

Compulsory Kindergarten Attendance

- Com. v. Kerstetter, 62 A.3d 1065 (Pa. Commw. Ct. 2013) appeal granted in part, 73 A.3d 576 (Pa. 2013)
- Mother enrolled twin girls in Kindergarten and was later issued citations after 3 unlawful absences
- On appeal from Magistrate ruling, Mother argued that b/c compulsory school age does not include children enrolled in kindergarten, the compulsory attendance laws could not be applied to her

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- Children who were younger than eight years old and enrolled in kindergarten were of "compulsory school age" within meaning of compulsory school attendance statute, even though they were not classified as "beginners" under Department of Education's regulation which compelled attendance for "beginners" enrolled in grades above kindergarten; the statute's definition was clear and therefore took precedence over the inconsistent regulation
- Statute defines compulsory school age as the period in the child's life from the time the child's parents elect to have the child enter school, which shall not be later than the age of eight (8) years.