

GUIDELINE

RIGHT TO EDUCATION FOR CHILDREN AND YOUNG PEOPLE
RESIDING IN NACKA WITHOUT BEING REGISTERED IN THE
SWEDISH POPULATION REGISTER

Registration Number	Adopted/Last Updated	Decision-Making Authority	Responsible Political Body	Responsible Process Owner
UBN-2025-00107	2025-05-08	Utbildningsnämnden	Utbildningsnämnden	Utbildnings- och arbetsmarknadsdirektör
Guideline	Right to Education for Children and Young People Residing in Nacka Without Being Registered in the Swedish Population Register			

Right to Education for Children and Young People Residing in Nacka Without Being Registered in the Swedish Population Register

Purpose of the Document

The purpose of this document is to clarify the legal framework regarding the right to education for children and young people residing in Nacka without being registered in the Swedish population register, and to explain how Nacka Municipality applies this framework.

Scope of the Document

This guideline applies to guardians and children or young people residing in Nacka Municipality without being registered in the Swedish population register.

The aim of this guideline is to clarify how Nacka Municipality interprets and applies national legislation regarding the right to education for children and young people staying in the municipality without official registration in Sweden. The guideline also seeks to ensure that decisions are made lawfully and equitably for all individuals.

General Right to Education

Chapter 29 of the Swedish Education Act governs the right to education for children and young people residing in Sweden without being registered. The right to education depends on the legal grounds for the child's or young person's stay in the country and the type of schooling concerned. This guideline is therefore structured according to the Education Act's classification of residence grounds.

The right to education does not always entail compulsory school attendance, but Nacka Municipality, as the municipality of residence, has a duty to offer education to those covered by the legislation.

Applying for Preschool and School

To apply for preschool or school as a non-registered resident, an assessment of the right to education must first be conducted. The municipality bases this

assessment on documentation showing that the child or young person resides in Nacka and meets the criteria established in the Education Act.

Upon approval, the guardian or the student (if of legal age) selects a preschool or school within the municipality's school choice system, under the same conditions as registered residents.

In some cases, the municipality will automatically assess the right to education—for example, for children and young people referred to the municipality through the establishment unit.

Documentation Requirements

To confirm the right to education, the following documents are generally required:

- Proof of identity (e.g., passport or other ID)
- Documentation showing residence in Nacka (e.g., lease or purchase agreement)
- If applicable: additional documents depending on the grounds for residence (see below)

Special Documentation Requirements for Preschool Applications

When applying for preschool, a certificate of employment or proof of studies (from an approved course or Swedish for Immigrants, SFI) must always be included. This demonstrates that the child is entitled to preschool based on the guardian's working/study hours plus travel time.

If the guardian is actively seeking work and is available to the labour market, the child is entitled to preschool in the same scope as registered children of jobseekers—currently 25 hours per week. Proof of registration with the Swedish Public Employment Service (Arbetsförmedlingen) must be attached.

All children aged 3–5 residing in Sweden and Nacka under Chapter 29, Sections 2–3 of the Education Act are entitled to public preschool starting in August of the year the child turns three. Public preschool provides 525 free hours per year (15 hours per week, excluding school holidays), regardless of the parents' employment status.

Asylum seekers and persons with temporary protection under the Temporary Protection Directive who apply for preschool must also have a work permit.

Rights and Documentation Requirements Based on Residence Status

1. Asylum Seekers and Individuals with Temporary Protection under the Temporary Protection Directive

Must attach copies of all family members' LMA cards or a certificate from the Swedish Migration Agency (Migrationsverket) confirming the asylum application or residence permit card. If the child has a legal guardian, proof of guardianship must also be included. The family must have a residential address in Nacka and have registered the same address with the Migration Agency.

a. Preschool

If a guardian has been granted a work permit, the child may be granted preschool access under the same conditions as registered residents. The work permit is indicated by "AT-UND" on the LMA or residence permit card.

