is allowed to enroll in a school district before establishing residency. The parent or guardian must provide a copy of the official military orders and proof of their intention to move into the school district. Proof of intention includes a signed contract to purchase a home, a signed lease agreement, or a statement from the parent or guardian stating their intention to move into the school district. The parent or guardian must provide proof of residency in the school district to the school district no later than 45 days after the arrival date stated in the military orders.

## 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 school districts 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. Review the ACP Flyer (PDF) and reach out to Office of Victim Advocate at 800-563-6399 or email [ra-avainfo@pa.gov](mailto:ra-avainfo@pa.gov).

## 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. Children with disabilities eligible under the Individuals with Disabilities Education Act (IDEA) may remain enrolled in their resident district or charter school until their 22nd birthday.

The local school board has the right and responsibility to establish the age at which a child can begin the kindergarten program. Once the age requirement is established, districts cannot refuse admission to a child who meets the age requirement. See Admission to Kindergarten and Beginners BEC.

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.

Non-special education 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. A child with a disability who is eligible under IDEA may remain enrolled until they turn 22. See IDEA B Frequently Asked Questions for additional guidance.

## 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.

## 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.

The school district 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. The school district shall provide the classroom placement requested, unless, after consultation with the school district superintendent or designee, the principal determines that alternative placement is necessary. The law affords the parents the opportunity to appeal that denial. A school district is not required to place twins or higher order multiples in separate

classrooms if the request would require the school district to add an additional class to the grade level of the siblings.

#### Act 1 of 2022

Act 1 of 2022 requires school entities to identify eligible students who experience "education instability" and provide certain supports for these students. A student experiencing "educational instability" is a student who has one or more changes in school entity enrollment during a single school year as a result of any of the following:

#### Enrollment Preference for Displaced Students Due to Abrupt Closures of Public Charter Schools

The Laboratory Charter School Board of Trustees ("Board") hereby resolves to amend the current Enrollment Policy in order to offer a lottery and enrollment preference that ensures entry to all displaced students from closed Charter Schools.

The Laboratory Charter School (LAB) is aware that any abrupt closure of a Charter School in Philadelphia creates a hardship for families of students left without a seat.

At LAB we recognize extraordinary challenges families face in situations where Charter Schools close during their matriculation and would like to offer the opportunity for the K-8 students of closing schools to enroll at LAB for the remainder of their K-8 school years.

Lab Charter believes that displaced students from closing schools deserve specific attention and tailored support to ensure a smooth transition to a new school of their choice. In keeping with this belief, the LAB Charter Board of Trustees affirms this resolution at the February 2024 meeting of the Board of Trustees to amend the current Enrollment Policy in order to offer a lottery and enrollment preference that ensures entry to all students from abruptly closing Charter Schools, who choose to enroll at LAB Charter.

#### References

Purdon's Statutes 24 P.S § 13-1301

24 P.S. § 13-1302

24 P.S. § 13-1302.1

24 P.S § 13-1302(a)(1)

24 P.S. § 13-1302(a)(2)

24 P.S. § 13-1305

24 P.S. § 13-1306

24 P.S. § 13-1310.1

24 P.S. § 13-1317.2(e.1)

24 P.S. § 13-1371 et seq.

24 P.S. § 13-1304-A

62 P.S. § 771 et seq.

23 Pa. C.S.A. § 6701

State Board of Education Regulations

22 Pa. Code § 4.26 22 Pa. Code § 11.11

22 Pa. Code, Chapter 11 22 Pa. Code, Chapter 14 22 Pa. Code, Chapter 16 22 Pa. Code Chapter 721

Federal Statutes 20 U.S.C. § 1703

42 U.S.C. § 673

42 U.S.C. § 2000d et seq. 42 U.S.C. § 11431 et seq.

## **USDA Food Service Non-Discrimination Statement**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the State or local Agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Mail Stop 9410, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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