Public preschool is granted on the same basis as for registered children.

b. Preschool Class, Compulsory School, and Compulsory School for Pupils with Intellectual Disabilities

These children have the right to education but are not subject to compulsory schooling.

Ukrainian children who have stayed in Sweden under the Temporary Protection Directive for at least two years and thereby qualify for registration have the right to education and are also subject to compulsory schooling.

c. Upper Secondary School and Upper Secondary School for Pupils with Intellectual Disabilities

Asylum-seeking youth are entitled to upper secondary education only if they begin the program before turning 18. However, they may transfer between introductory programs or from an introductory program to a national program even after the age of 18.

2. Citizens of an EU/EEA Country or Switzerland

Children and young people from EU/EEA countries or Switzerland are entitled to education under the same conditions as registered individuals, provided a family member is a legal resident in Sweden under:

- EU law

- the EEA Agreement, or
- the Agreement on the Free Movement of Persons between the EU and Switzerland

Required documentation includes an employment contract, certificate of study, or other documentation supporting the legal right of residence under EU law.

3. Embassies, Consulates, and Their Staff (Non-EU Jurisdictions)

This applies only to persons not covered by EU law. Required documentation includes a certificate of employment and residence permit or equivalent.

a. Preschool

No right to education.

b. Preschool Class, Compulsory School, and Compulsory School for Pupils with Intellectual Disabilities

Right to education, but not subject to compulsory schooling.

c. Upper Secondary School and Upper Secondary School for Pupils with Intellectual Disabilities

No right to education.

4. Persons Residing Without Legal Authorization (Undocumented Migrants)

Applications must include a deportation order or other documentation confirming undocumented status (not as a tourist).

a. Preschool

No right to education.

b. Preschool Class, Compulsory School, and Compulsory School for Pupils with Intellectual Disabilities

Right to education, but not subject to compulsory schooling.

c. Upper Secondary School and Upper Secondary School for Pupils with Intellectual Disabilities

Right to education only if studies began before the age of 18.

However, transitions between introductory programs are permitted even after 18.

5. Persons with a Time-Limited Residence Permit Under the Aliens Act

Applies to children of guardians residing in Sweden who are the subject of a residence permit application by a criminal investigator (Chapter 5, Section 15 of the Aliens Act). The issued residence permit must be attached.

a. Preschool

Right to education.

b. Preschool Class, Compulsory School, and Compulsory School for Pupils with Intellectual Disabilities

Right to education, but not subject to compulsory schooling.

c. Upper Secondary School and Upper Secondary School for Pupils with Intellectual Disabilities

Right to education only if studies began before the age of 18.

Transitions between introductory programs are allowed as these are considered a continuous education path.

6. Persons with a Residence Permit Valid for at Least One Year

These individuals are entitled to education on the same terms as registered residents. Required documentation includes a stamped copy of the application for population registration submitted to the Swedish Tax Agency (Skatteverket).

Glossary

Asylum Seeker

An individual who seeks protection in Sweden but whose asylum application is pending. To work during the application process, the person must have an exemption from the work permit requirement (AT-UND), noted on the LMA card.

EU Law

EU/EEA citizens may work, study, or reside in Sweden without a residence permit. This right of residence applies to workers, entrepreneurs, students, or individuals with sufficient means to support themselves.

Refugee

The Swedish Migration Agency determines refugee status. A refugee receives a residence permit valid for three years and has the right to work.

Population Registration Act

A person is considered a resident in Sweden if they are expected to remain in the country for at least one year and must then be registered. A residence permit valid for at least one year is required for registration. This does not apply to EU citizens.

Quota Refugee

Selected by the UNHCR for resettlement. Quota refugees are granted permanent residence.

LMA Card

Issued to all asylum seekers in Sweden. Serves as proof of identity and legal stay during the asylum process. "LMA" refers to the Reception of Asylum Seekers Act.

Residence Permit Card

Indicates the type and duration of the residence permit. Some cards include "Allowed to Work" on the reverse side, particularly for permanent residence holders.